

United Nations High Commissioner for Refugees

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The United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly with a three-year mandate to assist Europeans displaced by World War II. The following year, on July 28, the 1951 Convention relating to the Status of Refugees was adopted. It still constitutes the key legal document in defining who constitutes a refugee, their rights, the legal obligations of states, and the basic statute guiding UNHCR's work. The Convention entered into force on April 22, 1954, merging previous international instruments relating to refugees, and still presents the broadest codification of the rights of refugees at the international level. Unlike former international refugee instruments, which concerned specific groups of refugees, Article 1 of the 1951 Convention approved a single definition of the term "refugee," which accentuated the protection of persons from political or other forms of persecution. Accordingly, a refugee is someone who is unable or unwilling to return to his or her country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.

Originally, the 1951 Convention was set up to protect European refugees in the aftermath of World War II. As crises of displacement increased around the world, on October 4, 1967 the United Nations General Assembly adopted a Protocol, known as the 1967 Protocol Relating to the Status of Refugees, or the New York Protocol. The 1967 Protocol removed geographical and temporal restrictions from the Convention and expanded its scope. At the same time, it also bestowed on the states that

had formerly endorsed the 1951 Convention and opted to employ the geographically restricted definition the option to preserve a geographic limitation. Accordingly, for example, Turkey applies the Convention only to persons who have become refugees as a result of events occurring in Europe.

As of May 2011, there are 137 states parties to the 1951 Convention, 136 states parties to the 1967 Protocol, 133 states parties to both the Convention and Protocol, and 140 states parties to one or both of these instruments. While Madagascar, Monaco, Namibia, and Saint Vincent and the Grenadines are the states parties to the 1951 Convention only, Cape Verde, the United States of America, and Venezuela are the states parties to the 1967 Protocol only.

Together, the 1951 Convention and the 1967 Protocol have instigated important regional legal instruments such as the 1969 Organization of African Unity (OAU) Refugee Convention in Africa and the 1984 Latin American Cartagena Declaration. While there are criticisms regarding the applicability of the Convention to the current refugee crises of the world, results of a study commissioned by the UNHCR in 2004 show that there is no reason to depart from the Convention, especially regarding physical safety, nondiscrimination, economic and social security, and cessation.

While the Convention and its Protocol define the role of the UNHCR where states agree to collaborate with the organization in the exercise of its functions, the tasks of the UNHCR are specified in its Statute of 1950, along with a range of other General Assembly resolutions. The 1950 Statute tasks the UNHCR with, besides others, promoting international instruments for the protection of refugees and supervising their application. In 2003 the General Assembly extended the organization's mandate "until the refugee problem is solved." The UNHCR is governed by the UN General

Assembly and the Economic and Social Council (ECOSOC). The UNHCR Executive Committee, composed of 79 members, approves the agency's biennial programs and the corresponding budget, presented by the High Commissioner (since 2005, António Guterres), who is appointed by the UN General Assembly and who, as head of the organization, is responsible for the course and management of the agency. The High Commissioner leads the work of UNHCR with the assistance of a Deputy High Commissioner and Assistant High Commissioners for Protection and Operations.

The UNHCR was initially envisioned as a temporary solution to the refugee crisis after World War II, but expectations that it would become redundant have been confounded by ongoing calamities of displacement. The first such event was the 1956 Hungarian Revolution, when the intervention of Soviet forces caused a mass departure of refugees. The decolonization of Africa in the 1960s generated the first of that continent's many refugee crises requiring UNHCR intervention.

Since then, UNHCR has had to assist with the mass exodus of refugees in Asia, especially the 30-year-old Afghan refugee problem; in Latin America; in Europe, with the series of wars in the Balkans; as well as with new refugee problems in Africa, such as the Democratic Republic of the Congo and Somalia. In the meantime, UNHCR has also been asked to employ its know-how to assist conflict-induced internally displaced persons. Moreover, UNHCR also supports stateless people, a largely unnoticed faction composed of millions of people at risk of being deprived of basic rights because they do not hold any citizenship. As a result of its achievements, the organization has received the Nobel Peace Prize twice: first, in 1954, for its groundbreaking work in helping the refugees of Europe, and second, in 1981, for its worldwide assistance to refugees, with reference to the political obstacles facing the organization.

The organization has grown on all fronts since its establishment. The number of personnel increased from its original 34 staff to 7,735 national and international members of staff, including a combined total of 960 in UNHCR's Geneva headquarters and the Global Service Centre in Budapest. The agency works in 123 countries, with personnel based in 124 main locations, such as regional and branch offices, and 272 often remote suboffices and field offices. The budget of the agency has also risen from US\$300,000 in its first year to more than US\$3.32 billion in 2011. There are currently (early 2012) more than 43 million uprooted people worldwide. UNHCR now deals with 36.4 million people: 15.6 million internally displaced people, 10.4 million refugees, 2.5 million returnees, 6.5 million stateless people, more than 980,000 asylum-seekers and more than 400,000 other persons of concern.

Originally established as an organization with a three-year mandate to solve the problem of refugees, UNHCR celebrated its 60th anniversary on December 14, 2010, alert to the humanitarian needs that are not likely to fade away.

SEE ALSO: Armed conflict and refugees; ILO and the rights of migrant workers; Refugee families and children

References and further reading

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