Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 795 (1976)[1]

20th report on the activities of the Office of the United Nations High Commissioner for Refugees

Parliamentary Assembly

The Assembly,

1. Having examined the 20th report on the activities of the Office of the UNHCR (Doc. 3821) ;

2. Paying tribute to the manner in which the High Commissioner and his Office have not only carried out their continuing work of international protection and assistance, but have also adapted and extended their sphere of operations, at the invitation of the UN General Assembly, to provideassistance to displaced persons who face problems similar to those of refugees ;

3. Expressing its warm appreciation of the support given by member governments of the Council of Europe to the work of the High Commissioner both by material and financial contributions and by their response to appeals with respect to the treatment of refugees, in particular by the provision of resettlement opportunities ;

4. Recalling that the Assembly has concerned itself individually with a number of areas of activity examined in the High Commissioner's report, notably the situation in Cyprus and the problem of Chilean refugees ;

5. Emphasising the need for a strict application of the 1951 Convention relating to the status of refugees and the 1967 Protocol, which constitute the basic instruments for the international legal protection of refugees ;

6. Considering that the principle of non-refoulement, embodied in Article 33 of the 1951 Convention, must always be interpreted as including non-refoulement of persons presenting themselves at the border and seeking asylum ;

7. Aware of the dramatic problems which may face refugees during the period until a decision on the granting of asylum can be taken, and emphasising the importance of granting a right of provisional stay to applicants for asylum ;

8. Welcoming the decision of the UN General Assembly to convene a conference of plenipotentiaries at the beginning of 1977 to consider and adopt a convention on territorial asylum, and emphasising the importance of ensuring that the provisions of the convention will meet the high standards established by the practice of states Members of the Council of Europe ;

9. Concerned by the plight of Chilean and other Latin-American refugees, for whom additional resettlement opportunities are urgently required ;

10. Alarmed at the fact that since the events in Chile an increasing part of the assistance provided by the Office of the UNHCR has more recently been absorbed by events in Argentina, where the deterioration of the human rights situation has placed in jeopardy the lives and physical integrity not only of refugees from other countries of South America but also of Argentinians themselves,

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1. See Doc. 3886, report of the Committee on Population and Refugees. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 7 December 1976.

11. Recommends that the Committee of Ministers :

organise an exchange of views as a matter of urgency, in order to examine ways and means of encouraging member governments which participate in the conference of plenipotentiaries to adopt a liberal attitude on the draft Convention on Territorial Asylum, thus ensuring that the convention will give full legal recognition to the practice of granting asylum, in keeping with paragraph 11 of Recommendation 434 (1965) of the Assembly ;

invite the governments of the member states :

a. to make every effort to ensure that the principle of non-refoulement, as defined above, receives adequate recognition in the text of the convention ;

b. to respond as generously as possible to the appeals of the UNHCR for additional resettlement opportunities to be given to Latin-American refugees, in particular to persons now facing persecution in Argentina, as well as to displaced persons remaining on the high seas off Indo-China ;

c. to ensure so far as possible that adequate funds are made available for the High Commissioner's special programmes with respect to Indo-China and for repatriation of refugees from former Portuguese territories in Africa ;

d. to ratify, if they have not already done so, the 1961 Convention on the Reduction of Statelessness, the 1973 Protocol to the Agreement relating to Refugee Seamen, and the 1959 European Agreement on the Abolition of Visas for Refugees.