

## Chapter XII

## Refugees and displaced persons

In 2001, the total number of persons of concern to the Office of the United Nations High Commissioner for Refugees (UNHCR) throughout the world fell to 19.8 million, from 21.1 million in 2000. Over 12 million (60 per cent) of the total were refugees, 5.3 million were internally displaced persons, 925,677 were asylum-seekers, 703,558 returned to their places of origin and the remaining 1 million included forced migrants and stateless people.

Although there were no major refugee emergencies on the scale of those of the 1990s, UNHCR still faced major challenges concerning refugee protection. The military action in Afghanistan following the 11 September terrorist attacks in the United States led to the return of hundreds of thousands of Afghan refugees from Iran and Pakistan. However, the impact of those events also fuelled intolerance and distrust of aliens, including refugees and asylum-seekers. In tackling those challenges, UNHCR emphasized the need to secure refugee protection by facilitating durable solutions, such as voluntary repatriation, local integration and resettlement whenever possible.

Although Africa's refugee population fell by almost 10 per cent in 2001, the continent's 3.1 million refugees still accounted for approximately 30 per cent of the global refugee population at the end of the year. The main countries of origin of refugees were Angola, Burundi and the Sudan, while the host countries of the largest refugee populations were the Democratic Republic of the Congo, the Sudan and the United Republic of Tanzania. The main refugee returns in the region in 2001 were Burundians, Eritreans, Sierra Leoneans and Somalis.

The prime focus in Central and South America remained the protracted armed conflict in Colombia, which had uprooted some 700,000 people, most of them forced into the neighbouring countries of Ecuador, Panama and Venezuela.

In South Asia, peace initiatives in Sri Lanka raised hopes for durable solutions for the estimated 700,000 internally displaced Sri Lankans and the 64,000 refugees in India. However, there was only minimal progress on the situation of the 110,000 Bhutanese, one of the largest refugee groups in the region, who had been in Nepalese camps for over 10 years. The protection of asylum-seekers was the dominant issue in East

Asia and the Pacific, where there was a general narrowing of access to asylum. As East Timor moved closer to independence, UNHCR initiated negotiations with the Indonesian Government for the local settlement of some 50,000 East Timorese remaining there. In Central and South-West Asia, UNHCR's main focus was on Afghanistan and surrounding countries following the military intervention. UNHCR provided relief for the estimated 200,000 Afghans who fled to Pakistan in 2001, in addition to the over 2 million who were already in camps in Iran and Pakistan.

The main challenge in Western Europe continued to be the maintenance of access for asylum-seekers. Close to 420,000 applications for asylum were made in a context of reinforced legislation against irregular migration, people smuggling and trafficking, and of security concerns. In Eastern Europe, UNHCR focused on finding durable solutions for those displaced by protracted conflicts in the Caucasus.

To mark the fiftieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees, UNHCR convened, in December, the first meeting of States parties to the Convention and its 1967 Protocol, which adopted a landmark declaration reinforcing commitment to those two instruments. During the course of the year, UNHCR continued to hold meetings within the framework of the Global Consultations on International Protection, launched in 2000. It also took steps to sharpen its focus and strengthen its capacity to meet future challenges. A review of priorities and fund-raising efforts resulted in the reduction of UNHCR's 2001 budget by some 10 per cent and the number of staff posts by 16 per cent.

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

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#### Programme policy

**Executive Committee action.** At its fifty-second session (Geneva, 1-5 October) [A/56/12/Add.1], the Executive Committee of the UNHCR Programme, noting the fiftieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520], expressed

satisfaction at the increasing number of parties to the Convention and/or its 1967 Protocol [YUN 1967, p. 477] and urged broader accession. Recognizing that some countries of asylum, particularly developing countries and countries in transition, bore a heavy burden by hosting large numbers of refugees, the Committee reiterated its strong commitment to international solidarity and cooperation to share responsibilities. It stressed the national and international responsibilities of countries of origin and reaffirmed UNHCR's role in assisting and supporting countries receiving refugees and in mobilizing assistance to address the impact of large-scale refugee populations. The Committee emphasized that the ultimate goal of international protection was to achieve a durable solution for refugees, notably voluntary repatriation and, where feasible, local integration and resettlement. Noting the global dimension of statelessness, the Committee encouraged States to cooperate with UNHCR in devising appropriate solutions for stateless persons. The trafficking of persons, which represented a grave violation of their human rights, was strongly condemned by the Committee, which also expressed concern that many trafficking victims were rendered effectively stateless due to an inability to establish their identity and nationality. It reiterated its call to States to accede to 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].

The Committee also adopted conclusions on the registration of refugees and asylum-seekers and follow-up to the 1996 Geneva Conference on the problems of refugees, displaced persons, migration and asylum issues. It also adopted decisions on administrative, financial and programme matters and institutional questions.

Since Ruud Lubbers began his first three-year term as High Commissioner on 1 January, the Committee decided to replace the traditional annual theme discussion with a debate on his perspective on the work of the Office.

Reflecting on UNHCR's challenges in 2001 in his opening statement to the Committee, the High Commissioner highlighted the large-scale refugee movements in Guinea and the former Yugoslav Republic of Macedonia (FYROM), and the unfolding humanitarian emergency in Afghanistan and surrounding countries. He observed that emergencies were hard to predict and UNHCR and its partners needed to be ready at all times to respond efficiently; measures taken towards that end included improved staff training, increased numbers of deployable emergency staff and emergency stockpiles, and new stand-

by arrangements with Governments and partners. Other major concerns included staff security, the management of complex population flows, the need to find durable solutions for refugees and the need to promote coexistence and reconciliation in divided communities.

Regarding organizational management, the High Commissioner stated that he had taken a number of measures to sharpen UNHCR's focus and strengthen its capacity to meet future challenges, including new appointments, changes to the organizational structure and new policy directives. In addition, further measures were taken to strengthen internal investigation and oversight mechanisms. As to the budget, the High Commissioner recalled that when he took up his appointment a 20 per cent budget freeze had been imposed on all operations because donors had stated that the 2001 budget of \$955 million, approved by the Executive Committee only three months earlier [YUN 2000, p. 1150], was not fundable. However, through the "Actions 1, 2 and 3" exercise, UNHCR defined its strategic direction, reviewed its operations and priorities and had initiated an ongoing review of its fund-raising efforts. Under that process, UNHCR reduced its budget for 2001 by approximately 10 per cent and the number of staff posts by 16 per cent.

Looking to the future, the High Commissioner said the Office faced many threats, including restrictive interpretation of the 1951 Convention relating to the Status of Refugees, the deteriorating quality and perceived abuse of asylum systems and the high costs and burdens of hosting refugees. To address the question of whether UNHCR was adequately positioned to address the problems it was mandated to tackle, the High Commissioner announced that he had launched the "UNHCR 2004" process to develop a concept to better position the Office to carry out its mandate. That process would be completed by 1 January 2004 when UNHCR's current mandate would be due for renewal.

By **decision 2001/317** of 26 July, the Economic and Social Council took note of the High Commissioner's report covering the period 1 January 2000 to 31 March 2001 [E/2001/46 & Corr.1].

### **Coordination of emergency humanitarian assistance**

In 2001 [A/57/12], UNHCR placed renewed emphasis on strengthening existing partnerships to increase the level and quality of resources reaching refugees and returnees. A Task Force on Partnerships was established in September with two working groups: one examined partnerships with UN agencies and international organiza-

tions while the other considered partnerships with non-governmental organizations (NGOs) (see below). Within the context of the Global Consultations on International Protection (see also p. 1113), UNHCR and the International Organization for Migration (IOM) formed the Action Group on Asylum and Migration to further the understanding of the connection between migration and asylum, review policy issues and improve cooperation between UNHCR and IOM on related matters.

In June, the annual high-level UNHCR/International Committee of the Red Cross (ICRC) meeting considered issues relating to their respective mandates and activities, the security of refugees and staff, and the separation of armed elements. The 1969 memorandum of understanding with the Organization of African Unity (OAU) was amended to update the framework of cooperation between the two organizations in the areas of protection of and material assistance to refugees, internally displaced persons and persons of concern; promotion of refugee law; emergency preparedness; and public awareness of refugee rights. In November, UNHCR signed a memorandum of understanding with the Economic Community of West African States (ECOWAS) to ensure protection, repatriation and resettlement of refugees within ECOWAS countries.

Within the UN system, UNHCR participated in the Administrative Committee on Coordination and the Inter-Agency Standing Committee, among other bodies, and in the resident coordinator system and UN country team at the field level. At year's end, a senior UNHCR staff member was seconded to the Internal Displacement Unit within the Office for the Coordination of Humanitarian Affairs.

Following the 11 September terrorist attacks in the United States, UNHCR contributed to the work of the Security Council's Counter-Terrorism Committee (see p. 66) and participated at the senior level in meetings of the Executive Committee on Peace and Security, set up by the Secretary-General as the UN system-wide focal point on terrorism. UNHCR also participated in the Executive Committee on Humanitarian Affairs, established to develop an integrated UN strategy for humanitarian response, post-conflict rehabilitation and development in Afghanistan in the first months of the crisis following the advent of the war on terror.

During 2001, UNHCR concluded project agreements with 573 NGOs, covering operational activities favouring refugees and other populations of concern. Those partnerships mobilized \$193 million, representing 21 per cent of UNHCR's total

budget. Throughout the year, NGOs played an active role in UNHCR's Global Consultations on International Protection, participating in round-table meetings to examine trends in refugee law, with a view to informing decision makers who formulated refugee policy.

### **Evaluation plan and activities**

UNHCR's evaluation policy, which was described in an August report [A/AC.96/947], included a three-year development plan that committed UNHCR to steadily increasing levels of evaluation activity, placed new responsibilities on regional and field offices to undertake and commission evaluations, and introduced new approaches to ensure that the findings and recommendations of evaluations were effectively utilized.

The work programme of the Evaluation and Policy Analysis Unit focused on a number of key policy issues, including refugee children, refugee women, statelessness, refugee education, protracted refugee situations, and incorporating protection and human rights issues into evaluations.

Evaluation projects initiated in 2001 included reviews of UNHCR's work on internal displacement issues in Angola and Sri Lanka, reintegration programmes in Liberia and South-East Asia, and refugees' physical security in Kenya and the United Republic of Tanzania. UNHCR's role in strengthening national and non-governmental organizations and in developing policy issues affecting urban-based refugees was also evaluated.

### **Inspections**

In 2001 [A/57/12], inspections of operations by the Inspector General's Office (IGO) were conducted in Armenia, Azerbaijan, Botswana, Djibouti, Eritrea, India, Lebanon, Namibia, South Africa, Yemen and Zambia. In September, IGO oversaw the conduct of an inquiry into the violent death of a staff member in the Democratic Republic of the Congo (DRC). In the course of the year, IGO received 31 complaints of alleged wrongdoing and conducted nine investigations of 16 staff members accused of harassment, fraud, corruption regarding resettlement and misuse of UNHCR assets and facilities. Disciplinary measures were recommended against 12 staff members while the remaining four were cleared of the allegations against them. Two other investigations initiated during the year were ongoing, one of which was being conducted jointly with the Investigations Division of the UN Office of Internal Oversight Services (OIOS).

**OIOS report.** In December [A/56/733], the Secretary-General transmitted to the General Assembly an OIOS report on the investigation into allegations of refugee smuggling at the Nairobi Office of UNHCR, which resulted in the arrest of nine persons—three UNHCR staff members, two members of an affiliated NGO and four others who operated the alleged criminal enterprise. Criminal charges were pending against all nine, including conspiracy to threaten to kill the United States Ambassador and the UNHCR representative and for demanding money from refugees. OIOS noted that UNHCR had taken substantial measures to correct management lapses that provided the opportunity for such activities and had also improved operations in Kenya. However, it warned against the recurrence of such incidents wherever the demand for resettlement by refugees who could not return home exceeded the ability or willingness of other Governments to take them.

Commenting on the OIOS findings and recommendations, UNHCR stated that it had learned and implemented many lessons from the investigation and would, as a result, become a much more accountable organization with strengthened management and improved oversight and investigation capacity.

#### GENERAL ASSEMBLY ACTION

On 19 December [meeting 88], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/56/578], adopted **resolution 56/137** without vote [agenda item 114].

#### 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 his Office and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-second session and the conclusions and decisions contained therein,

*Recalling* its annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees adopted since its establishment by the General Assembly,

*Expressing its appreciation* for the leadership shown by the High Commissioner since he assumed office in January 2001, and commending the staff and implementing partners of the Office of the High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-second session;

2. *Welcomes* the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees, notes that the Convention and the 1967 Protocol thereto have continuously served as the cornerstone of the international refugee protection regime, and welcomes in this context the convening of a ministerial meeting of States parties as an expression of their collective commitment to full and effective implementation of the Convention and Protocol and the values they embody;

3. *Reaffirms* that the 1951 Convention and the 1967 Protocol remain the foundation of the international refugee regime and recognizes the importance of their full application by States parties, notes with satisfaction that one hundred and forty-one States are now parties to one or both instruments, encourages the Office of the United Nations High Commissioner for Refugees and States to strengthen their efforts to promote broader accession to those instruments and their full implementation, and underlines in particular the importance of full respect for the principle of non-refoulement;

4. *Notes* that fifty-three States are now parties to the 1954 Convention relating to the Status of Stateless Persons and that twenty-five States are parties to the 1961 Convention on the Reduction of Statelessness, and encourages the High Commissioner to continue his activities on behalf of stateless persons;

5. *Welcomes* the process of Global Consultations on International Protection launched by the Office of the High Commissioner, and acknowledges their importance as a forum for open discussion on complex legal and operational protection issues;

6. *Reiterates* that international protection is a dynamic and action-oriented function, carried out in cooperation with States and other partners, inter alia, to promote and facilitate the admission, reception and treatment of refugees and to ensure durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups;

7. *Re-emphasizes* that the protection of refugees 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;

8. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of States and reducing the heavy burden borne by them, in particular by developing countries and countries with economies in transition that have received large numbers of refugees and asylum-seekers, and calls upon the Office of the High Commissioner to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations, especially in developing countries and countries with economies in transition;

9. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, recalls that these solutions include voluntary



repatriation and, where appropriate and feasible, local integration and resettlement in a third country, reaffirming that voluntary repatriation remains the preferred solution, supported by necessary rehabilitation and development assistance, to facilitate sustainable reintegration;

10. *Emphasizes* 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 been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

11. *Recognizes* that adequate and timely resources are essential to the High Commissioner to discharge effectively his mandated functions on an equitable basis, and urges Governments and other donors to respond promptly to the global appeal issued by his Office for requirements under its annual programme budget;

12. *Requests* the Office of the High Commissioner, with that sustained support, to continue to fulfil the mandate conferred upon it by its statute and by subsequent General Assembly resolutions regarding refugees and other persons of concern, in close cooperation with its relevant partners;

13. *Requests* the High Commissioner to report on his activities to the General Assembly at its fifty-seventh session, and to include in his report the results of the Global Consultations on International Protection.

### Enlargement of Executive Committee

On 3 May, the Economic and Social Council, by **decision 2001/217**, took note of Guinea's request [E/1999/13] for membership in the UNHCR Executive Committee and recommended that the General Assembly decide, at its fifty-sixth (2001) session, on the issue of enlarging the Committee's membership from 57 to 58 States.

In July, the Council had before it communications from Ecuador [E/2001/52], New Zealand [E/2001/4] and the Federal Republic of Yugoslavia (FRY) [E/2001/49] requesting membership in the Committee. By **decision 2001/298** of 25 July, the Council took note of those requests and recommended that the Assembly take a decision at its fifty-sixth session on the question of enlarging the Committee's membership from 58 to 61 States.

### GENERAL ASSEMBLY ACTION

On 19 December [meeting 88], the General Assembly, on the recommendation of the Third Committee [A/56/578], adopted **resolution 56/133** without vote [agenda item 114].

### 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 decisions 2001/217 of 3 May 2001 and 2001/298 of 25 July

2001 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

*Taking note also* of the requests regarding the enlargement of the Executive Committee contained in the annex to the note verbale dated 21 January 1999 from the Permanent Mission of Guinea to the United Nations addressed to the Secretary-General, in the letter dated 3 November 2000 from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General, in the annex to the letter dated 20 April 2001 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations addressed to the Secretary-General and in the note verbale dated 27 April 2001 from the Permanent Mission of Ecuador to the United Nations addressed to the Secretary-General,

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-seven to sixty-one States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2002.

### Financial and administrative questions

UNHCR's initial annual programme budget target for 2001 was set at \$898.5 million [A/57/12] by the Executive Committee in 2000 [YUN 2000, p. 1150]. In addition, during the course of 2001, some \$117 million was added for operations in Afghanistan, Eritrea, Sierra Leone and FYROM. However, income from donors' contributions stood at only \$779.2 million, considerably short of requirements, resulting in budget cuts that affected many operations. Expenditures during the year totalled \$801 million, of which \$677.6 million was from the annual programme budget. UNHCR expenditure by region was as follows: Africa, \$307 million; Europe, \$172 million; Central Asia, South-West Asia, North Africa and the Middle East, \$105 million; Asia and the Pacific, \$52 million; and the Americas, \$23 million.

In October, the Executive Committee approved the revised 2001 annual programme budget amounting to \$782.1 million, which, together with the UN regular budget contribution of \$19.2 million, provisions for Junior Professional Officers of \$7 million and the needs under supplementary programmes of \$66.1 million, brought total requirements for the year to \$874.4 million. For 2002, the Committee approved budgetary requirements of \$801.7 million, including an operational reserve of \$72.9 million (representing 10 per cent of programmed activities), which, together with the UN regular budget contribution of \$19.9 million and provisions for Junior Professional Officers of \$7 million, brought total requirements for 2002 to \$828.6 million. The High Commissioner was requested, within

the resources available, to respond flexibly and efficiently to the needs currently indicated under the annual programme budget for 2002, and authorized to create supplementary programmes and issue special appeals in the case of new emergency needs. Member States were urged to respond generously and promptly to such appeals.

#### **Accounts (2000)**

The audited financial statements of voluntary funds administered by UNHCR for the year ending 31 December 2000 [A/56/5/Add.5] showed total expenditures of some \$784 million and total income of \$709 million, with a reserve balance of \$127 million.

The Board of Auditors recommended that UNHCR should: ensure that field offices verified project monitoring reports, including supporting documents and bank statements; ensure that field offices reviewed audit certificates and followed up significant issues that arose; establish realistic milestones against which the progress of projects could be monitored; establish a single line of project management for staff reports on all aspects of the integrated system project development; review the appropriateness of undertaking projects not directly related to assistance to refugees and routinely set clear milestones against which to measure progress and assess when its mission was complete; maintain accurate information on the size and characteristics of the refugee population; and include clearly stated and quantified objectives and outputs, incorporating key milestones and target dates.

UNHCR, in September [A/AC.96/949/Add.1], reported on measures taken or proposed to respond to the recommendations of the Board of Auditors.

In an October report [A/56/436], the Advisory Committee on Administrative and Budgetary Questions (ACABQ), while noting UNHCR's progress in reducing its level of expenditures, expressed the hope that further efforts would be made to address the \$55.5 million outstanding in advances to implementing partners, covering the years 1994 to 2000. The Committee asked UNHCR to examine the problem of denial of access to the accounting records of implementing partners, requesting that it be brought to the attention of the Secretary-General if necessary. With regard to subproject monitoring, ACABQ recommended increased staff training and a stringent application of accountability requirements. UNHCR was asked to take measures to improve the performance of all country offices where significant gaps in the extent and quality of audit certificates existed and to take immediate steps to address the findings of the Board of Auditors and report

to the Committee not later than autumn 2002 on actions taken in that regard. ACABQ also reiterated its request that UNHCR report comprehensively on the implementation of all information technology projects, including relevant costs.

The Executive Committee, in a decision on administrative, financial and programme matters [A/56/12/Add.1], requested that it be kept regularly informed of the measures taken to address the recommendations and observations raised by the Board of Auditors and ACABQ.

#### **OIOS reports**

In July [A/56/128], the Secretary-General transmitted to the General Assembly the OIOS report on its November 1999 audit of UNHCR's emergency operations in Albania and on a follow-up audit in November 2000. The initial audit disclosed serious shortcomings in the management of the operation, owing to sub-standard procurement, improper tracking of assets and commodities, inadequate programme monitoring and budget control, unrefunded taxes paid on purchases and inadequate staffing.

Noting that the follow-up audit showed that UNHCR had made significant progress in addressing those shortcomings, OIOS found, however, that further improvement could be made in the following areas: staffing of emergency operations to ensure continuity and proper internal control; monitoring of implementing partners with proper and timely financial reporting; and asset management to more accurately reflect both assets on hand and those provided by partners.

OIOS recommended that UNHCR should: ensure that emergency operations were adequately staffed and that rotation was kept to a workable minimum; establish from the beginning of an emergency adequate tracking of assets and commodities; review rules and procedures for financial management, procurement and asset management; and renegotiate existing cooperation agreements with host Governments to ensure that tax exemptions granted to UNHCR were extended to purchases made by implementing partners using UNHCR funds.

In December [A/56/759], the Secretary-General transmitted to the Assembly an OIOS report on its audit of UNHCR's private sector fund-raising activities. It found that policies and procedures still needed to be more clearly defined or developed in some areas; self-sustainability, critical for any fund-raising operation, and the achievement of financial targets were not explicitly established as objectives in most cases; the methodology for calculating the return on investment should be determined to increase the value of analytical com-

parison and ensure better informed decision-making; complete data on the overall cost of UNHCR's private sector fund-raising were not readily available; contributions and associated fund-raising costs were understated; and the concept of using national associations, UNHCR's preferred tool for private sector fund-raising, had still to be proved effective. By year's end, OIOS stated, UNHCR had taken positive steps to address the issues raised.

By **decision 56/428** of 19 December, the Assembly took note of the report of OIOS on the audit of UNHCR operations in Albania. The Assembly, on 24 December, again took note of the report and looked forward to the full and expeditious implementation of the recommendations contained in it within the context of the annual OIOS report at the Assembly's fifth-seventh (2002) session (**decision 56/459**).

### **Standing Committee**

The UNHCR Standing Committee held three meetings in 2001 (12-14 March [A/AC.96/945 & Corr.1], 25-27 June [A/AC.96/956] and 26 September [A/AC.96/958]). It reviewed UNHCR's programmes and activities in various regions, and considered updates on overall programme and funding issues; the Global Report on UNHCR's activities in 2000; programme/protection policy issues, including the safety and security of staff and the security of refugees; the economic and social impact of refugee populations on host countries; refugee women; the refugee situation in Afghanistan; international protection, statelessness and resettlement; coordination issues within the UN system; and issues relating to management, finance, oversight and human resources.

In October [A/56/12/Add.1], the Executive Committee adopted the following items for the Standing Committee's 2002 programme of work: international protection; programme/protection policy; programme and funding; governance; coordination; and management, financial, oversight and human resources. It authorized the Standing Committee to add items to and delete items from its intersessional programme of work.

### **Safety of staff**

At its March meeting [A/AC.96/945 & Corr.1], the Standing Committee discussed the issue of staff safety, including action taken to reinforce and strengthen it, which had focused on three key areas: mainstreaming responsibilities and capacities for security within UNHCR; supporting proactive security management; and establishing and maintaining security standards in UNHCR's

operations. The Committee emphasized the importance of the management aspects of staff security, clear lines of decision-making, increased accountability at all levels and inter-agency cooperation. While stressing the need for adequate funding from the UN regular budget, the Committee also acknowledged that UNHCR required extra funding for its increased security needs and proposed examining how best to provide that additional support.

Addressing the UNHCR Executive Committee in October [A/56/12/Add.1], the High Commissioner stated that a UNHCR staff member was murdered in the DRC in March and that six ICRC staff members had been killed a month later. He indicated that addressing the staff security issue would be one of his major priorities.

In **resolution 56/217** of 21 December, the General Assembly urged all States to ensure the safety and security of humanitarian personnel and UN and associated personnel (see p. 1349).

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## **Refugee protection and assistance**

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### **Protection issues**

In his annual report covering 2001 [A/57/12], the High Commissioner said the environment in which refugee protection had to be realized was increasingly affected by recurring cycles of violence and systematic human rights violations in many parts of the world, by the changing nature of armed conflict and of patterns of displacement, and by serious apprehensions about "uncontrolled" migration in an era of globalization. Additional compounding factors included the trafficking and smuggling of people, abuse of asylum procedures and difficulties in dealing with unsuccessful asylum-seekers. Countries of asylum in many parts of the world were concerned about the failure to resolve some longstanding refugee problems, urban refugee issues, irregular migration and a perceived imbalance in burden-sharing.

In a September note on international protection [A/AC.96/951], the High Commissioner focused on the fiftieth anniversary in 2001 of the 1951 UN Convention relating to the Status of Refugees [YUN 1951, p. 520] (see also p. 1113). He observed that while many States and regional organizations had reaffirmed their commitment to that Convention and its 1967 Protocol [YUN 1967, p. 477], many States still faced challenges in trying to reconcile their obligations under the Convention with problems arising from migratory movements, misuse of the asylum system, increasing

costs, the growth in smuggling and trafficking of people and the struggle for international solidarity in resolving refugee situations.

UNHCR also faced considerable challenges. Over the preceding decade, States had asked the organization to take on a wider range of responsibilities. However, funding in recent years had not been commensurate, leading to the closure of some offices and the curtailment of a number of programmes and operations. UNHCR also had to contend with an increasingly restrictive application of the 1951 Convention, including diverging interpretations of its provisions and a waning quality of asylum offered worldwide.

The High Commissioner stated that security threats to refugees during the reporting period included, in particular, *refoulement* (forced return) and violence and intimidation in camps. Although the basic civil and political rights of refugees had generally been respected by States parties to the 1951 Convention, challenges remained in connection with documentation and certainty of status, non-discrimination, freedom of movement, freedom of association and religion, and access to courts. Moreover, States, often for resource-related reasons, had tended to curtail refugees' economic, social and cultural rights under the Convention.

The Executive Committee, in October [A/56/12/Add.1], re-emphasized that the protection of refugees was primarily the responsibility of States, whose full and effective cooperation was required to enable UNHCR to fulfil its mandated functions.

### International instruments

In 2001, Belarus became party to the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] and to its 1967 Protocol [YUN 1967, p. 477], bringing the number of parties to the Convention to 138 and to the Protocol to 137. Hungary became party to the 1954 Convention relating to the Status of Stateless Persons [YUN 1954, p. 416], increasing the number of States party to that instrument to 54. In March, FRY succeeded to those three instruments and all other treaties to which the Socialist Federal Republic of Yugoslavia had been a party, assuming the latter's responsibilities in that regard. Following the accession of the Czech Republic, Guatemala and Uruguay, the number of States party to the 1961 Convention on the Reduction of Statelessness [YUN 1961, p. 533] rose to 26.

### Global Consultations

The Global Consultations on International Protection, launched in 2000 [YUN 2000, p. 1153],

proceeded along three parallel tracks in 2001. The first track culminated in the Ministerial Meeting of States Parties to the 1951 Convention and its 1967 Protocol (see below). The second track provided a forum to consider developments in refugee law and examine a number of emerging legal issues. Four expert round tables discussed cessation and exclusion; the principle of non-*refoulement* and UNHCR's supervisory responsibility; membership of a particular social group; gender-related persecution; internal protection/relocation/flight alternative; illegal entry; and family unity. The third track was structured around a number of protection policy matters, including issues not adequately covered by the Convention. Four broad themes were selected for discussion: protection of refugees in mass influx situations; protection of refugees in the context of individual asylum systems; the search for protection-based solutions; and protection of refugee women and children. The first two themes were addressed at meetings held in March, June and September. The Global Consultations would conclude in 2002.

### Ministerial Meeting of States Parties

On the occasion of the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees, UNHCR and Switzerland co-convened the first Ministerial Meeting of States Parties to the Convention and/or its 1967 Protocol (Geneva, 12-13 December) [HCR/MMSP/2001/10]. Conceived as an integral part of the Global Consultations on International Protection, the meeting was preceded by a preparatory session (Geneva, 20-21 September) [HCR/MMSP/2001/03].

On 13 December, the meeting adopted by consensus a declaration in which States parties, acknowledging the continuing relevance of the international regime of rights and principles established by the Convention and its Protocol, reaffirmed their commitment to upholding the values embodied in them. They recognized the importance of promoting universal adherence to those instruments and reaffirmed UNHCR's importance as the institution mandated to provide international protection to refugees. Urging all States to consider ways to strengthen the Convention, ensure closer cooperation with UNHCR and respond promptly and adequately to its funding appeals, the States parties committed themselves to providing better refugee protection through comprehensive regional and international strategies.



### **Assistance measures**

The global population of concern to UNHCR decreased from 21.1 million in 2000 to 19.8 million at the end of 2001, due mainly to a net decrease in the number of internally displaced persons. Those assisted included asylum-seekers, refugees, returning refugees in the early stages of their reintegration, internally displaced persons and other people of concern, mainly victims of conflict. Although there were no major refugee emergencies on the scale of those in the 1990s, persistent instability and strife, particularly in Africa and parts of South America, continued to cause population movements. In the course of the year, UNHCR facilitated the resettlement of some 33,400 refugees from 75 first asylum countries to 23 countries of permanent residence.

In 2001, UNHCR received a total of some \$779.2 million in voluntary contributions towards its annual programme budget.

### **Refugees and the environment**

In 2001, UNHCR reformulated its objectives for promoting environmental management in refugee and returnee situations and developed new and improved guidelines for the application and monitoring of sound practices in agriculture, land management and energy conservation. Parallel efforts were made in collaboration with the United Nations Educational, Scientific and Cultural Organization to promote environmental awareness in refugee communities through educational outreach programmes geared particularly towards children. Specific projects included those in Afghanistan, Rwanda, the Sudan and Zimbabwe to prevent soil erosion and reduce wood usage through reliance on alternative fuel sources. Permaculture systems were introduced to benefit environmental rehabilitation and income-generating activities, such as the sale of produce. Joint ventures with NGOs helped UNHCR to identify potential development partners for eventual handover of projects it had initiated. Monitoring and assessment missions were dispatched to the DRC, Djibouti, Kenya, Rwanda, the Sudan, Thailand and Uganda.

### **Refugee women**

UNHCR's main objective with regard to refugee women in 2001 was to assess progress in advancing their rights and promoting gender equality, with a view to redefining a strategy for the future based on lessons learned and the views of refugees themselves. Other objectives included: developing and improving multisectoral activities to prevent and respond to sexual and

gender-based violence; empowering refugee and returnee women as peace-builders; promoting the rights and equality of women; strengthening the protection of women through training of both staff and refugees; and disseminating good practices.

In March, UNHCR hosted an inter-agency lessons learned conference on prevention of and response to sexual and gender-based violence in refugee situations, which, among other things, identified where progress had been made towards developing a multisectoral approach and provided the basis for updating UNHCR's Guidelines on Prevention and Response to Sexual Violence. The Office also hosted a dialogue involving women of concern to UNHCR from over 20 locations across the world, which culminated in an international meeting (Geneva, June) where 50 refugee women shared their experiences. At the field level, the Office undertook and/or supported various activities to prevent and respond to sexual and gender-based violence against women and girls in Kenya and in Sierra Leone (see p. 678).

UNHCR efforts to mainstream gender equality included incorporating the experience of refugee women in various peace processes in East and West Africa. In Guinea, Kenya, Liberia and Uganda, it supported the training of refugee women in negotiation and conflict resolution skills. Gender awareness staff were deployed with emergency response teams sent to Afghanistan, Guinea and Sierra Leone, and that approach would become common practice in future emergency operations.

### **Refugee children and adolescents**

UNHCR's key concerns regarding refugee children and adolescents, numbering an estimated 7.7 million in 2001, continued to be issues of separation, exploitation, sexual abuse and HIV/AIDS, military recruitment, access to education and the specific needs of adolescents. In most refugee and returnee situations, children, particularly girls, faced increasing risks of sexual abuse and violence because of their age and the social disruption surrounding them. A joint UNHCR/Save the Children (United Kingdom) assessment mission visited West Africa in October and November. It reported alleged sexual exploitation of refugee children, noting that some employees of NGOs and UN agencies, including UNHCR, could be involved. OIOS was immediately asked to investigate, and UNHCR put in place a comprehensive action plan to address programme, management and resource issues and to work on an effective code of conduct based on "zero tolerance" in the region and elsewhere.

The issue of unaccompanied and separated children continued to be a UNHCR priority and was the subject of a General Assembly resolution (see below). Resource materials on child protection continued to be produced and, by year's end, 10 packs of such materials, including one on child soldiers, were available on UNHCR's web site. UNHCR and its partners incorporated peace education into refugee assistance programmes in the DRC, Guinea, Kenya, Liberia and Uganda, with some 200,000 schoolchildren and many others in non-formal education receiving peace education as part of their learning during 2001.

**Report of Secretary-General.** In response to General Assembly resolution 54/145 [YUN 1999, p. 1138], the Secretary-General submitted a September report on assistance to unaccompanied refugee minors [A/56/333 & Corr.1]. The report reviewed new developments in family tracing and reunification and described the work of the Separated Children in Europe Programme and the Action for the Rights of Children training and capacity-building initiative. It also detailed action taken on behalf of internally displaced children and problems relating to the military recruitment of children and to sexual violence, exploitation and abuse. Efforts to strengthen UNHCR's field network were also described. Other issues of concern in the report included the girl child, adoption of separated children, and child-headed households and self-reliance of unaccompanied and separated children.

The Secretary-General noted that, despite some progress, many of the basic needs of unaccompanied and separated children remained unmet. A key challenge was the lack of adequate human and financial resources. Community-based strategies for addressing those needs required further emphasis and support in humanitarian interventions, and there was a need to strengthen inter-agency coordination and to pursue more effective registration and tracing systems. States were urged to accede to the two Optional Protocols to the 1989 Convention on the Rights of the Child [YUN 1989, p. 561], on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, which were adopted by General Assembly resolution 54/263 [YUN 2000, p. 615].

#### GENERAL ASSEMBLY ACTION

On 19 December [meeting 88], the General Assembly, on the recommendation of the Third Committee [A/56/578], adopted **resolution 56/136** without vote [agenda item 114].

#### 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, 52/105 of 12 December 1997, 53/122 of 9 December 1998 and 54/145 of 17 December 1999,

*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 and sexual assault 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 development of an emergency kit to facilitate coordination and 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 minors, and welcoming their efforts in reunifying families of refugees,

*Welcoming* the efforts exerted by the United Nations High Commissioner for Refugees to reunite refugees with their families,

*Noting* the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and that further enhanced 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 continuing 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. *Stresses* the importance of providing adequate resources for programmes of identification and tracing of unaccompanied 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 the separation of refugee families, 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 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, 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 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-eighth session on the implementation of the present resolution and to give special attention in his report to the girl-child refugee.

### Refugees and HIV/AIDS

In recognition of the fact that the circumstances in which refugees and displaced persons lived offered fertile ground for the spread of HIV/AIDS, UNHCR accorded high priority to HIV/AIDS issues in 2001 and drafted a strategic plan for 2002-2004, aimed at strengthening prevention and care in refugee situations globally. The plan was discussed at the first meeting in February 2001 of a newly created UNHCR Advisory Group on HIV/AIDS, whose role covered advocacy, the promotion of partnerships, the provision of technical and financial support and the identification of potential support from existing bilateral and multilateral aid.

Within the context of a three-year joint initiative with the United Nations Population Fund, which began in 2000 with funding from the United Nations Foundation, UNHCR continued to support projects on HIV/AIDS and reproductive health. In 2001, projects that particularly targeted young people were executed in 12 coun-

tries, in cooperation with national and international NGOs.

### Regional activities

#### Africa

**Report of Secretary-General.** In response to General Assembly resolution 55/77 [YUN 2000, p. 1158], the Secretary-General submitted a September report on assistance to refugees, returnees and displaced persons in Africa [A/56/335]. He stated that, although some repatriation had taken place, some 3.6 million refugees remained in Africa, representing 30 per cent of the global 12.1 million refugee population. The main refugee groups continued to originate from Angola (421,200), Burundi (567,000), the DRC (340,000), Eritrea (377,100), Sierra Leone (401,800), Somalia (441,600) and the Sudan (443,000). Substantial numbers also originated from Liberia and Rwanda.

In East Africa and the Horn of Africa, a tripartite agreement signed in March between Eritrea, the Sudan and UNHCR enabled the repatriation of Eritrean refugees from the Sudan to begin in May. Some 62,000 refugees were scheduled to return home by year's end and, by the end of July, 20,984 of them had done so. However, the protracted civil conflict in the Sudan itself made the repatriation of some 443,000 Sudanese refugees in exile unlikely. UNHCR, while caring for the Sudanese refugees, also pursued a policy of self-reliance for them and for host communities. It also pursued local integration as a possible durable solution for such protracted refugee situations. Kenya continued to receive a steady influx of asylum-seekers, mainly from Ethiopia and the Sudan. Some 11,000 Somalis fled to Kenya following the eruption of inter-factional fighting in the southern town of Bula Hawa in March; 4,000 of them returned to Somalia with UNHCR assistance. Several thousand other Somali refugees repatriated voluntarily from Ethiopia to north-west Somalia, bringing the number of those that had returned since 1997 to over 160,000. The return of 10,547 former Ethiopian refugees from the Sudan and 1,780 from Djibouti brought the number of Ethiopians that had repatriated since 1993 to over 84,000 and marked the end of one of the oldest refugee situations on the continent.

In West and Central Africa, although the situation in the Mano River Union countries of Guinea, Liberia and Sierra Leone remained complex and insecure, witnessing movements of 705,600 refugees, a decrease in the violence in Sierra Leone enabled 25,000 Sierra Leonean refugees in Guinea to return home voluntarily in May. More

than 58,000 others were relocated to more secure sites further away from the volatile border area between the two countries. Ongoing conflict in northern Liberia forced several thousand refugees into neighbouring countries and remained a cause for concern. A total of 15,000 Liberians were scheduled to be relocated from border areas in Guinea to less violent sites, where UNHCR would further improve living conditions and consolidate assistance programmes. The repatriation of Chadian refugees from Cameroon entered its final stage, with a total of 5,530 repatriated during the year, while some 40,000 had integrated locally with UNHCR assistance. The Office also assisted Senegalese refugees in the Gambia, Central African Republic refugees in the DRC and Congolese ex-military refugees in Gabon.

In the Great Lakes region, despite some progress in the inter-Congolese dialogue in the DRC and the Arusha peace process in Burundi, many obstacles to peace and voluntary repatriation for Burundian and DRC refugees remained. Preparations were being made to repatriate Congolese refugees from the United Republic of Tanzania and a bilateral committee was to be established to discuss modalities for repatriating and resettling Burundian refugees living along Tanzania's western border.

In Southern Africa, the number of refugees increased by 7.8 per cent during the first half of the year to over 345,000. The conflict in Angola and the fragile peace process in the DRC dominated political activity in the region. Angola alone had 3.8 million internally displaced persons, with UNHCR providing assistance to over 200,000 of them in three northern provinces. Over 430,000 Angolan refugees were hosted mainly in the DRC and Zambia. In May, bilateral talks between Angola and Zambia established a mechanism to aid repatriation and UNHCR established a technical committee to further consider the possibilities of repatriation in the region, while also assisting some 20,600 refugees in Namibia.

The Secretary-General described inter-agency cooperation efforts to protect and assist refugees, returnees and displaced persons in Africa and discussed UNHCR's cooperation with continental and subregional initiatives.

**Report of High Commissioner.** In his report covering 2001 [A/57/12], the High Commissioner stated that the refugee population in Africa fell by almost 10 per cent to 3.1 million at year's end. While there were almost 190,000 new refugees, 260,000 others returned home, and another 14,500 were resettled by UNHCR in countries of permanent residence.

UNHCR's activities in West Africa covered 21 countries, focusing mainly on the Mano River Union countries. Throughout 2001, there were few opportunities for repatriation in the Great Lakes region owing to the prevailing security situation. The safety of humanitarian workers remained a major preoccupation, especially following the shooting in March of a UNHCR driver in south-eastern DRC and the assassination in May of six ICRC delegates in the north-east. In Burundi, UNHCR's access to populations of concern was often blocked by sporadic violence; as a result, only 28,000 Burundian refugees were able to return during the year. In the United Republic of Tanzania, which continued to witness an influx of refugees from neighbouring countries, UNHCR assisted 500,000 out of the 670,000 refugees in the country. Security in and around refugee camps remained a cause for concern and sexual and gender-based violence against women persisted. UNHCR facilitated the voluntary repatriation of 21,000 refugees to Rwanda, and it was anticipated that the target figure of 25,000 returns would be reached in 2002.

In Southern Africa, efforts to find lasting solutions for refugees through voluntary repatriation and resettlement were affected by the wars in Angola and the DRC. Elsewhere in the subregion, concerted efforts were made to develop self-sufficiency projects for refugees, including those in Malawi, where UNHCR provided land and loans to initiate income-generating agricultural activities, and in Swaziland, where animal husbandry and agricultural activities were initiated under a microcredit scheme.

By subregion, UNHCR assisted 888,392 persons in West and Central Africa, which received \$85.2 million in agency expenditures. In East Africa, the Horn of Africa and the Great Lakes region, \$185.9 million was spent on 2,445,822 persons of concern, while some \$35.5 million was spent on programmes assisting 602,312 refugees, internally displaced persons, asylum-seekers and returnees in Southern Africa.

**Communication.** By a 9 October letter [A/56/457], the Sudan transmitted to the Secretary-General the decisions adopted by the Council of Ministers of OAU (Lusaka, Zambia, 5-8 July) and by the Assembly of Heads of State and Government of OAU (Lusaka, 9-11 July), which included decisions on the situation of refugees, returnees and displaced persons and on the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees.

#### GENERAL ASSEMBLY ACTION

On 19 December [meeting 88], the General Assembly, on the recommendation of the Third



Committee [A/56/578], adopted **resolution 56/135** without vote [agenda item 114].

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

*The General Assembly,*

*Recalling* its resolution 55/77 of 4 December 2000,

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

*Recalling further* 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,

*Recalling* the Khartoum Declaration and the Recommendations on Refugees, Returnees and Internally Displaced Persons in Africa adopted by the Organization of African Unity at the ministerial meeting held at Khartoum on 13 and 14 December 1998,

*Welcoming* decision CM/Dec.598(LXXIV) 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 seventy-fourth ordinary session, held at Lusaka from 5 to 8 July 2001,

*Welcoming also* decision AHG/Dec.165(XXXVII) on the fiftieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-seventh ordinary session, held at Lusaka from 9 to 11 July 2001,

*Noting* that 2001 marks the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees, which, together with the 1967 Protocol thereto, as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

*Recognizing* that the fundamental principles and rights embodied in those Conventions have provided a resilient protection regime within which millions of refugees have been able to find safety from armed conflicts and persecution,

*Recalling* the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry from 27 to 29 March 2000 on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention, and noting its endorsement by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session,

*Commending* the First Ministerial Conference on Human Rights in Africa of the Organization of African Unity, held at Grand-Baie, Mauritius, from 12 to 16 April 1999, and recalling the attention paid to issues relevant to refugees and displaced persons in the Declaration and Plan of Action adopted by the Conference,

*Recognizing* the contributions made by African States to the development of regional standards for the protection of refugees and returnees, and noting with appreciation that countries of asylum are hosting refugees in a humanitarian spirit and in a spirit of African solidarity and brotherhood,

*Recognizing also* the need for States to address resolutely the root causes of forced displacement and to

create conditions that facilitate durable solutions for refugees and displaced persons, and stressing in this regard the need for States to foster peace, stability and prosperity throughout the African continent,

*Convinced* of the need to strengthen the capacity of States to provide assistance to and protection for refugees, returnees and displaced persons and of the need for the international community, within the context of burden-sharing, to increase its material, financial and technical assistance to countries affected by refugees, returnees and displaced persons,

*Acknowledging with appreciation* that some assistance is already rendered by the international community to refugees, returnees and displaced persons and host countries in Africa,

*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 remains precarious,

*Stressing* that the provision of relief and assistance to African refugees by the international community should be on an equitable, non-discriminatory basis,

*Considering* that, among refugees, returnees and internally displaced persons, women and children are the majority of the population affected by conflict and bear the brunt of atrocities and other consequences of conflict,

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 instability, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa, and remains particularly concerned about the impact of large-scale refugee populations on the security, socio-economic situation and environment of countries of asylum;

3. *Encourages* African States to ensure the full implementation of and follow-up to the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969;

4. *Calls upon* States and other parties to armed conflict to observe scrupulously the letter and the spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

5. *Expresses its appreciation* for the leadership shown by the United Nations High Commissioner for Refugees since he assumed office in January 2001, and commends the Office of the High Commissioner for the ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Notes* the Ministerial Meeting of States Parties to the 1951 Convention relating to the Status of Refugees, to be held at Geneva on 12 and 13 December 2001, and

encourages African States parties to the Convention to participate actively in the event;

7. *Welcomes* the process of the Global Consultations on International Protection launched by the Office of the High Commissioner, which provides an important forum for open discussion on complex legal and operational protection issues, and in this context invites African States to continue to participate actively in this process so as to bring their regional perspective to bear, thus ensuring that adequate attention is paid to concerns that are specific to Africa;

8. *Reaffirms* that the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, as complemented by the Organization of African Unity Convention of 1969, remain the foundation of the international refugee protection regime in Africa, encourages African States that have not yet done so to accede to those instruments, and calls upon States parties to the Conventions to reaffirm their commitment to their ideals and to respect and observe their provisions;

9. *Notes* the need for States to address the root causes of forced displacement in Africa, and calls upon African States, the international community and relevant United Nations organizations to take concrete action to meet the needs of refugees, returnees and displaced persons for protection and assistance and to contribute generously to national projects and programmes aimed at alleviating their plight;

10. *Notes also* the link, *inter alia*, between human rights violations, poverty, natural disasters and environmental degradation and population displacement, and calls for redoubled and concerted efforts by States, in collaboration with the Organization of African Unity, to promote and protect human rights for all and to address these problems;

11. *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 and the African Commission on Human and Peoples' Rights, within their respective mandates, in the promotion and protection of the human rights and fundamental freedoms of refugees, returnees and displaced persons in Africa;

12. *Notes with appreciation* the ongoing mediation and conflict resolution efforts carried out by African States, the Organization of African Unity and sub-regional organizations, as well as the establishment of regional mechanisms for conflict prevention and resolution, and urges all relevant parties to address the humanitarian consequences of conflicts;

13. *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;

14. *Expresses its concern* about instances in which 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;

15. *Calls upon* States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles

of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements;

16. *Deplores* the deaths and injuries and other forms of violence sustained by staff members of the Office of the United Nations High Commissioner for Refugees, and urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, to prevent attacks on and kidnapping of national and international humanitarian workers and to ensure their safety and security, calls upon States to investigate fully any crimes committed against humanitarian personnel and bring to justice persons responsible for such crimes, and calls upon organizations and aid workers to abide by the national laws and regulations of the countries in which they operate;

17. *Calls upon* the Office of the High Commissioner, the Organization of African Unity, subregional organizations and all African States, in conjunction with organizations of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the international refugee protection system;

18. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities;

19. *Reaffirms* the right of return and also the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, as appropriate, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

20. *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 and reintegration of all refugees in Africa;

21. *Appeals* to the international community to respond positively, in a spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees, and notes with appreciation that some African countries have offered resettlement places for refugees;

22. *Welcomes* the programmes carried out by the Office of the High Commissioner with host Governments, the United Nations, non-governmental organi-

zations and the international community to address the environmental impact of refugee populations;

23. *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;

24. *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 needs of refugees;

25. *Emphasizes* the need for the Office of the High Commissioner to collate statistics, on a regular basis, on the number of refugees living outside refugee camps in certain African countries, with a view to evaluating and addressing the needs of those refugees;

26. *Urges* the international community, in a spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

27. *Requests* all Governments and 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;

28. *Calls upon* States and 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;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in this regard the Guiding Principles on Internal Displacement, and urges the international community, led by relevant United Nations organizations, to contribute generously to national projects and programmes aimed at alleviating the plight of internally displaced persons;

30. *Invites* the Representative of the Secretary-General on internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

31. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-seventh 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 2002.

## The Americas

UNHCR's main focus in Central and South America in 2001 remained the protection of some 700,000 Colombians, a high percentage of whom were indigenous and Afro-Colombians, affected by four decades of armed conflict. Although the neighbouring countries of Ecuador, Panama and Venezuela, which were affected by cross-border movements of displaced Colombians, signed tripartite agreements to facilitate the repatriation of those refugees, voluntary returnee numbers remained small. UNHCR encouraged local integration as a durable solution for long-staying refugees. Within Colombia, UNHCR reinforced the response of national institutions that addressed internal displacement, working with 14 Colombian NGOs and with local authorities. Elsewhere in South America, UNHCR continued to build and strengthen national constituencies to which it could progressively hand over responsibility for refugee protection and local integration, as in Brazil and Chile, both of which received refugees from outside the subregion for resettlement. Following the events of 11 September in the United States (see p. 60), asylum-seekers in the region were affected by stricter immigration controls resulting from heightened security concerns in the so-called "triple frontier" abutting Argentina, Brazil and Paraguay.

In North America and the Caribbean, UNHCR's utmost concern was the suspension of the United States resettlement programme owing to security concerns after 11 September. Only about 800 out of 14,000 expected refugees were admitted for resettlement in the last quarter of the year, with over 20,000 approved cases put on hold. In Canada, where visa requirements were tightened for citizens of leading asylum-seeker countries, 12,250 refugees were resettled, which was slightly below the 2000 figure of 13,520. Working with NGOs and government partners, UNHCR addressed the issue of separated children seeking asylum in Canada and published a report with recommendations for improved practices. In the Caribbean, the Office increased its monitoring of key refugee-receiving countries, including the Bahamas, the Dominican Republic and Jamaica, and worked to build up asylum systems in the region.

Total UNHCR expenditure in the Americas and the Caribbean for the year was \$22.6 million for a total population of concern numbering 1,850,836.

## Asia and the Pacific and the Arab States

In 2001, UNHCR spent a total of \$52.3 million on activities in Asia and the Pacific for a total population of concern of 1,662,166. For opera-



tions in Central Asia, South-West Asia, North Africa and the Middle East, a total of \$105.5 million was spent for a population of concern of 6,342,768.

### *South Asia*

The protracted armed conflict in Sri Lanka had resulted in the displacement of an estimated 700,000 people within the country and another 64,000 in refugee camps in southern India. As peace initiatives by the new Sri Lanka Government were being pursued, the United Nations Guiding Principles on Internal Displacement [YUN 1998, p. 675] were accepted as a likely basis for government policy and action by NGOs. With UNHCR's assistance, Bhutan and Nepal jointly assessed the eligibility of 12,000 out of the 110,000 Bhutanese refugees remaining in Nepal, one of the largest refugee groups in the region. Pending the outcome of future bilateral talks, the refugees remained in camps where they had lived for 10 years under temporary asylum. The plight of 22,000 refugees from Myanmar in Bangladesh remained a cause for concern. Although a population survey conducted by UNHCR and Bangladesh revealed that 7,500 of those in refugee camps were willing to return home without delay, fewer than 300 of them actually did so during the year, the lowest number since the resumption of repatriation in 1998. In Northern Rakhine State in Myanmar, UNHCR continued to protect a large number of Muslim returnees, while promoting their sustainable reintegration. To encourage self-reliance, UNHCR, in cooperation with the United Nations Development Programme, organized literacy programmes in the Myanmar language, particularly among women. In India, UNHCR welcomed the Government's September decision to reissue resident permits to a large number of Afghan refugees in the country. It was anticipated that many of them would be able to return home once conditions for their voluntary repatriation were met.

### *East Asia and the Pacific*

In 2001, the protection of asylum-seekers was a dominant issue in East Asia and the Pacific. The matter was brought to a head by the rescue at sea of some 430 asylum-seekers from an Indonesian fishing vessel, seeking to reach Australia, which led to Australia's "Pacific Solution", whereby asylum-seekers would be taken elsewhere in the region to be processed. Following the 11 September terrorist attacks in the United States, States of the region felt justified in further tightening procedures. As East Timor prepared for independence, UNHCR played a major role assisting and

encouraging the return of Timorese refugees, including through the distribution of shelter units. Opportunities for the local resettlement of the 50,000 Timorese refugees still in Indonesia were being sought. Over 1,000 members of Vietnamese ethnic minorities (Montagnards) seeking asylum in north-eastern Cambodia were declared by UNHCR as persons of concern and provided with basic assistance. Measures were taken to prevent deportations and to monitor conditions for those who returned to Viet Nam.

**Communication.** On 26 November [A/C.3/56/8], the Democratic People's Republic of Korea (DPRK) rejected some of the information contained in UNHCR's annual report for 2000 [A/56/12], which suggested there were DPRK refugees in the north-eastern area of China. Many Koreans lived in that part of China and travelled across the border to visit relatives. However, it was preposterous to call such travellers refugees.

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

UNHCR's main focus in the region was on Afghanistan, where, following the military intervention, UNHCR and its partners initially prepared for an exodus of up to 1.5 million refugees and vigorously advocated an open-border policy with all neighbouring States. Some 200,000 Afghan refugees fled to Pakistan, which authorized UNHCR to establish a pre-registration camp near the border and to move new arrivals to new camps in Baluchistan. All of UNHCR's international staff members were withdrawn to offices in neighbouring countries, where, with the backing of emergency teams, they stockpiled relief items and identified and prepared campsites. Following the collapse of the Taliban, UNHCR's focus switched to preparing for a mass return into Afghanistan and assistance for internally displaced persons. The major challenge for UNHCR in Central Asia remained the advocacy of refugee issues and the promotion of effective asylum legislation. In Tajikistan, the Government's proposed new refugee law was a serious cause for concern, as were restrictions on Afghan refugees' right to freedom of movement and residence. In Kyrgyzstan, however, efforts to develop close working relations with governmental counterparts were rewarded as several hundred Tajik refugees acquired citizenship.

In North Africa, which did not experience any changes in the refugee situation, UNHCR continued to provide protection and material assistance to urban and camp-based refugees and asylum-seekers, mainly from sub-Saharan African countries. Protection and assistance was assured for the most needy of an estimated 165,000 refugees



residing in the Tindouf camps in the Western Sahara region in south-west Algeria. Finding durable solutions for those refugees was hindered by the political impasse in Western Sahara and preparations for voluntary repatriation to enable them to participate in the referendum on independence or integration with Morocco remained at a standstill. In the Middle East, the international offensive against terrorism, combined with the deterioration of the situation over the Palestinian issue, led to mounting tension in countries thought to be harbouring terrorist groups. UNHCR updated contingency plans to ensure optimum emergency preparedness should there be renewed conflict.

### Europe

In 2001, UNHCR's expenditure for activities in Europe (excluding South-Eastern Europe) was \$59.7 million for a population of concern numbering 4,405,307.

#### *Western, Central and Eastern Europe*

Western Europe remained a major destination for asylum-seekers, with almost 420,000 applications made. UNHCR's main challenge in the region continued to be the maintenance of access for new arrivals both to the countries of destination and to their asylum systems. Such access became increasingly difficult due to reinforced legislation against irregular migration, smuggling and trafficking, as well as heightened concerns about the perceived or real misuse of the asylum system. Additional security concerns raised by the events of 11 September triggered more restrictions.

In Central Europe, the gradual improvement of asylum systems resulted in an increase in asylum-seekers, to 42,000 in 2001. UNHCR, together with concerned States, comprehensively addressed the problem of refugees and asylum-seekers who moved in an irregular manner from Central to Western Europe. The key reason for such movements was the absence of real opportunities for economic and social integration in most Central European countries. During the year, UNHCR assisted several States to formulate refugee legislation and asylum procedures and actively pursued a special programme for meeting the protection and assistance needs of separated asylum-seeking and refugee children.

In Eastern Europe, UNHCR's major challenge continued to be the need to find durable solutions to the plight of those displaced by the protracted conflicts in the Caucasus. As it provided humanitarian assistance, UNHCR also sought suitable interim solutions that would provide dis-

placed persons with clearly recognized legal status in the social and economic life of the host societies.

Partnerships with other agencies, including IOM, the Organization for Security and Cooperation in Europe and the Council of Europe, were an important feature of UNHCR's contribution to the implementation of the Programme of Action adopted at 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 (CIS) and Relevant Neighbouring States [YUN 1996, p. 1117].

The UNHCR Executive Committee, in October [A/56/12/Add.1], welcomed the progress made in a number of CIS countries in implementing the 1996 Programme of Action and called on all CIS countries to strengthen their commitment to carrying out the 2000 recommendations [YUN 2000, p. 1163] of the Steering Group established to monitor the Programme of Action's implementation.

#### GENERAL ASSEMBLY ACTION

On 19 December [meeting 88], the General Assembly, on the recommendation of the Third Committee [A/56/578], adopted **resolution 56/134** without vote [agenda item 114].

#### **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, 52/102 of 12 December 1997, 53/123 of 9 December 1998 and, in particular, 54/144 of 17 December 1999,

*Taking note* of the report of the Secretary-General,

*Having considered* the report of the United Nations High Commissioner for Refugees,

*Reaffirming* the importance and continuing validity of the Programme of Action, adopted in 1996 by 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, as a basic guiding tool for future activities,

*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 Conference,

*Recalling* the decision of the Steering Group of the Conference at its fifth meeting to continue activities in the process entitled "Follow-up to the 1996 Geneva Conference on the Problems of Refugees, Displaced Persons, Migration and Asylum Issues" for a period of five years,

*Welcoming* the Work Plan for the Thematic Issues, prepared jointly by the Office of the United Nations

High Commissioner for Refugees, the International Organization for Migration, the Organization for Security and Cooperation in Europe and the Council of Europe in accordance with the recommendations adopted by the Steering Group at its fifth meeting,

*Welcoming also* the convening, at Kiev from 11 to 13 December 2000, of the first meeting of experts within the framework of the newly launched thematic process on citizenship and statelessness, as well as international efforts aimed at improving migration and border management, with due respect to refugee protection matters, and encouraging all lead agencies to continue to implement the Work Plan,

*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 aimed at the effective implementation of such responsibilities within the framework of the Programme of Action adopted by 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,

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

*Convinced* of the necessity of further strengthening practical measures and of continuing to maintain the regional approach 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 adherence to the principles and 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,

1. *Takes note* of the report of the United Nations High Commissioner for Refugees;

2. *Calls upon* the 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 adopted by the Conference;

3. *Invites* all States 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;

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 activities undertaken in follow-up to the Programme of Action;

5. *Invites* international financial and other institutions to contribute to the financing of projects and programmes within the framework of such follow-up activities;

6. *Invites* the countries of the Commonwealth of Independent States to intensify bilateral, subregional and regional cooperation in maintaining the balance of commitments and interests in such activities;

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 principles of human rights and refugee protection, and to lend high-level political support to ensure the implementation of activities undertaken in follow-up to the Programme of Action;

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 activities undertaken in follow-up to 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 adherence to the principles of the Programme of Action and 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 multinational constructive dialogue among a wide range of countries concerned;

11. *Emphasizes* the necessity of undertaking follow-up activities to the Programme of Action in relation 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 taking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian, human rights and refugee law, 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-eighth session on the progress achieved in the implementation of activities undertaken in follow-up to the Programme of Action;

14. *Decides* to continue its consideration of the question at its fifty-eighth session.

*South-Eastern Europe*

In 2001, conflicts in southern Serbia and in FYROM led to renewed population displacement in South-Eastern Europe. Some 75,000 people became internally displaced in FYROM and another 93,000 crossed the border into FRY, triggering an emergency deployment by UNHCR. By year's end, some 80 per cent of the refugees and internally displaced persons had returned to their homes. Significant progress was recorded on a number of refugee and returnee issues in other parts of the region. In FRY, where the refugee population had decreased to 400,000, new government initiatives favouring durable solutions created an opportunity for changing the status of some 60 per cent of those refugees who expressed a wish to stay in the country. In Bosnia and Herzegovina and Croatia, there were encouraging signs of minority returns, with some 92,000 returning

to Bosnia and Herzegovina alone. The situation in the Kosovo province of FRY was less encouraging. Despite the prospects for stability evidenced by democratic elections in August, minorities remained in a precarious situation, with only 2,500 of the displaced among them returning to their homes. On the other hand, many displaced ethnic Albanians from southern Serbia were able to return from Kosovo, although the process of reconstruction and reconciliation remained fragile. Important UNHCR activities included a Regional Return Initiative, with an Agenda for Action, which was endorsed in June by Governments in the region. Other efforts were aimed at ensuring that bona fide asylum-seekers and refugees received the international protection they needed, which commanded particular importance due to increasing flows of irregular migrants and trafficking across the region towards Western Europe.