

## Chapter XII

## Refugees and displaced persons

In 1998, the Office of the United Nations High Commissioner for Refugees (UNHCR) assisted some 21.4 million persons compared to 22.4 million the previous year. Of the total, approximately 11.4 million were refugees, 5.4 million were internally displaced persons and 1.7 million were repatriated refugees. The rest comprised asylum-seekers, stateless people and various others of concern to UNHCR.

The Security Council issued a statement in September condemning attacks in conflict situations against refugees and other civilians. It also condemned the use of force against UN personnel and personnel of other organizations involved in delivering humanitarian assistance.

More than half of the refugees and persons of concern to UNHCR (6.5 million) were in Africa. African refugees accounted for more than a third of the total number of persons resettled under UNHCR auspices during the year and almost half of the active cases pending decisions by resettlement countries or slated for submission. In West Africa, the crises in Guinea-Bissau and Sierra Leone forced hundreds of thousands to flee their homes; there were some 350,000 refugees in Guinea alone and Liberia, a country emerging from years of war, hosted almost 90,000 Sierra Leonean refugees. In Central Africa, the resurgence of fighting in the Democratic Republic of the Congo provoked new movements of refugees and displaced persons, and made it extremely hazardous for UNHCR and other organizations to continue their operations. Some 260,000 Burundi refugees in the United Republic of Tanzania comprised the largest group of refugees in the region. At the end of the year, armed conflict between Eritrea and Ethiopia led to a new spate of displacement and mass expulsions in the Horn of Africa. Some 230,000 refugees were repatriated in Rwanda during 1998, but 625,000 Rwandans remained internally displaced. On the other hand, the successful repatriation of Ethiopian refugees from the Sudan and of Somali refugees from Ethiopia indicated that some of the long-standing problems in certain parts of the region were being resolved.

Elsewhere, internal fighting continued in Afghanistan, compounded by grave violations of human rights. Although some 80,000 Afghan

refugees returned home from Pakistan in spite of the unstable situation, returns from Iran were very low and reintegration activities virtually stopped. In Cambodia, sporadic violence continued to affect the peace process; consequently, some 39,000 Cambodians remained in refugee camps in Thailand. Although not linked to a conflict, a solution to the problem of some 95,000 Bhutanese refugees in Nepal remained elusive.

Nowhere was the relationship between conflict and displacement more evident during the year than in the Kosovo province of the Federal Republic of Yugoslavia (Serbia and Montenegro), where an estimated 200,000 people were displaced. There were also 45,000 displaced in Montenegro and 20,000 refugees in Albania. UNHCR substantially increased its operational capacity in the region during the year.

The UNHCR Executive Committee, in October, considered international solidarity and burden-sharing as its annual theme, including national, regional and international responsibilities for refugees. It recognized that those issues were of direct importance to the satisfactory implementation of refugee protection principles. However, it stressed that access to asylum should not be dependent on burden-sharing arrangements first being in place, since respect for fundamental human rights and humanitarian principles was an obligation of all members of the international community.

In December, the General Assembly urged all States, in conjunction with UNHCR, to cooperate and mobilize resources with a view to reducing the burden borne by States, particularly developing countries, that had received large numbers of asylum-seekers and refugees.

### Office of the United Nations High Commissioner for Refugees

#### Programme policy

**Executive Committee action.** At its forty-ninth session (Geneva, 5-9 October) [A/53/12/Add.1], the Executive Committee of the UNHCR Programme, noting the commemoration of the fiftieth anni-

versary of the Universal Declaration of Human Rights (see PART TWO, Chapter I), recognized that the refugee experience was closely linked to the degree of respect by States for human rights and fundamental freedoms and the related protection principles. It underlined the utmost significance to refugee protection of the institution of asylum and welcomed the fact that many States continued to grant asylum to refugees. However, it deplored the numerous and serious breaches of international law and established principles and standards. In a multi-part conclusion on international protection, the Committee addressed issues of family unity, composite flows and facilitation of return, detention of asylum-seekers and durable solutions for refugees.

As a framework for discussion of its annual theme—international solidarity and burden-sharing in all its aspects: national, regional and international responsibilities for refugees—the Committee had before it a thematic paper prepared by the High Commissioner [A/AC.96/904], which outlined the legal and normative basis for international solidarity and burden-sharing in providing protection, assistance and durable solutions for refugee and returnee populations, and in averting future refugee outflows. It described various economic, environmental, social, political and security issues involved, and reviewed previous arrangements for international solidarity and burden-sharing in specific refugee situations. The paper also examined ways to strengthen international solidarity and burden-sharing, focusing on national, regional and international responsibilities, and the need for cooperative partnerships.

In her opening statement to the Committee, the High Commissioner stated that the pattern of grave human displacement crises over the past year differed from the humanitarian catastrophes of the early 1990s; there were now scattered emergencies, smaller in size and limited in visibility, which had required UNHCR to reinforce its field presence many times, by deploying up to 100 staff on emergency missions. Not only was the increase in the number of conflicts causing more displacement but it was also causing displacement to become more complex, which had serious consequences for humanitarian work. At the same time, the High Commissioner was concerned about decreased and delayed contributions to UNHCR, which resulted in reduced programmes and had a considerable impact on human resource management. Regarding the change management process, known as Project Delphi, the High Commissioner singled out the further development of the Operations Manage-

ment System, a tool that would soon enable UNHCR to plan, budget, implement, monitor and evaluate all projects more comprehensively and rationally.

By **decision** 1998/294 of 31 July, the Economic and Social Council took note of the High Commissioner's report for 1997/98 [A/53/12].

### **Coordination of humanitarian assistance**

In 1998, the UN Department of Humanitarian Affairs became the Office for the Coordination of Humanitarian Affairs (OCHA), with a renewed focus on its core functions of coordination, policy development and advocacy (see PART THREE, Chapter III). During the year, the Inter-Agency Standing Committee (IASC), the Executive Committee on Humanitarian Affairs and the Executive Committee on Peace and Security were all strengthened as mechanisms for coordination. In July, UNHCR participated in the first humanitarian segment of the Economic and Social Council, which proved a successful step in bringing together the intergovernmental and inter-agency processes.

UNHCR reported that the IASC mechanism became more effective through increased informal consultations on issues such as humanitarian coordination arrangements and plans of action concerning specific complex emergencies.

During the year, UNHCR concluded global cooperation agreements with the Andean Commission of Jurists and the Inter-American Institute of Human Rights. In addition, high-level meetings were held to review implementation of cooperation agreements with key operational partners, including the International Fund for Agricultural Development (IFAD), the International Organization for Migration (IOM), the World Food Programme (WFP) and the World Bank. Although UNHCR and the International Committee of the Red Cross (ICRC) had not signed a global cooperation agreement, annual high-level meetings were held to review common concerns and exchange views. Memoranda of understanding were reached with the World Bank and the Joint and Co-sponsored United Nations Programme on HIV/AIDS (UNAIDS) to strengthen ongoing collaboration and establish operational and practical modalities of cooperation.

### **Evaluation of UNHCR**

UNHCR inspection and evaluation activities were outlined in a July report [A/AC.96/902] to the Executive Committee. The UNHCR Oversight Committee had met five times since its establishment in 1997 to ensure effective review and

follow-up of oversight reports, including audit reports.

Since the inception of the inspection function in UNHCR in 1995, 25 inspection missions had been carried out in 60 countries. During the period under review, inspections were undertaken in the Great Lakes region of Africa (Rwanda and the United Republic of Tanzania) and Bosnia and Herzegovina; additional inspections were planned in 1998 for other countries of the former Yugoslavia.

The UNHCR Executive Committee, in a decision on a number of administrative and financial matters [A/53/127Add.1], took note of the report on inspection and evaluation activities.

### Relations with NGOs

During 1998, UNHCR entered into project agreements with 506 non-governmental organizations (NGOs) to implement operational activities with refugee and other populations of concern to UNHCR. UNHCR continued to promote the UNHCR/NGO Partnership in Action (PARinAC) process [YUN 1993, p. 1072], aimed at enhancing the cooperation and coordination of activities in favour of refugees, including meetings on specific issues and UNHCR/NGO consultations prior to Executive Committee sessions. Those consultations were extended to three days in 1998, and were attended by approximately 150 NGOs.

During the year, three regional PARinAC meetings took place in Ethiopia, Ghana and Japan, at which UNHCR/NGO regional recommendations for joint action were drawn up. The meetings also conducted training in either international protection or people-oriented planning. Towards the end of 1998, UNHCR launched a PARinAC in the year 2000 plan to review progress since the 1994 PARinAC Global Conference [YUN 1994, p. 1217], and to refocus and revitalize PARinAC in the light of the changed environment in which humanitarian action was conducted. In addition, the joint UNHCR/NGO Working Group drafting a framework agreement on operational partnership met in 1998 to finalize the draft agreement, which was to be launched in 1999.

Throughout 1998, the participation of NGOs as observers in meetings of the Standing Committee of the UNHCR Executive Committee followed the procedure outlined in the June 1997 Standing Committee decision on NGO observer participation [YUN 1997, p. 1233]. During the year, NGOs made nine joint interventions.

In an October decision [A/53/127Add.1] on observer participation, the Executive Committee requested the Standing Committee to review the arrangements for NGO participation at its first meeting in 1999. At an extraordinary meeting on

8 December, the Standing Committee decided to extend NGO observer participation through 1999 and 2000 [A/AC.96/912].

During the year, some 350 NGO staff members worldwide benefited from UNHCR-sponsored training in protection, emergency management, programme management, people-oriented planning, food aid and registration, nutrition, logistics, security awareness, environment and resettlement.

### GENERAL ASSEMBLY ACTION

On 9 December [meeting 85], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/53/620], adopted **resolution 53/125** without vote [agenda item 105].

#### 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 and conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-ninth session,

Recalling its resolution 52/103 of 12 December 1997,

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 whose lives have been endangered in the course of their duties, and deploring the injuries and deaths of staff members as a consequence of generalized as well as targeted violence,

1. Endorses the report and conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-ninth session;

2. 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 permanent solutions to the problem of refugees;

3. Reaffirms the fundamental importance of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, in particular their implementation in a manner fully compatible with the object and purpose of those instruments, notes with satisfaction that one hundred and thirty-six States are now parties to one or both instruments, and welcomes in this regard the decision by the High Commissioner actively to promote accessions to the Convention and the Protocol;

4. Notes that the fiftieth anniversary of the Universal Declaration of Human Rights is being commemorated in 1998, and calls upon all States to reaffirm their commitment to the Declaration as a fundamental step towards protection for everyone;

5. Reaffirms that, as set out in article 14 of the Declaration, everyone has the right to seek and enjoy in other countries asylum from persecution, and calls upon all States to refrain from taking measures that jeopardize the institution of asylum, in particular by returning or

expelling refugees or asylum-seekers contrary to international standards;

6. Emphasizes that refugee protection is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions;

7. Stresses the importance of international solidarity and burden-sharing in reinforcing the international protection of refugees, and urges all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, to cooperate and mobilize resources until durable solutions are found, with a view to reducing the burden borne by States, particularly developing countries, that have received large numbers of asylum-seekers and refugees;

8. Condemns all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, and calls upon all States of refuge, in cooperation with international organizations where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers;

9. Urges States to uphold the civilian and humanitarian character of refugee camps and settlements, *inter alia*, through effective measures to prevent the infiltration of armed elements, to identify and separate any such armed elements from refugee populations, to settle refugees in secure locations and to afford to the Office of the High Commissioner and other appropriate humanitarian organizations prompt, unhindered and safe access to asylum-seekers, refugees and other persons of concern;

10. Calls upon States and all concerned parties to continue to cooperate closely with the staff of the Office of the High Commissioner and other humanitarian personnel in performing the functions required under their mandates, to take all possible measures to safeguard their physical security and property, to investigate fully any crime committed against them, to bring to justice persons responsible for such crimes and to facilitate the discharge of the mandated functions of the Office of the High Commissioner as well as of other humanitarian organizations;

11. Urges all States and relevant organizations to support the High Commissioner's search for durable solutions to refugee problems, including voluntary repatriation, integration in the country of asylum and resettlement in a third country, as appropriate, reaffirms that voluntary repatriation is the preferred 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 with dignity;

12. Calls upon all States to promote conditions conducive to the voluntary repatriation of refugees in safety and with dignity, including conditions furthering reconciliation and long-term development in countries of return, and to support the sustainable reintegration of returnees 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, and

also urges the Office of the High Commissioner to strengthen its cooperation and coordination with relevant entities, including international financial institutions and non-governmental organizations;

13. Reiterates the right of all persons to return to their country of origin, emphasizes in this regard the obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who have sought asylum and have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

14. Acknowledges the desirability of comprehensive approaches by the international community, including comprehensive regional approaches, to the problems of refugees and displaced persons, and notes in this regard that capacity-building in countries of origin and countries of asylum can play an important role in addressing the root causes of refugee flows, in strengthening emergency preparedness and response and in providing effective protection and achieving durable solutions;

15. Urges States, in cooperation with the Office of the High Commissioner and other relevant organizations, to explore and support fully capacity-building initiatives as part of a comprehensive approach to addressing refugee issues, and to take necessary measures to promote sustainable development and to ensure the success of capacity-building activities, including those which strengthen legal and judicial institutions, strengthen civil society and promote the observance of human rights, the rule of law and accountability, which enhance the capacity of States to fulfil their responsibilities in respect of persons of concern to the Office of the High Commissioner;

16. Notes the relevance of the Guiding Principles on Internal Displacement, reaffirms its support for the role of the Office of the High Commissioner in providing humanitarian assistance and protection to internally displaced persons, on the basis of specific requests from the Secretary-General or the competent organs of the United Nations and with the consent of the State concerned, taking into account the complementarities of the mandates and expertise of other relevant organizations, and emphasizes that activities on behalf of internally displaced persons must not undermine the institution of asylum;

17. Calls upon States to adopt an approach that is sensitive to gender-related concerns and to ensure that women whose claims to refugee status are based upon a well-founded fear of persecution for reasons enumerated in the 1951 Convention and the 1967 Protocol, including persecution through sexual violence or other gender-related persecution, are recognized as refugees, and encourages the Office of the High Commissioner to continue and to strengthen its efforts for the protection of refugee women;

18. Urges States and relevant parties to respect and observe principles of international human rights, humanitarian and refugee law that are of particular relevance to safeguarding the rights of child and adolescent refugees, notes the particular vulnerability of refugee children to being forcibly exposed to the risks of injury, exploitation and death, particularly in the context of armed conflict, and to abduction with a view

to forcing participation in military activities, and urges all States and concerned parties to take all possible measures to protect child and adolescent refugees, including, in particular, from all forms of violence, exploitation and abuse, and to prevent their separation from their families;

19. Notes that 1999 has been declared the International Year of Older Persons, and calls upon the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

20. Recalls paragraphs 14 to 16 of its resolution 50/152 of 21 December 1995, and encourages the High Commissioner to continue her activities on behalf of stateless persons;

21. 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, in particular developing countries, countries with economies in transition and countries with limited resources that, owing to their location, host large numbers of refugees and asylum-seekers, to contribute to the programmes of the Office of the High Commissioner and, taking into account the effects 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 displaced persons of concern to the Office of the High Commissioner are fully met.

### Enlargement of the Executive Committee

#### ECONOMIC AND SOCIAL COUNCIL ACTION

On 14 October 1997 [E/1998/3], Mozambique transmitted to the Secretary-General its candidature for full membership of the UNHCR Executive Committee.

On 7 May 1998, the Economic and Social Council, by **decision 1998/211**, took note of that request and recommended that the General Assembly take a decision at its fifty-third (1998) session on the question of increasing the membership of the Executive Committee from 53 to 54 States.

#### GENERAL ASSEMBLY ACTION

On 9 December [meeting 85], the General Assembly, on the recommendation of the Third Committee [A/53/620], adopted **resolution 53/121** without vote [agenda item 105].

#### Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 1998/211 of 7 May 1998 concerning the enlargement of

the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee, contained in the note verbale dated 14 October 1997 from the Permanent Mission of Mozambique to the United Nations addressed to the Secretary-General,

Welcoming the accession of the Republic of Mozambique to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and its ratification of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969,

1. Decides to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from fifty-three to fifty-four States;

2. Requests the Economic and Social Council to elect the additional member at its organizational session for 1999.

In December, the Economic and Social Council had before it a 13 August note verbale [E/1998/97] from Cote d'Ivoire to the Secretary-General, requesting admission to membership of the Executive Committee and a draft decision [E/1998/L.53] on enlargement of the Committee. By decision 1998/302 of 16 December, the Council postponed consideration of the two documents to its organizational session for 1999.

### Financial and administrative questions

For 1998, UNHCR's initial budget (covering both General and Special Programmes) was \$1.1 billion [A/54/12], representing a further downsizing of operations compared with 1996 (\$1.4 billion) and 1997 (\$1.2 billion). Donors contributed some \$769 million, compared with totals of \$969 million in 1996 and \$806 million in 1997. The funding of General Programmes reached \$327 million in 1998 compared with \$346 million in 1996 and \$320 million in 1997. Consequently, the Office was obliged to exercise restraint in its financial management, including self-imposed limitations on use of the Voluntary Repatriation Fund, the Emergency Fund and the Programme Reserve. In October, the Executive Committee adopted a reduced 1998 General Programmes budget of \$429 million.

Several appeals were launched during 1998 for Special Programmes, most in conjunction with OCHA. To facilitate resource mobilization, those appeals were consolidated into a 1998 Global Appeal, published in April, which received \$441 million in funding during the year. While a small number of Special Programmes were fully funded, most received considerably less than the appeal budget, especially repatriation/rehabilitation programmes in West Africa, Rwanda, the Great Lakes region of Africa and Afghanistan.

Consequently, operating budgets for Special Programmes were set at \$551 million.

Regional apportionments of UNHCR expenditures in 1998 were as follows: Africa, \$328.5 million; Asia and the Pacific, \$51.3 million; Europe (including the countries of the former Yugoslavia), \$239.6 million; the Americas, \$30.4 million; Central and South-West Asia, North Africa and the Middle East, \$76.8 million.

For 1999, UNHCR budgetary requirements were projected at \$914 million, including an approved General Programmes target of \$413 million.

In October [A/53/12/Add.1], the Executive Committee approved the revised 1998 General Programmes budget amounting to \$428,973,500. It also approved a 1999 General Programmes budget of \$413 million, which included country/area programmes, other programmes and the headquarters budgets amounting to \$334.6 million, a Programme Reserve of \$33.4 million (representing 10 per cent of programme activities), \$25 million for the Emergency Fund and \$20 million for the Voluntary Repatriation Fund. The Committee authorized the High Commissioner to make adjustments in project, country/area programmes, other programmes and the headquarters budgets as might be required by changes affecting refugee/returnee programmes. The High Commissioner was asked to respond flexibly and efficiently to the needs indicated under the 1999 General and Special Programmes, which were estimated at \$842.2 million.

#### **Accounts (1997)**

The audited financial statements on voluntary funds administered by UNHCR for the year ending 31 December 1997 [A/53/5/Add.5] showed total expenditures of \$974.3 million and total income of \$820.1 million, with a reserve balance of \$190.6 million. The report of the Board of Auditors included recommendations to be brought to the attention of the General Assembly. The Board's findings [A/AC.96/901] were also communicated to UNHCR, which provided explanations and answers to the Board's queries. Among its recommendations on financial management, the Board said that UNHCR should review the method of recognition of income so that its accounting policies and practices followed the United Nations System Accounting Standards; focus attention on timely review and cancellation of obligations no longer required; and ensure timely submission of sub-project monitoring reports and that funds were disbursed to implementing partners only when required. Regarding programme management, the Board recommended that UNHCR monitor more closely the

timing of project delivery; ensure that adequate sex/age disaggregate statistics were collected and used in formulating programmes for women; and encourage field offices to respond to the High Commissioner's request so that UNHCR could make a full assessment of the work required and funds needed to implement the report of the expert study on refugee children by Graça Machel (Mozambique) [YUN1996,p.663].

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in September [A/AC.96/900/Add.3], having considered an overview of UNHCR's activities between 1997 and 1999 [A/AC.96/900 & Add.1], made a number of recommendations regarding oversight and audit issues; resources; programme delivery and administrative support; Project Delphi; information technology; training; and budget structure. Concerning the 1997 accounts of UNHCR-administered voluntary funds, ACABQ, in December [A/AC.96/901/Add.2], recommended that UNHCR operations should be audited biennially and that the High Commissioner should avoid classifying UNHCR programmes in the budget as special and general. Instead, there would be a system of annual and supplementary programmes.

In its general decision on programme, administrative and financial matters [A/53/12/Add.1], the Executive Committee requested that it be kept informed of measures taken to address the ACABQ and Board of Auditors recommendations. In addition, it asked UNHCR to consult with the Board of Auditors on the implications of submitting biennial audit reports and to convene further consultations with member States on the issues raised by ACABQ regarding a new budget structure, including the question of a single operational reserve. UNHCR was also urged to maintain its efforts to ensure that audit certificates were submitted by all implementing partners within the stipulated time frame.

#### **Standing Committee**

The Standing Committee held four meetings in 1998 (2-3 February [A/AC.96/896]; 28-29 April [A/AC.96/897]; 23-25 June [A/AC.96/905]; 8-9 September and 2 October [A/AC.96/909]). It reviewed UNHCR programmes and activities in different regions; new approaches to reintegration; international protection issues; UNHCR's position within the UN system-wide reform process; and management and financial matters. Decisions were adopted on programme and funding projections, the overhead costs of international NGO partners, and the annual theme for the 1998 session of the Executive Committee—international solidarity and burden-sharing in all its aspects:

national, regional and international responsibilities for refugees.

In October [A/53/12/Add.I], the Executive Committee decided to include a number of issues in the 1999 programme of work of its Standing Committee and requested UNHCR to include in its documentation on each item the relevant recommendations of the Board of Auditors and ACABQ, as well as the steps taken to implement those recommendations and related Executive Committee decisions and conclusions. The issues included were: international protection; protection/programme policy; programme and funding; management, financial and human resources; oversight; coordination; and governance.

### Safety of staff

In a decision on staff security adopted at its October session [A/53/12/Add.I], the Executive Committee expressed concern for the continued captivity of Vincent Cochetel, head of the UNHCR Office in the northern Caucasus, and called on all those who might be in a position to facilitate his release to make every effort to that end.

## Refugee protection and assistance

### Protection issues

In response to a 1997 statement issued by the Security Council President [YUN 1997, p. 1238], the Secretary-General issued a September 1998 report on protection for humanitarian assistance to refugees and others in conflict situations [S/1998/883]. The report focused on four specific issues raised in the presidential statement: the compliance of State and non-State actors with the provisions of international law; access of refugees, displaced persons and vulnerable populations in conflict situations to international protection and assistance; the safety and security of personnel of United Nations and humanitarian organizations; and the role of the Security Council in humanitarian operations.

Among his recommendations, the Secretary-General called on Member States to comply with international laws in relation to humanitarian assistance and refugees and ensure prosecution of violators, whether State or non-State actors. He stated that solidarity and burden-sharing were important in encouraging States to respect humanitarian principles and obligations. He called on the Council to consider developing a range of options to create a secure environment for civil-

ians endangered by conflict and for the delivery of humanitarian assistance in conflict situations. When the Council decided to deploy UN troops or other security forces in support of humanitarian operations, it was of critical importance that they be given clear, realistic and appropriate mandates, that they be deployed in a timely manner and that they be adequately resourced and supported, the Secretary-General stated.

### SECURITY COUNCIL ACTION

On 29 September [meetings 3932 & 3933], the Security Council, following consultations among its members, authorized its President to make the following statement [S/PRST/1998/30] on its behalf:

The Security Council recalls the statement by its President of 19 June 1997 concerning protection for humanitarian assistance to refugees and others in conflict situations.

The Council welcomes the report of the Secretary-General on protection for humanitarian assistance to refugees and others in conflict situations and notes the recommendations contained therein.

The Council notes that several of the recommendations contained in the report coincide with recommendations made in the report entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa".

The Council reaffirms the importance of pursuing a coordinated and comprehensive approach, in accordance with the purposes and principles of the Charter of the United Nations and principles and provisions of international law, in improving protection for humanitarian assistance to refugees and others in conflict situations.

The Council condemns the attacks or use of force in conflict situations against refugees and other civilians, in violation of the relevant rules of international law, including those of international humanitarian law.

The Council likewise condemns all attacks or use of force against United Nations and other personnel associated with United Nations operations, as well as personnel of humanitarian organizations, in violation of international law, including international humanitarian law. In this context, the Council recalls the statement by its President of 12 March 1997, as well as other relevant statements and decisions. It also recalls the Convention on the Safety of United Nations and Associated Personnel adopted by the General Assembly on 9 December 1994.

The Council affirms its intention to review thoroughly and promptly the recommendations of the Secretary-General with a view to taking steps consistent with its responsibilities under the Charter and, in this context, notes the views expressed in the debate on the matter at its 3932nd meeting on 29 September 1998.

**Executive Committee action.** The High Commissioner submitted to the Executive Committee a July note [A/AC.96/898], which reviewed devel-

opments in refugee protection, linking them to the related human rights standards. She stated that the root causes of refugee displacement were inextricably linked to conflict, persecution and the denial of human rights. The right to seek and enjoy asylum from persecution had been repeatedly affirmed as being of critical importance to refugee protection. Asylum served the dual purpose of providing a framework for the international protection of persons whose safety was at risk, while ensuring that appropriate lasting solutions—voluntary repatriation, local integration or resettlement—could be implemented. Among the aspects of the right of asylum that remained of concern or had come into particular focus were: the risks in flight; the principle of non-refoulement; access to procedures for determining refugees' claims; standards of treatment; physical security; non-discrimination; freedom of movement; family unity; the treatment of women and children; and the problem of statelessness.

The High Commissioner stated that human rights standards helped to define the conditions for safe and dignified voluntary repatriation and reintegration of refugees into their country of origin. Corresponding to the refugee's right to return was the obligation of the State to accept back its citizens and the returnee's right to nationality. The challenge was to find ways to close, or at least narrow, the gap between the theory of basic human rights and the ability of many people, including refugees, to enjoy those rights. UNHCR had an integral role to play where violations of basic rights led to displacement or impeded sustainable return. The Office would continue its efforts to achieve better integration of UN human rights work into refugee protection.

The Executive Committee, in an October conclusion [A/53/12/Add.1], recognized that the refugee experience was closely linked to the degree of respect by States for human rights; encouraged UNHCR to strengthen further its collaboration with the Office of the High Commissioner for Human Rights and other relevant bodies, with a view to strengthening refugee protection; reaffirmed the importance of the right to a nationality; and called on States to adopt measures to prevent or reduce the incidence of statelessness. The Committee underlined the utmost significance to refugee protection of the institution of asylum, recognized that international solidarity and burden-sharing were of direct importance to the satisfactory implementation of refugee protection principles and noted with concern reports of an increasing trend towards the misuse or abuse of national refugee status determination proce-

dures. It also addressed issues related to maintaining family unity; composite flows and facilitation of return; detention of asylum-seekers; and the achievement of durable solutions for refugees.

In a related decision, the Committee affirmed that the informal consultations on measures to ensure international protection for all who needed it had proved to be a valuable forum for constructive discussion, in an open manner, of complex protection issues. UNHCR was asked, in consultation with States, to continue to organize such consultations on protection issues of current concern.

### **International instruments**

In 1998, Turkmenistan acceded to the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] and its 1967 Protocol [YUN 1967, p. 477], bringing the number of States party to one or both instruments to 132. In October, UNHCR launched a two-year global campaign to promote States' accession to the 1951 Convention and its Protocol, as well as the 1954 Convention relating to the Status of Stateless Persons [YUN 1954, p. 416] and the 1961 Convention on the Reduction of Statelessness [YUN 1961, p. 533].

### **Promotional activities**

Through its promotional activities, UNHCR sought to raise public awareness and strengthen knowledge and understanding of refugee issues within the broader context of forced displacement in its different forms. In 1998, those activities were directed at fostering the effective implementation of international legal standards on behalf of refugees, returnees and other persons of concern to UNHCR. Activities were undertaken to identify and strengthen the linkages between refugee law, human rights law and international humanitarian law so that each could be better used for the protection of refugees. During the year, UNHCR increased regional promotional activities, including monitoring of and collaboration with the human rights components of regional bodies. It also continued to monitor the work of the six UN treaty bodies and the Commission on Human Rights and its Subcommission on Prevention of Discrimination and Protection of Minorities.

### **Assistance measures**

There was relative stability in 1998 in terms of the global numbers of refugees and persons of concern to UNHCR. At the end of the year, the global figure stood at 21.4 million, just over half



of whom (11.4 million) were refugees, while the remainder comprised internally displaced persons, returnees, asylum-seekers and stateless people. Although there were no massive refugee movements in 1998, UNHCR was nevertheless confronted with a cascade of emergencies that were relatively small in size and visibility, but no less traumatic for the refugees and displaced persons concerned. Voluntary repatriation—the preferred solution for the vast majority of refugee situations—was of limited scope in 1998. While successful results were achieved in a number of situations, in others continued violence or a failure of political negotiations disrupted plans for a return, leading, in extreme cases, to renewed outflows. In response, UNHCR intensified activities under its protection mandate and took steps to ensure a more integrated approach to all its programmes, associating protection more closely with assistance in terms of strategies, objectives and assessment of outputs. The Office encouraged regional initiatives, undertook wide-ranging consultations with other international players at all levels, and engaged in a more intensive dialogue with international development financial actors on the "reintegration gap", as well as the broader issue of post-conflict reconstruction. UNHCR also pursued a number of change management initiatives to strengthen its capacity to respond to the many challenges presented during the year.

UNHCR assistance activities were grouped under two broad categories: General Programmes (including the Programme Reserve, the Voluntary Repatriation Fund and the Emergency Fund) and Special Programmes, funded through appeals launched by the Secretary-General or through consolidated inter-agency appeals. In 1998, UNHCR received some \$769 million in voluntary contributions. The types of assistance offered through UNHCR programmes included: emergency preparedness, response and assistance; care and maintenance; voluntary repatriation; local settlement; and resettlement.

The UNHCR Emergency Preparedness and Response Section, the focal point for both emergency preparedness and response, dispatched some 30 Emergency Response Teams to Albania, Cambodia, the Central African Republic, the Democratic Republic of the Congo, Guinea, Liberia, Nicaragua, Thailand, the Kosovo province of the Federal Republic of Yugoslavia, and other parts of the former Yugoslavia. Emergency Management Training Programme (EMTP) workshops, an important element of emergency preparedness, were held in China and South Africa. A country-specific EMTP was organized in Malaysia, also covering Singapore. In 1998, total ex-

penditure on emergency assistance amounted to \$27.1 million, of which \$6.6 million was under General Programmes and \$20.5 million under Special Programmes.

Care and maintenance programmes provided essential basic services to refugee populations worldwide, pending implementation of more durable solutions. Those activities included: the provision of food; household goods and cooking/heating materials; shelter; construction and maintenance of drinking-water sources; waste management and pest control; construction and operation of health and education facilities; and, occasionally, support for economic activities through small-business grants or loans. The majority of those programmes in 1998 were implemented in Africa (Ethiopia, Great Lakes region, Guinea, Kenya), Central Asia (Central Asian republics, Pakistan) and the Balkans (former Yugoslavia, including the Kosovo province of the Federal Republic of Yugoslavia).

During 1998, some 59 per cent of General Programmes expenditure (\$206.4 million) was devoted to care and maintenance activities, while the amount spent under Special Programmes was \$99.5 million.

Although on a lesser scale than originally planned, a number of voluntary repatriation movements took place in 1998. The most significant, despite the precarious situation, were in West Africa, notably to Liberia. Repatriation and reintegration programmes were also implemented for refugees returning to Afghanistan and Bosnia and Herzegovina. Worldwide, close to 950,000 refugees repatriated in 1998, close to 400,000 of whom were assisted by UNHCR. During the year, UNHCR spent over \$253 million on repatriation and reintegration programmes.

Opportunities for local settlement continued to be very limited in 1998. The main obstacle to rural settlement continued to be the unwillingness of Governments to provide sufficient land because of the growing pressure on land and resources in many countries. However, a significant settlement programme in Uganda received renewed impetus when new strategies were announced for the integration of some 145,000 Sudanese refugees in local settlements in north-west Uganda. Other local settlement programmes in Africa were being implemented in the Central African Republic, the Democratic Republic of the Congo, Ethiopia and Zambia. A total of \$167.6 million was spent on local settlement programmes during the year.

As an important element of refugee protection and the attainment of durable solutions, resettlement continued to help ensure individual physical safety, while reinforcing asylum in host coun-

tries. In 1998, 26,600 refugees were resettled under UNHCR auspices. Some 41 per cent of the resettlement cases were from Africa, with most of the rest from the Middle East and the former Yugoslavia. UNHCR expenditure on those activities totalled \$4.5 million.

### Refugees and the environment

Environmental Guidelines, promulgated by UNHCR in June 1996 [YUN 1996, p. 1108], continued to be the principal policy framework for integrating sound environmental management practices into UNHCR activities. In 1998, UNHCR placed renewed emphasis on how the guidelines could be implemented in field operations. A number of large, integrated projects continued in several countries, including Ethiopia, Kenya, Rwanda, Uganda and the United Republic of Tanzania. Additional projects began in Afghanistan and Pakistan. The projects focused on such matters as environmental planning; use of the geographical information system, the global positioning system and satellite images in environmental monitoring; demarcation of protected areas; guided firewood harvesting; promotion of energy-efficient cooking; erosion control; tree planting; agroforestry; and environmental education and awareness raising. Model projects were implemented in Djibouti (gender and environment), Rwanda (paper poles for shelter construction) and Zimbabwe (soil and agroforestry conservation). An evaluation of domestic energy devices used in refugee operations also took place during the year.

### Refugee women

In 1998, UNHCR continued to promote activities in relation to its four areas of concern under the Beijing Platform for Action, adopted at the 1995 Fourth World Conference on Women [YUN 1995, p. 1170]. Those four areas were: women and armed conflict; violence against women; human rights of women; and the girl child. The promotion of gender equality for refugee women was another UNHCR goal, and mainstreaming a gender perspective had become an integral part of the formulation of country programme objectives.

Action to combat violence against refugee women followed a two-pronged approach, comprising both prevention, through information, education and communication campaigns, and assistance to victims of violence through protection, social, medical and legal measures. UNHCR was a leading participant in inter-agency workshops on women in conflict prevention and peace-building in Africa, the Americas and the

Caucasus. Efforts also continued to encourage asylum countries to recognize gender-based persecution as grounds for claiming asylum and to ensure that asylum procedures were sufficiently gender-sensitive.

### Refugee children

At its thirteenth meeting (8-9 September and 2 October) [A/AC.96/909], the Standing Committee considered a UNHCR progress report on refugee children and adolescents, which described follow-up to the 1997 evaluation of UNHCR efforts on behalf of children and adolescents and the implementation of the 1996 study on the impact of armed conflict on children, the "Machel study" [YUN 1996, p. 663]. The Committee was addressed by the Special Representative of the Secretary-General for Children and Armed Conflict, Olara Otunnu (Cote d'Ivoire), who outlined three primary courses of action on behalf of refugee children: advocacy, concrete initiatives in the midst of conflict, and making protection of children in armed conflict a central concern at all levels. In his annual report to the General Assembly [A/53/482], the Special Representative agreed to work closely with UNHCR to promote the protection of refugee and internally displaced children. He expressed concern for the precarious situation of displaced populations, noting that children constituted well over half of the 24 million refugees or internally displaced people worldwide (see also PART TWO, Chapter II).

On 9 December, the situation of refugee and internally displaced children was addressed by the General Assembly in **resolution 53/128** on the rights of the child (see PART TWO, Chapter II).

**Report of Secretary-General.** In response to General Assembly resolution 52/105 [YUN 1997, p. 1242], the Secretary-General submitted an August report [A/53/325] on action taken by the United Nations and other relevant bodies to assist unaccompanied refugee minors—persons under 18 years of age or the legal age of majority, separated from both parents and not being cared for by a guardian or other adult legally responsible for them. The report reviewed inter-agency cooperation in the area; some issues of concern, including regional issues, the girl child and unaccompanied children seeking asylum; and new initiatives developed in 1997 on behalf of unaccompanied refugee minors. The Secretary-General concluded that, despite great strides in improving inter-agency efforts on behalf of unaccompanied minors, children trapped in war zones such as Guinea-Bissau, Kosovo and Sierra Leone were being involuntarily separated from their families on a daily basis.

Regarding specific initiatives and issues of concern, he reported that the United Nations Children's Fund (UNICEF), UNHCR, ICRC and other organizations were collaborating to trace unaccompanied children and reunite them with their families. That effort focused principally on finding the families of more than 26,000 children identified as unaccompanied after the mass return of Rwandans from the Congo in late 1996. By April 1998, more than 18,000 of the children had been reunited with their families, while some 6,000 remained in institutions in their country of origin, awaiting reunification. During the year, UN agencies and other concerned parties pressed for an end to the systematic abduction of children from northern Uganda by members of an armed group, the Lord's Resistance Army, and for the immediate return of the estimated 2,000 children still held captive by that group in its base camps in southern Sudan. UN agencies and NGOs also collaborated on finding solutions for unaccompanied minors among the residents of camps for internally displaced people in the Sudan.

Regarding inter-agency cooperation, the Secretary-General noted that a 1996 memorandum of understanding between UNHCR and UNICEF accorded primary responsibility for the welfare of refugee children to UNHCR, while UNICEF took the lead role for children in their country of origin. Over the past few years, UNHCR, UNICEF and other organizations had established a close working relationship with regard to unaccompanied minors, including establishment of technical guidelines at the global level, and field-level coordination to provide care and services.

#### GENERAL ASSEMBLY ACTION

On 9 December [meeting 85], the General Assembly, on the recommendation of the Third Committee [A/53/620], adopted **resolution 53/122** without vote [agenda item 105].

#### Assistance to unaccompanied refugee minors

The General Assembly,

Recalling its resolutions 49/172 of 23 December 1994, 50/150 of 21 December 1995, 51/73 of 12 December 1996 and 52/105 of 12 December 1997,

Aware of the fact that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and the most at risk of neglect, violence, forced military recruitment, sexual assault and other abuses and therefore require special assistance and care,

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

Noting the revised Guidelines on Refugee Children issued by the Office of the United Nations High Commissioner for Refugees in May 1994 and the develop-

ment of an emergency kit to facilitate coordination and to enhance the quality of responses to the needs of unaccompanied minors by the Office of the High Commissioner, the United Nations Children's Fund and non-governmental organizations,

Noting with appreciation the efforts of the Office of the High Commissioner and the United Nations Children's Fund in the identification and tracing of unaccompanied refugee minors, and welcoming their efforts in reunifying family members of refugees,

Welcoming the efforts exerted by the United Nations High Commissioner for Refugees for the reunification of family members of refugees,

Noting the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and noting 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. Also takes note of the report of the Special Representative of the Secretary-General for Children and Armed Conflict;
3. Expresses its deep concern at the continued plight of unaccompanied refugee minors, and emphasizes once again the urgent need for their early identification and for timely, detailed and accurate information on their number and whereabouts;
4. Expresses the hope once again that adequate resources will be provided for programmes of identification and tracing of unaccompanied refugee minors;
5. Calls upon the Office of the United Nations High Commissioner for Refugees, in cooperation with other relevant United Nations bodies, to incorporate into its programmes policies that aim at preventing refugee family separation, conscious of the importance of family unity;
6. Calls upon all Governments, the Secretary-General, the Office of the High Commissioner, 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;
7. Urges the Office of the High Commissioner, all United Nations organizations, other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate with the needs and interests of unaccompanied refugee minors and for their reunification with their families;
8. Calls upon all States and other parties to armed conflict to respect international humanitarian law, and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949 and related instruments, while bearing in mind resolution 2 adopted at the twenty-sixth International Conference of the Red Cross and Red Crescent, held at Geneva in December 1995, and to respect the provisions of the Convention on the Rights of the Child, which accord children affected by armed conflict special protection and treatment;
9. Condemns all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or

human shields in armed conflict and their forced recruitment into military forces, and any other acts that endanger their safety and personal security;

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

11. Encourages the Special Representative of the Secretary-General for Children and Armed Conflict in his efforts to raise awareness worldwide and to mobilize official and public opinion for the protection of children affected by armed conflict, including refugee minors;

12. Requests the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution and to give special attention to the girl-child refugee in his report.

## Regional activities

### Africa

In a September report on assistance to refugees, returnees and displaced persons in Africa [A/537328], prepared in response to General Assembly resolution 52/101 [YUN 1997, p. 1244], the Secretary-General stated that, according to UNHCR estimates, at the beginning of 1998, Africa hosted some 3.5 million refugees, 1.7 million internally displaced persons and 2.1 million returnees in the early stages of reintegration.

In the Great Lakes region, the United Nations continued to be confronted by the challenges of reintegrating into Burundi and Rwanda the mass of refugees repatriated during 1996 and 1997 from the Democratic Republic of the Congo and the United Republic of Tanzania (see below). In West Africa, Sierra Leone was of major concern, with more than 200,000 refugees, mainly women and children, having sought asylum in Guinea and Liberia since March 1998. The Secretary-General stated that the atrocities suffered by civilian populations at the hands of the Revolutionary United Front (Sierra Leone)/Armed Forces Revolutionary Council rebels could not be over-emphasized. However, there were also some positive developments in West Africa, particularly with respect to Liberia, Mali and the Niger. During the year, the repatriation of refugees, mainly of Tuareg origin, to Mali and the Niger was successfully completed, and conditions were created in Liberia for the promotion of repatriation and the return of the internally displaced to their homes.

Despite preoccupying situations in some countries of the Horn of Africa, progress was achieved

in repatriation to regions enjoying sustainable peace. The repatriation of Somali refugees from camps in Ethiopia to the north-western part of their country was successful since its resumption at the end of 1997. Following an agreement reached by all parties concerned, the mass organized voluntary repatriation of Ethiopian refugees from the Sudan was completed in May 1998. The Eritrean Government gave its consent to begin preparatory activities for the resumption of the repatriation of Eritrean refugees in the Sudan after the September 1998 rainy season.

Between 1995 and mid-1998, a total of 143,577 Angolan refugees had returned to their home country. However, in mid-1998, implementation of the Lusaka Peace Accord was impeded by the failure of the National Union for the Total Independence of Angola (UNITA) to fulfil its obligations. Armed attacks, mainly by UNITA, in most of the provinces led to an overall deterioration of the security situation (see PART ONE, Chapter II). As a result, UNHCR was forced to declare a temporary suspension of repatriation and reintegration programmes with effect from the end of June 1998, and to completely review projections that most of the 160,000 Angolan refugees would have returned home by the end of the year.

Against that background, the United Nations and the international community worked towards phasing out assistance to protracted refugee caseloads by actively promoting voluntary repatriation where the initial reason for flight no longer existed. Post-conflict reintegration and reconstruction challenges in Liberia, Mali, the Niger and Sierra Leone offered the opportunity to ensure an effective interface among humanitarian, development and sustainable peace initiatives.

Together with other UN organizations carrying out refugee assistance and protection activities, UNHCR was involved in a number of joint initiatives. As of mid-1998, WFP, the principal channel for food aid in emergencies for refugees, displaced persons and returnees, had protracted relief operations in Angola, Djibouti, Ethiopia, Kenya, Liberia, Mali, Sierra Leone, the Sudan, Uganda and Zambia. Further assistance was being provided to refugees, returnees and displaced persons through emergency operations in Ethiopia, the Great Lakes region and Uganda.

UNHCR signed bilateral agreements with the World Bank to collaborate in rehabilitation, reconstruction and reintegration efforts in Africa. Progress was also made in initiating cooperation with IFAD, UNDP and the Food and Agriculture Organization of the United Nations (FAO). UNHCR also continued to cooperate actively with subregional organizations, including the

Organization of African Unity (OAU), the Economic Community of West African States (ECOWAS), the Intergovernmental Authority on Development and the Southern African Development Community.

**Security Council consideration.** The Security Council met several times during 1998, including at the ministerial level on 24 September, to consider the situation in Africa (see PART ONE, Chapter II). In an April report to the General Assembly and the Council [A/527871-S/1998/318] on the causes of conflict and the promotion of durable peace and sustainable development in Africa, the Secretary-General stated that the potential threat to African States posed by the movement of large numbers of refugees when they were mingled with combatants had to be acknowledged. In the Great Lakes region, the movement of large numbers of Rwandan refugees into neighbouring countries had become a destabilizing factor for those countries, as well as for the new Government in Rwanda. The Secretary-General urged the establishment of an international mechanism to assist host Governments in maintaining the security and neutrality of refugee camps and settlements.

Mitigating the social and environmental impact of refugees on host countries was another major concern. In Guinea, which had the highest per capita refugee population in the world (as much as 10 per cent of the population were refugees), the massive refugee presence had devastated forests in some areas and often overstretched the facilities of local communities.

On 19 November, the Council adopted **resolution 1208(1998)**, in which it called on African States further to develop institutions and procedures to implement the provisions of international law relating to the status and treatment of refugees. It also recognized UNHCR's primary responsibility to support African States in their actions towards the full respect and implementation of such law.

#### GENERAL ASSEMBLY ACTION

On 9 December [meeting 85], the General Assembly, on the recommendation of the Third Committee [A/53/620], adopted **resolution 53/126 without vote** [agenda item 105].

#### **Assistance to refugees, returnees and displaced persons in Africa**

The General Assembly,

Recalling its resolution 52/101 of 12 December 1997,

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

Recognizing the need to improve the security of refugees and to maintain the civilian and humanitarian nature of refugee camps and settlements in accordance

with international laws, in particular refugee instruments, as well as human rights instruments and humanitarian laws,

Noting with appreciation the continued efforts being expended by countries of asylum in accommodating refugees,

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

Welcoming the ongoing process of voluntary repatriation of refugees in some parts of Africa,

Welcoming also decision CM/Dec.412(LXVIII) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its sixty-eighth ordinary session, held at Ouagadougou from 4 to 7 June 1998,

Welcoming further the outcome of the ministerial meeting of the Security Council on the situation in Africa, held on 24 September 1998, and the attention that was given at that meeting to the issue of refugees, returnees and displaced persons in Africa,

Taking note of the memoranda of understanding signed between the Office of the United Nations High Commissioner for Refugees and the Southern African Development Community in July 1996 on refugees, returnees, displaced persons and undocumented migration in southern Africa and between the Office of the High Commissioner and the Intergovernmental Authority on Development in June 1997 on issues concerning refugees and returnees,

Recalling the provisions of its resolution 2312(XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling also the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969 and the African Charter on Human and Peoples' Rights,

Recognizing the need for States to create conditions conducive both to the prevention of flows of refugees and displaced persons, primarily by addressing the root causes, and to solutions, including voluntary repatriation,

Recognizing also the positive outcome of the conflict resolution efforts carried out in the subregion by the Economic Community of West African States, in creating a conducive environment for the voluntary repatriation of refugees and displaced persons,

Emphasizing the urgent need for Governments, especially those of the countries of origin, to address the root causes of the conflicts that precipitate outflows and displacements of refugees,

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

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa, especially in the West African and Great Lakes regions and in the Horn of Africa, remains precarious,

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

2. Notes with concern that the declining socio-economic situation, compounded by political instabil-

ity, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa;

3. Calls upon all States and international organizations, within their mandates, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements;

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

5. Expresses concern at instances where the fundamental principle of asylum is jeopardized by unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

6. Expresses its appreciation and strong support for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and overstretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

7. Commends the Governments concerned for their sacrifices in providing assistance and protection to refugees, returnees and internally displaced persons and for their efforts to promote voluntary repatriation in safety and with dignity and other durable solutions;

8. Expresses its gratitude to the international community, and to the Office of the United Nations High Commissioner for Refugees in particular, for the humanitarian assistance it has continued to render to refugees and displaced persons and to the countries of asylum;

9. Welcomes the strengthening of cooperation between the Office of the High Commissioner and the Organization of African Unity at all levels, and urges the two organizations, in conjunction with United Nations agencies, intergovernmental and non-governmental organizations, the international community and the Governments concerned, to increase efforts aimed at facilitating voluntary repatriation in safety and with dignity and at addressing the root causes of the refugee problem and working out modalities for a lasting solution;

10. Reiterates that 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 endorsed by the General Assembly in its resolution 50/149, continues to be a viable framework for the resolution of the refugee and humanitarian problems in that region;

11. Calls upon the Office of the High Commissioner and other concerned entities to intensify protection activities by, inter alia, supporting the efforts of African Governments through appropriate capacity-building activities, including training of relevant officers, 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;

12. Appeals to Governments, the United Nations, intergovernmental and non-governmental organizations and the international community to create conditions to facilitate the voluntary return in safety and with dignity and the early rehabilitation and reintegration of refugees;

13. Appeals to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees;

14. Commends the Governments of the Great Lakes and West African regions and of the Horn of Africa and the Office of the High Commissioner for their initiatives to promote voluntary repatriation in safety and with dignity within the framework of tripartite agreements;

15. Calls upon the Office of the High Commissioner, the Organization of African Unity, subregional organizations and all African States to continue to work closely in identifying solutions to all outstanding refugee problems;

16. 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, within their respective mandates, in the promotion and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

17. Welcomes the ongoing efforts undertaken by the Office of the United Nations High Commissioner for Refugees with host Governments, the United Nations, non-governmental organizations and the international community in concentrating on the environment and ecosystems of countries of asylum;

18. 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 High Commissioner, with the cooperation and collaboration of countries hosting refugees and countries of origin, and looks forward to other programmes to assist the voluntary repatriation of all refugees in Africa;

19. Expresses its concern about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing requirements there;

20. Urges the international community to continue to fund the general refugee programmes of the Office of the High Commissioner, taking into account the substantially increased needs of programmes in Africa;

21. Calls upon Governments, United Nations agencies, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the United Nations system and, in the context of burden-sharing, to continue to provide needed resources and operational support to refugees and countries of asylum in Africa until a durable solution can be found;

22. 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 affected by refugees in countries of asylum;

23. Requests all Governments, intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children and displaced persons, including those with special protection needs;

24. Calls upon the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

25. Calls upon the Secretary-General, the Office of the High Commissioner and intergovernmental, regional and non-governmental organizations, in conjunction with States, to increase the capacity for coordination and delivery of humanitarian emergency assistance and disaster relief in respect of asylum, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including refugees in urban areas;

26. Requests the Secretary-General to submit a comprehensive report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-fourth session, taking fully into account the efforts expended by countries of asylum, 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 to present an oral report to the Economic and Social Council at its substantive session of 1999.

#### Central African countries

In response to General Assembly resolution 52/169 B [YUN 1997, p. 1246], the Secretary-General submitted an August report [A/53/292] on special assistance by UN agencies and other organizations to Central African countries hosting refugees, in particular in the priority areas of women, children, food assistance and the environment. It also described the main activities undertaken in areas where large numbers of refugees had returned to their countries of origin.

During 1998, the UNHCR Great Lakes Operation continued to assist refugees in Burundi, Rwanda and the United Republic of Tanzania; refugees from Burundi, Rwanda and the Congo in the Democratic Republic of the Congo; refugees from Burundi, Rwanda and the Democratic Republic of the Congo in the Congo; and refugees from Burundi, Rwanda, the Congo and the Democratic Republic of the Congo in all other countries in Central, East, West and southern Africa.

In Burundi, some 500,000 people required assistance in camps for the displaced. UNICEF extended health, education and other services for children and vulnerable groups. UNHCR attempted to find the families of unaccompanied minors or placed them with foster families. It also began a reforestation programme in areas formerly hosting Rwandan refugees. WFP provided

emergency food assistance to some 175,000 Burundians displaced by the violent hostilities.

In the Democratic Republic of the Congo, WFP provided food to approximately 45,000 beneficiaries, including the internally displaced, vulnerable groups and other population groups severely affected by the insecurity. UNICEF provided emergency health, nutrition, water and sanitation assistance to local affected populations in eastern parts of the country. Assistance was provided to children among refugee populations in acute need, including care and reunification of thousands of unaccompanied minors. The principal focus of infrastructure projects was the reforestation of 2,500 hectares of refugee campsites and affected areas in eastern parts of the country.

UNHCR facilitated the repatriation of Rwandans in the Congo who agreed to return and considered alternative solutions for those not wishing to do so. In collaboration with UNHCR, WFP provided food assistance to 8,000 refugees in the Congo, where UNICEF maintained emergency activities during five months of the war to assist children, women and other vulnerable groups in the sectors of health, nutrition, water and sanitation and psychosocial care for traumatized children.

In Rwanda, the rapid and massive return of people increased dramatically the reintegration and rehabilitation needs of the country. UNICEF focused on quickly expanding essential services—health, nutrition, education and social services—for returning children. Special assistance was extended to unaccompanied, traumatized minors and other children in distress. In collaboration with UNHCR, WFP provided food assistance to 29,000 refugees in Rwanda. WFP food packages also significantly contributed to the overall success of the resettlement, reintegration and reconciliation process in Rwanda. WFP remained a key agency in post-emergency rehabilitation through the implementation of food-for-work schemes. UNHCR environmental activities in Rwanda included the establishment of nursery beds and wood lots for the planting of fast-growing trees to reduce further environmental degradation caused by the large number of returnees.

In the United Republic of Tanzania, WFP, in collaboration with UNHCR, provided food assistance to 410,000 refugees. UNHCR also collaborated with ICRC in tracing the families of some 1,400 unaccompanied minors in camps throughout the country. In response to a growing influx of refugees from Burundi and the Democratic Republic of the Congo, UNICEF established an operational base in Kigoma and worked closely

with Tanzanian authorities, UNHCR and other agencies to provide children with emergency health, nutrition, water and sanitation assistance.

Inter-agency cooperation for the region included the launching, in March 1998, of the United Nations Consolidated Inter-Agency Appeal for Countries of the Great Lakes Region and Central Africa (see PART THREE, Chapter III).

#### GENERAL ASSEMBLY ACTION

On 8 December [meeting 82], the General Assembly adopted **resolution 53/1 N** [draft:A/53/L.64] without vote [agenda item 20 (b)].

#### **Special assistance to Central and East African countries receiving refugees, returnees and displaced persons**

The General Assembly,

Recalling its resolutions 49/24 of 2 December 1994 and 52/169 B of 16 December 1997,

Taking note of the report of the Secretary-General,

Deeply concerned about the ongoing conflicts in the Great Lakes region, which pose a serious threat to regional peace and security, and by the flow of refugees, returnees and other displaced persons as a result of those conflicts,

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

Deeply concerned about the plight of refugee children, in particular the problem of unaccompanied minors, and emphasizing the need for their protection, well-being and reunification with their families,

Bearing in mind the evident impact of the flow of refugees on the basic infrastructure, the environment and the life and property of local populations in the host countries,

Recognizing that the Central and East African countries receiving refugees, most of them least developed countries, continue to experience an extremely critical economic situation,

Deeply concerned about the grave consequences this has entailed for the capability of Central and East African countries to build their economies,

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Central and East Africa remains precarious and unsolved,

Aware of the need to improve the security situation in the region, particularly in the border areas, for the safety of the refugees, the local community and personnel involved in humanitarian activities,

Recognizing the need for States to create conditions conducive to an early and sustainable solution to the flow of refugees, returnees and other displaced persons,

Expressing its appreciation to the Central and East African countries that have received refugees for the sacrifices they are making in granting refuge and hospitality to them,

Observing that the humanitarian aid dispatched should as far as possible take into consideration the scale of the needs of the local populations,

Stressing the need to continue to provide special assistance to the local populations of the countries receiving refugees,

1. Again congratulates the Secretary-General for the efforts he has made to draw the attention of the international community to the situation of refugees in Central and East African countries;

2. Again expresses its gratitude to all States, organizations and bodies of the United Nations and intergovernmental and non-governmental organizations that have done so for the financial, technical and material assistance they have been delivering to those countries that have been receiving refugees since the onset of the crisis and for the humanitarian assistance they have continued to render to refugees and the host countries, and calls upon them to continue to provide assistance for the implementation of programmes intended for the rehabilitation of the environment and social infrastructure in areas affected by the presence of refugees and to facilitate the restoration of the basic services destroyed in those host countries;

3. Appeals to the international community to assist in the search for durable solutions for African refugees, including voluntary repatriation, local integration and resettlement in third countries;

4. Calls upon Governments, relevant United Nations bodies, intergovernmental and non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the United Nations system and to continue to provide needed resources and operational support to refugees and countries of asylum in Central and East Africa;

5. Again urges the Governments of the region and all concerned parties to provide protection as well as safe and unhindered access for United Nations and other humanitarian personnel to the populations in need in all areas of the region, in accordance with international humanitarian law;

6. Calls upon the Secretary-General to continue his efforts to mobilize humanitarian assistance for the relief, voluntary repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including those refugees in urban areas;

7. Requests the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on the follow-up to the present resolution, with a view to continuing discussions under the item entitled "Report of the United Nations High Commissioner for Refugees".

#### **The Americas**

UNHCR assisted some 4,000 Guatemalan refugees to repatriate in 1998, bringing the total of returnees repatriated through UNHCR since 1984 to some 42,000. Most people were repatriated from Mexico. The repatriation and reintegration operation was to be phased out at the end of June 1999 as scheduled. Further progress was made in implementing the Mexican Government's plan for the permanent settlement of Guatemalan refugees in Campeche and Qunitana Roo, with over 600 former refugees in possession of citizenship cards and some 2,000 more having begun the naturalization process. Most basic services



(education, health, electricity) were taken over by the Mexican authorities. In another landmark development, Mexico announced in June 1998 that legal immigrant status would be granted to refugees in Chiapas. At the end of the year, some 24,000 Guatemalan refugees were in south-eastern Mexico, of whom close to 14,000 were in Chiapas.

Residual caseloads in other Latin American countries and the Caribbean were assisted individually with voluntary repatriation or local integration. In Belize, some 500 refugees became citizens with UNHCR help. In South America, UNHCR focused primarily on forced displacement due to the conflict in Colombia and its implications for neighbouring countries. Border regions adjacent to Ecuador, Panama and Venezuela were among those most affected by violence and displacement.

In Canada and the United States, UNHCR continued to monitor legislative, judicial and policy developments affecting access to refugee status determination procedures, the quality of asylum and the availability of resettlement as a durable solution. During 1998, the detention of asylum-seekers in the United States was a particular focus of UNHCR concern.

## **Asia and the Pacific and the Arab States**

### **South Asia**

The voluntary repatriation of Muslim refugees from camps in Bangladesh to Myanmar resumed in November 1998 after two years, but the number of returnees was small due to various procedural problems. Although some 230,000 refugees had returned to Myanmar since 1992, some 22,000 remained in Bangladesh. Steady progress continued to be made in improving local infrastructure and providing greater income-generating opportunities to help reintegrate returnees from Bangladesh into the northern Myanmar state of Rakhine.

Ongoing armed conflict prevented the resumption of voluntary repatriation of more than 70,000 Sri Lankan refugees in India and continued to result in population displacements within Sri Lanka. The focus of UNHCR's programme in Sri Lanka was therefore reoriented in 1998 to protecting internally displaced persons in conflict areas, stabilizing population displacements through infrastructure support to host communities and promoting the reintegration of internally displaced persons in areas of settlement.

UNHCR continued to provide care and maintenance support for some 96,000 Bhutanese refugees living in eastern Nepal. Bilateral discussions

between the Governments of Bhutan and Nepal on solutions for those refugees resumed in November after a period of two years.

The fifth Regional Consultations on Refugee and Migratory Movements in South Asia, supported by UNHCR, were held in Kathmandu, Nepal, in November to review the draft model law drawn up in 1997 (Dhaka, Bangladesh), as well as measures to promote its adoption by States in the region.

### **East Asia and the Pacific**

UNHCR continued to support repatriation, resettlement and self-reliance measures aimed at achieving durable solutions for some 1,800 Vietnamese refugees and non-refugees, who represented the residual caseload of the former Comprehensive Plan of Action for Indo-Chinese Refugees [YUN 1989, p. 707]. Camp-based assistance was phased out at the end of 1998, as the majority of that population, who resided in the Hong Kong Special Administrative Region, had achieved self-reliance. UNHCR planned to phase out its local settlement assistance to Vietnamese refugees in China in 1999, on completion of a revolving credit mechanism initiated in 1994, through which refugees had achieved self-reliance.

Following the completion in 1998 of an individual case status review of the Laotian refugees in the Ban Napho camp in Thailand, 1,145 individuals were considered no longer to meet internationally recognized refugee criteria. UNHCR was consulting with concerned Governments on the phasing out of camp-based assistance to the non-refugee caseload by mid-1999, while continuing to identify resettlement and other durable solutions. Returnee reintegration and monitoring assistance would continue in Viet Nam and the Lao People's Democratic Republic. In July, the Government of Thailand invited UNHCR to play a more active role in regard to some 105,000 ethnic Karen and Karenni refugees from Myanmar residing in 12 settlements along the Thai side of the border, where UNHCR subsequently opened field offices in October. During the year, UNHCR provided emergency relief to some 60,000 Cambodian refugees in four camps in Thailand and supported repatriation and reintegration assistance for 7,000 individuals who voluntarily returned under UNHCR auspices.

The third meeting of the Asia-Pacific Intergovernmental Consultations on Regional Approaches to Refugees and Displaced Persons (Bangkok, Thailand, 9-10 June), co-hosted by UNHCR and the Government of Thailand, discussed the impact of migratory flows and the relevance of prevention and preparedness in the

context of the prevailing economic crisis in the region.

#### Central Asia, South-West Asia, North Africa and the Middle East

The lack of a political settlement, violations of human rights and the absence of adequate economic opportunities in Afghanistan prevented large numbers of Afghan refugees from returning home from Iran and Pakistan where 2.6 million refugees still resided. Nevertheless, some 107,000 Afghan refugees repatriated voluntarily in 1998. During the first half of the year, more than 10,000 Kurdish refugees were repatriated from Iran to the north of Iraq. However, the operation had to be suspended in mid-1998 because of changes in procedures by the Iraqi authorities. The return and reintegration of Tajik refugees were successful during 1998, with completion expected by the end of 1999.

There were further delays during 1998 in implementing the United Nations Settlement Plan for Western Sahara [YUN 1990, p. 919], preventing the beginning of UNHCR's voluntary repatriation programme in the region, which could only begin once key activities of the Plan were completed.

During 1998, UNHCR's work in the Middle East was strongly affected by continuing instability in Iraq. In May, Turkish refugees of Kurdish origin, who were living precariously in northern Iraq, were permitted by the Iraqi authorities to move to Makhmour within Iraqi Government-controlled territory. Following a security incident in July, UNHCR withdrew from the camp. It resumed its presence in Makhmour in December following negotiations with authorities on safe and regular access to the camp, security for UNHCR staff and for the refugees, and measures to ensure the civilian nature of the camp.

#### Europe

In 1998, the 15 member States of the European Union received 304,000 asylum applications, an increase of 21 per cent over 1997. The growth was almost entirely the result of arrivals from the Kosovo province of the Federal Republic of Yugoslavia; two thirds of all asylum-seekers were received by Germany, Switzerland and the United Kingdom. UNHCR mounted a major emergency relief operation to respond to the needs of persons displaced by the violence that erupted in Kosovo at the end of February. The number of displaced persons and refugees from Kosovo peaked in October, with some 200,000 people internally displaced in the province, 20,000 in other parts of Serbia and 42,000 in Montenegro, as well as

20,500 refugees in Albania and smaller numbers in other countries, mainly in Western Europe.

Throughout the former Yugoslavia, UNHCR programmes continued to focus on promoting durable solutions for refugees and displaced persons, especially repatriation and return, as well as on ensuring a phased reduction of care and maintenance assistance. At the end of 1998, the Federal Republic of Yugoslavia hosted the largest number of refugees in the region, some 200,000 from Bosnia and Herzegovina and almost 300,000 from Croatia.

During the year, some 110,000 refugees and 30,000 displaced persons returned home in Bosnia and Herzegovina, bringing the total returns to and within that country since the signing of the Dayton Agreement in 1995 [YUN 1995, p. 551] to more than 550,000. In Croatia, 53,000 refugees and displaced persons returned home in 1998.

In Eastern Europe, a fragile situation continued to prevail in Azerbaijan, where the UNHCR humanitarian programme moved towards a long-term development phase in 1998, with a stronger emphasis on the integration of refugees and internally displaced persons. In Armenia, the emergency phase of UNHCR operations ended during the year and assistance was increasingly focused on promoting the naturalization of refugees and implementing long-term reintegration activities.

In the Russian Federation, UNHCR resumed its efforts to assist internally displaced persons in the northern Caucasus region. However, because of the turbulent situation, the UNHCR presence was reduced to minimal staffing levels and tight security measures were put in place. In Georgia, the declaration of a unilateral return of refugees and internally displaced persons by the Abkhaz side and its non-acceptance by the Georgian Government contributed to tension along the border. In Ukraine, some 20,000 stateless formerly deported Crimean Tatars obtained Ukrainian citizenship under a UNHCR-sponsored campaign to combat statelessness among formerly deported peoples.

#### Conference on refugees of CIS countries and neighbouring States

In a September report [A/53/413], the Secretary-General described follow-up to the 1996 Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States [YUN 1996, p. 1117]. The report was submitted in response to General Assembly resolution 52/102 [YUN 1997, p. 1250], by which the Assembly also requested UNHCR, in cooperation with IOM and the Organization for Security and Cooperation in Europe (OSCE), to con-

tinue to steer implementation of the Conference's Programme of Action.

Under the Joint Operational Strategy for 1996-2000, UNHCR and IOM made an appeal for funds for countries of the Commonwealth of Independent States (CIS) for 1998 to support their implementation of programmes in the region. During the year, most CIS Governments maintained their commitment to the Conference process, according to the Secretary-General, and several elaborated, revised and amended legislation and other institutional frameworks for managing migration and displacement. Significant progress was also achieved in developing the capacities of local NGOs. However, the Secretary-General noted that the implementation process also faced a number of constraints, including a decrease in international attention and support, lack of political solutions to conflicts, staff safety concerns and financial constraints affecting the ability to pursue some of the objectives of the Programme of Action, in particular a lack of involvement of international financial institutions.

The Steering Group, set up in 1996 to monitor progress in implementing the Programme of Action, met in June 1998. A report compiled by UNHCR, IOM and OSCE outlined progress made with CIS Governments regarding implementation and provided the basis for review of the Programme of Action.

In an October conclusion [A/53/12/Add.1], the UNHCR Executive Committee reaffirmed the importance and validity of the Programme of Action and stressed the need to reinvigorate its implementation. It called on all CIS countries to strengthen their commitment, both practical and political, to implementing the Programme of Action and to ensure the safety of humanitarian personnel working in the region. The High Commissioner was invited to organize consultations with CIS Conference participants to make the follow-up process more active and dynamic.

#### GENERAL ASSEMBLY ACTION

On 9 December [meeting 85], the General Assembly, on the recommendation of the Third Committee [A/53/620], adopted **resolution 53/123** without vote [agenda item 105].

#### **Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States**

The General Assembly,

Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994, 50/151 of 21 December 1995, 51/70 of 12 December 1996 and, in particular, 52/102 of 12 December 1997,

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

Recognizing the ongoing acuteness of the migration and displacement problems in the countries of the Commonwealth of Independent States and the necessity to follow up the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States and the subsequent conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Reaffirming the view of the Conference that the primary responsibility for tackling population displacement problems lies with the affected countries themselves and that these issues are to be regarded as national priorities, while at the same time recognizing the need for enhancing international support for the national efforts of the countries of the Commonwealth of Independent States aiming at the effective implementation of such responsibilities within the framework of the Programme of Action of the Conference,

Noting with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe in developing strategies and practical tools for more effective capacity-building in countries of origin and enhancing programmes to address the needs of various categories of concern to the countries of the Commonwealth of Independent States,

Welcoming the contributions of those countries that responded to the 1998 appeal launched by the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration, and appreciating this tangible encouragement to the countries of the Commonwealth of Independent States and to further inter-agency cooperation,

Taking note of the positive results emanating from the implementation of the Programme of Action of the Conference,

Convinced of the necessity of further strengthening practical measures for the achievement of effective implementation of the Programme of Action,

Recalling that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement,

Mindful that effective implementation of the recommendations contained in the Programme of Action should be facilitated and can be ensured only through cooperation and coordinated activities undertaken in this respect by all interested States, intergovernmental and non-governmental organizations and other actors,

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

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

2. Calls upon Governments of the countries of the Commonwealth of Independent States, in cooperation with the Office of the United Nations High Commissioner for Refugees, the International Organization

for Migration and the Organization for Security and Cooperation in Europe, to strengthen their efforts and mutual cooperation relating to the follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, and welcomes the positive results achieved by them in the implementation of the Programme of Action of the Conference;

3. Invites all countries that have not yet done so to accede to and implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, while welcoming the accession of Turkmenistan to the Convention;

4. Calls upon States and interested international organizations, in a spirit of solidarity and burden-sharing, to provide appropriate forms and levels of support for the practical implementation of the Programme of Action;

5. Invites international financial and other institutions to contribute to the financing of projects and programmes within the framework of the implementation of the Programme of Action;

6. Invites the countries of the Commonwealth of Independent States to intensify bilateral and subregional cooperation in maintaining the balance of commitments and interests in the process leading up to the implementation of the Programme of Action;

7. Calls upon the Governments of the countries of the Commonwealth of Independent States to continue to strengthen their commitment to the principles underpinning the Programme of Action, in particular human rights and refugee protection principles, and to lend high-level political support to ensure progress in its implementation;

8. Invites the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to enhance their mutual relationship with other key international actors, such as the

Council of Europe, the European Commission and human rights, development and financial institutions, in order better to address the wide-ranging and complex issues in the Programme of Action;

9. Welcomes the progress made in building civil society, in particular through the development of the non-governmental sector and the development of cooperation between non-governmental organizations and the Governments of a number of countries of the Commonwealth of Independent States, and notes in this regard the relationship between the progress made in implementing the Programme of Action and the success in promoting civil society, especially in the field of human rights;

10. Encourages the involvement of intergovernmental and non-governmental organizations in the follow-up to the Conference, and invites them to demonstrate stronger support for the process of the multinational constructive dialogue among a wide range of countries concerned and further action with a view to the full implementation of the recommendations of the Conference;

11. Emphasizes the necessity of fulfilling the recommendations of the Programme of Action relating to ensuring respect for human rights as an important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;

12. Recognizes the importance of undertaking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian law and international human rights standards, to prevent situations that lead to new flows of refugees, displaced persons and other forms of involuntary displacement;

13. Requests the Secretary-General to report to the General Assembly at its fifty-fourth session on the progress achieved in the implementation of the Programme of Action;

14. Decides to continue examination of the question at its fifty-fourth session.