Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1031 (1986)[1]

24th report on the activities of the Office of the United Nations High Commissioner for Refugees (UNHCR) (1 January 1982- 31 December 1984)

Parliamentary Assembly

The Assembly,

1. Referring to the 24th report on the activities of the Office of the United Nations High Commissioner for Refugees (1 January 1982-31 December 1984) (Doc. 5426), and to the report of its Committee on Migration, Refugees and Demography (Doc. 5532);

2. Referring to its Recommendation 1016 (1985), on living and working conditions of refugees andasylum-seekers, and in particular to the request

2.1. to set up, in consultation with the Office of the United Nations High Commissioner for Refugees, a permanent body to deal with refugees and migration problems, in order to establish direct co-operation with the member states concerned in seeking and implementing the most appropriate legal and practical solutions at the European level (paragraph 6.i), and

2.2. to harmonise the national procedures and the application of criteria for determining refugee status and the grant of asylum, taking the 1977 Declaration on Territorial Asylum into account and with a view to drawing up a European convention (paragraph 6.ii.a);

3. Deeply concerned by the continued existence of large numbers of refugees and displaced persons in various parts of the world, and particularly by recent events in Africa and the swollen refugee populations in that region;

4. Fully cognisant of the increased incidence of the twin phenomena of large-scale influx and transfrontier flow, generated by war, civil disturbance andfamine, of the increased burden this necessarily creates for the High Commissioner's task of ensuring that the principles of international protection are respected, and of the consequent need for member states to enhance their support for the High Commissioner ;

5. Taking note of the fact, underlined by the High Commissioner, that some of the world's poorestnations are presently accommodating many hundreds of thousands of refugees, and joining with him inpaying tribute to these countries' generosity and the example set by them - of inestimable value in strengthening the institution of asylum ;

6. Noting, on the other hand, that Europe hosts a relatively small proportion of the total world refugee population - disproportionately small in terms of GNP or per capita income ;

7. Alarmed by the recent increase in threats to or violations of the physical safety of refugees, through military or armed attacks on refugee camps andsettlements, forced conscription, piracy attacks, and the apparent failure of passing ships to rescue asylum-seekers in distress on the high seas, and other forms of pressure and abuse ;

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1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 12 March 1986. See Doc. 5426, 24th report of the UNHCR, and Doc. 5532, report of the Committee on Migration, Refugees and Demography.

8. Recalling, therefore, the obligations established under international maritime law to rescue persons in distress at sea, and welcoming the successful introduction of the Rescue at Sea Resettlement Offers (RASRO) Scheme ;

9. Concerned about reports of continuing instances of unjustified detention of refugees and asylum-seekers in different areas of the world ;

10. Apprehensive in particular as regards :

10.1. the adoption by European countries of practices intended to discourage the arrival of further asylum-seekers ;

10.2. the disturbing rise of xenophobia, which has serious implications in the field of assistance to and protection of refugees ;

11. Noting the fact that, while all member states have acceded to the Geneva 1951 Convention and the 1967 Protocol, several of them still maintain the geographical limitation in respect of their obligations under these instruments, and also that a number of member states have not yet acceded to other relevant international instruments of importance to refugees ;

12. Stressing that, in order to tackle the considerable difficulties faced by refugees and asylum-seekers, the High Commissioner needs more support through :

12.1. the increasing of resettlement opportunities and the creation of conditions favourable to voluntary repatriation ;

12.2. the strengthening of and respect for humanitarian principles;

13. Highly alarmed by recent reports of the severe financial crisis facing the UNHCR which, notwithstanding the especially high contributions made by many member states, was occasioned by large-scale and indispensable emergency expenditure in Africa where food and medicine are in short supply;

14. Observing nevertheless that many member states' contribution policies are erratic, and that some are disturbingly small,

15. Recommends that the Committee of Ministers invite the governments of the member states:

a. to continue to assure and, whenever possible, to strengthen their support for the efforts of the United Nations High Commissioner for Refugees on behalf of refugees and displaced persons, in particular by maintaining high standards for the international protection of refugees and displaced persons;

b. where they have not already done so, to withdraw geographical limitations to the 195l Convention, and to ratify all relevant international legal instruments at the earliest possible opportunity;

c. if they do not already, to participate fully in the Rescue at Sea Resettlement Offers (RASRO) Scheme;

d. to ensure that national policies safeguard and respect the specific rights of refugees and do not restrictively apply the criteria for refugee status;

e. to fight the rise of xenophobia in the population of several member states which, if not arrested, would undermine the entire humanitarian structure established for the benefit of refugees ;

f. to refrain from resorting to practices intended to discourage the arrival of further asylum-seekers ;

g. to give all due attention to the phenomena of transfrontier flows and large-scale influxes, in order to avoid or diminish their occurrence ;

h. to ensure that contributions to the financing of UNHCR's humanitarian programmes are both reasonably consistent and commensurate withEurope's relative affluence, with a view to promoting durable solutions to the refugee problems, inter alia :

1. by the granting of permanent asylum whenever possible ;

2. by the continued provision and, wherenecessary, the increasing of resettlement opportunities ;

3. by the creation of conditions favourable to voluntary repatriation.