

# United Nations High Commissioner for Refugees (UNHCR)

Organization: United Nations High Commissioner for Refugees (UNHCR)

Author: Carolina Moulin Aguiar , McMaster University/CAPES Foundation

Date Entered: 2007-01-22

**Description** The United Nations High Commissioner for Refugees is one of the major humanitarian agencies under the United Nations umbrella. Its main responsibilities involve the protection of those who have been persecuted in their countries of origin for reasons of race, religion, political opinion, membership in a particular social group (ethnicity, for example), and nationality. According to its Statute, UNHCR's major task is to enable permanent solutions for the problems of refugees. Those solutions have traditionally been framed in terms of local integration, resettlement, and voluntary repatriation. UNHCR is directed to help refugees to adapt and integrate into host societies or, where integration is not possible, provide for their resettlement to third countries. Once the conditions in the country of origin improve and it is considered relatively safe for people to live inside their jurisdiction, refugees are encouraged to return voluntarily to their countries. Thus, the condition of being a refugee is understood by the agency to be a temporary one. Accordingly, all permanent solutions are seen to involve, in one form or another, a certain loss of the condition of "refugeeness" or, in other words, the ending of the reasons that have led to displacement in the first place.

The organization's main body is the Executive Committee (ExCom). Composed of sixty-eight Member States, it meets annually. The agency's leading representative is the High Commissioner, a position currently held by the former Portuguese Prime Minister, Mr. Antonio Guterres. UNHCR also maintains a close relationship with other agencies in the United Nations system, such as the International Labour Organization and the World Health Organization. It is directly connected to the UN Economic and Social Council (ECOSOC) and the General Assembly (GA). The High Commissioner sends periodical reports to both the ECOSOC and the GA. In the last decade, the Agency has also developed a strong relationship with the Security Council, since in many international conflicts and crises, refugees and humanitarian emergencies have led to the need for UNHCR participation and involvement. Last but not least, and as a result of globalization processes, UNHCR has been trying to establish an enduring dialogue with non-governmental organizations from around the world, in order to coordinate action and share experiences. For example, there is an annual consultation between UNHCR and civil society representatives in Geneva, in the days before the ExCom annual meeting. Here NGOs can present their concerns and debate issues related to forced migration. The results of these discussions are then presented for consideration to ExCom members.

UNHCR was created in 1951 and started its operation in 1952. It replaced the former International Organization for Refugees and was devised as a temporary agency, with an initial mandate of only three years. UNHCR's mandate was renewed every five years, until in 2003 the United Nations General Assembly approved a resolution extending it indefinitely until the problem of refugees is resolved. The initial restricted mandate was consistent with the fact that UNHCR was designed to deal with the situation of displaced populations in the aftermath of World War II and this problem was seen as a temporary one. Once stability and borders in Europe were restored, and the return of those displaced and the resettlement of those left without a country were resolved, the assumption was that there would no longer be a reason for UNHCR to remain in operation. UNHCR's main responsibility was to assess refugee claims, provide material and legal protection, and devise proper solutions for the forced displaced. Most refugees were assisted in refugee camps, especially because UNHCR operated then with limited personnel and a small budget. The Agency thus used the support of the Allied military and the infrastructure they had at the time. Camps were therefore a contextual response, but have remained, problematically, as a significant and persistent mechanism of UNHCR for emergency protection and assistance to refugees even today in many parts of the world.

UNHCR was created amidst the forging of the Cold War and its institutional design reflects the ideological disputes between the capitalist and communist blocs. Western powers were highly influential in defining the mandate and scope of UNHCR activities, especially focusing on the assistance of those persecuted for political reasons (read as anti-communist supporters). The former USSR and countries of the communist bloc withdrew from the Plenipotentiary Conference (at which UNHCR was created) and did not take part in the United Nations Convention on the Status of Refugees of 1951 (entering into force in 1954). The first major refugee crisis dealt with by UNHCR occurred in 1956 when thousands of Hungarians fled the country after the communist takeover. For political reasons, Palestinian refugees were excluded from the mandate of UNHCR and remained under the care of the UNRWA (United Nations Relief and Works Agency for Palestinian Refugees in the Near East) created after the 1948 Arab-Israeli conflict.

As other refugee influxes followed and the situation of displaced populations in Europe proved to be more resilient than expected, UNHCR started increasing its activities both in terms of geographical scope and numbers assisted. Particularly, during the 1960s and 1970s, with the decolonization process and political conflicts in Africa, as well as with the authoritarian trend in other continents such as Latin America, UNHCR started to change the focus of its work from Europe to the developing world. These changes were institutionalized in 1967 following the Additional Protocol to the 1951 UN Refugee Convention, which lifted the geographical and temporal restrictions (namely that UNHCR could only

assist persons who became refugees due to events that happened before January 1951). This trend continued after the end of the Cold War and UNHCR has enlarged its scope due particularly to the increasing reluctance and incapacity of both hosting countries and countries of origin to prevent and assist refugees. A large majority of refugees are currently hosted by developing countries, usually because they adjoin conflict areas (such as Tanzania in the case of refugees from Rwanda, Ecuador in the case of Colombian refugees and Egypt in the case of the Sudanese crisis). Since most developing states face important socio-political difficulties, they tend to rely heavily on UNHCR's ability to provide for the displaced within their territories. In contrast, Western states have steadily implemented more restrictions towards asylum seekers and reduced resettlement programs thus withdrawing from the sharing of responsibilities for, and creating enormous difficulties for implementing permanent solutions to, issues related to refugees. Some refugee camps have, for example, lasted for two generations or more and the ability of the agency to solve refugees' problems has come under severe strain. Finally, growing restrictions for crossing international borders (such as visas, legal documentation, and costs of travel that many refugees cannot shoulder) have forced millions of people to be displaced within their own countries. UNHCR has then faced ever-rising pressure to also assist those in refugee-like situations.

Currently, UNHCR has pressed for a focus on preventive measures, in order to avoid the growth of refugee flows. These measures include a bigger involvement in countries of origin, rather than the traditional emphasis on countries of asylum, and the building of a larger network and partnership with civil society movements and associations. Though UNHCR's role with refugees was devised in its Statute as a "non-political" one, the Agency has been, especially since the 1990s, enmeshed in conflict situations. The boundaries between its humanitarian mandate and political engagements are, to say the least, more and more blurred. Many have criticized the Agency, for example, for negotiating with and making concessions to warring parties during the Bosnian crisis to devise humanitarian corridors or safe-haven zones. The massacre of Srebrenica, where hundreds of Bosnians were killed while believing to be under protection, proved the massive difficulties (or the substantial inability) of UNHCR to exercise an impartial mandate within highly political and militarized contexts. The same has been said of the situation of Rwandese refugees in UNHCR camps, where genocidaires lived alongside civilians and the camps were transformed into a microcosm of the military conflict refugees were trying to escape from.

These examples show the great challenges faced by UNHCR and highlight how the issue of refugees has become a pressing and increasingly complex global one. The historical trajectory of UNHCR has transformed it from a small, temporary agency into one of the leading humanitarian agencies of the United Nations. In 1951, UNHCR had thirty-three employees and a budget of thirty thousand dollars; by 2006, its budget had climbed over one billion dollars and it had more than 6,000 employees

distributed among 263 offices in 116 countries to provide for over 19 million people (Feller 2001; UNHCR website).

Work Cited: **Feller, Erica.** 2001. International refugee protection 50 years on: The protection challenges of the present, past and future. *International Review of the Red Cross* 83 (843): 581-606.

Suggested Reading: **UNHCR (United Nations High Commissioner for Refugees).** 2000. *The state of the world's refugees: Fifty years of humanitarian action*. New York: Oxford University Press. (accessed 17 January 2006)

**UNHCR (United Nations High Commissioner for Refugees).** 2006. *The state of the world's refugees: Human displacement in the new millennium*. New York: Oxford University Press. (accessed 17 January 2006)