task to review and evaluate the implementation of the Habitat Agenda of the Istanbul Conference 1996. The General Assembly confirmed in its concluding resolution “Declaration on Cities and Other Human Settlements in the New Millennium” (UN Doc. A/RES/S-25/2 of 9 June 2001) explicitly the basic principles of the Habitat Agenda and called for greater efforts of the states to provide adequate housing.

V. New Structures – New Chances?

Some months after the special session on the Habitat Agenda the General Assembly decided to strengthen “the mandate and status of the Commission on Human Settlements and the status, role and functions of the United Nations Centre for Human Settlements (Habitat)”, as the title of the respective resolution (UN Doc. A/RES/56/206 of 21 December 2001) indicated it: the Commission and its Centre were transformed with effect from 1 January 2002 into “the United Nations Human Settlement Programme, to be known as UN-Habitat” (ibid., I). Thus UN-Habitat has changed from a commission to a genuine UN programme as subsidiary organ of the General Assembly, the Commission being transformed into the Governing Council of the Programme, the Centre being transformed into the secretariat of the Programme. The Governing Council meets biennially – the Commission had held annual meetings, while the composition of the Governing Council, its size and the key for the seats for the different regional groups of the UN remained the same compared to the Commission.

Whether this obvious upgrading in terms of organizational status is followed by concrete measures of the decisive UN bodies with a view of improving the housing situation of many people remains to be seen; at least the issue is taken seriously as an important item on the UN agenda.

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UNHCR – United Nations High Commissioner for Refugees

On 3 December 1949, the General Assembly of the United Nations adopted a resolution that recognized the responsibility of the UN for the international protection of refugees (UN Doc. A/RES/319 (IV)). To fulfill the task, it was at the same time decided to establish the Office of the United Nations High Commissioner for Refugees (UNHCR) as per 1 January 1951. The High Commissioner is elected by the General Assembly on the nomination of the UN → Secretary-General. There have been 10 High Commissioners since UNHCR was founded. UNHCR’s mandate was originally established for just three years. This was subsequently extended to periods of five years until in 2003 the UN General Assembly removed the time limitation on the Office’s mandate altogether (UN Doc. A/RES/58/153).

According to its Statute (UN Doc. A/RES/428(V) of 14 December 1950) UNHCR is a humanitarian organization. Core function: Providing “international protection”. Since establishing the office, the statute has not been changed.

Refugee definition: a person who is outside the country of his/her nationality
owing to a well founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion (Statute, II, para. 6).

International protection of refugees is the “raison d’être” of the Office. The most important international agreement is the 1951 Convention Relating to the Status of Refugees (UNTS Vol. 189, No. 2545), also called The Geneva Refugee Convention. The 1951 Convention includes a time and geographical limitation “as a result of events occurring in Europe before 1951”. This was lifted in 1967 through an additional protocol, the Protocol Relating to the Status of Refugees (UNTS Vol. 606, No. 8791). 144 states are currently parties to the Convention and 144 to the Protocol (as of 1 October 2008).

The 1951 Convention regulates the rights and duties of a recognized refugee in his country of asylum and offers an internationally binding definition of the term “refugee” (Convention, Art. 1) using substantially the same definition as in the UNHCR Statute. A main element of the 1951 Convention is the so-called principle of non-refoulement, which prohibits expulsion and return of a refugee to territories where “his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” (Convention, Art. 33). The aim of the 1951 Convention is to provide (recognized) refugees with a range of rights based on four different standards of treatment, depending on the right in question. UNHCR, according to the preamble to the Convention, has the task to “ensure implementation of international agreements to protect refugees”.

Other important references for UNHCR’s work are the regional refugee conventions such as the Convention of the Organization of African Unity (OAU) of 1969 and the Cartagena Declaration on Refugees of 1984. Both documents expand the definition of refugees to include individuals displaced over international borders owing, among other things, to events seriously disturbing public order.

International refugee law forms the basis for the activities of UNHCR though over the course of decades, these have been considerably expanded. Apart from providing international protection for refugees, UNHCR is tasked with finding permanent or “durable” solutions for refugees. There are three such solutions: Voluntary repatriation to the country of origin, integration in the country of asylum, or resettlement to a third country.

In most cases and when conditions allow, voluntary repatriation is the preferred solution. UNHCR assists refugees not only to return but to reintegrate in their country of origin. Since its creation, UNHCR has assisted approximately 50 million people to renew their lives in their home countries.

Originally UNHCR was not given a role in the delivery of material assistance. This changed when in the course of decolonization and nation-building UNHCR’s sphere of action was extended beyond Europe to other continents, including many countries that were not able to provide refugees with assistance themselves.

In the course of time, assistance to refugees and host countries through the funding, co-ordinating and implementing of aid programmes gained in importance for the work of UNHCR.

The mandate of the Office also covers stateless people and efforts to reduce statelessness. Statelessness occurs in different situations, including discrimination against minority groups in nationality legislation, failure to include all residents in the body of citizens when a state becomes independent, and in situations of conflicts between the laws of states. Traditionally, UNHCR has focused on providing legal advice to states but has also extended its services to provide operational support and ensure inter-agency collaboration.

Over the decades, succeeding UN Secretaries-General also asked UNHCR to assist internally displaced persons. Especially after the end of the Cold War