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DANMARKS FASTE MISSION

Genève

HASTER

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ALGERIET (2)

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Antal sider (denne inkl.)

Journal nr.
17.Dan.1Dato
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Kære Hans,
Som anmodet om i din fax af dags dato har jeg i dag været i kontakt med UNHCRs Bureau, hvorunder Algeriet sorterer (v/Karim Ghoul, senior legal adviser). Følgende fremkom:

Ghoul henviste til UNHCRs Guidelines af 21. november 1997 (som er hjemsendt herfra den 3. december). UNHCR har ikke på nuværende tidspunkt fundet anledning til at revidere disse retningslinjer i den ene eller den anden retning. Der er ikke tale om en primær facie situation. Asylanseøgninger fra algiere skal fortsat vurderes individuelt. Visse lande fortolker imidlertid konventionen restriktivt og anerkender i modsætning til UNHCR f.eks. ikke 'non-state persecution'. De ansøgere, som ikke opfylder betingelserne efter en sådan restriktiv fortolkning, men som ville gøre det, hvis ovenstående retningslinjer følges, er derfor fortsat flygtninge med behov for beskyttelse efter UNHCRs opfattelse. Og bør derfor ikke udsendes. Det er på denne baggrund, Ogatas udtalelser skal ses. Ghoul forklarede videre, at hvis på den anden side en ansøger ikke opfylder betingelserne for flygtningestatus iflg. UNHCRs fortolkning af konventionen, så har UNHCR naturligvis heller ingen indvendinger imod, at den pågældende sendes tilbage, jfr. retningslinjerne pkt. 4.B. Han henledte endvidere opmærksomheden på konventionens eksklusionsparagraffer, jfr. herom retningslinjerne pkt.3.1.2.

Med venlig hilsen

KAREN SKIPPER

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NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES



UNITED NATIONS
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FACSIMILE MESSAGE

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Date: 19 January 1998	No. of pages including this page: 3

File code: 0037/98

Other code: xxxx

Subject: Press coverage of HC statements on Algeria

Included are copies of statements by Ms. Ogata, as quoted by media.

Thanks and regards

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082

0019

From: UNHCR News
To: allfield
Date: 1/15/98 12:20pm
Subject: Refugees Daily (15/1/98) Ext. 8.2.2

REFUGEES DAILY

DIGEST OF REFUGEES & UNHCR NEWS FOR LAST 24 HOURS

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MAIN NEWS

- OGATA APPEALS NOT TO TURN BACK ALGERIANS
- BANGLADESHI TRIBALS RETURNING FROM INDIA
- TURKISH KURDS WANT HOME
- OGATA ASKS NATO TO PROTECT RETURNS
- IRAQI KURD JOURNALIST GRANTED IN GREECE. EXPULSIONS

Africa

OGATA APPEALS. [15/1/98] Algerians arriving in other countries should not be turned back even if their status as refugees is doubtful, the UN High Commissioner for Refugees, Sadako Ogata, said yesterday, reports The Guardian (p3). Liberation (p9) reports Ogata yesterday expressed her wish that those responsible for the massacres be identified. Reuters quotes her as saying during a visit to NATO headquarters in Brussels: There are Algerians who leave their country and I am appealing to European countries that even those who are not recognised as refugees be considered in a humane way I would be very hesitant to return anybody to Algeria today. Meanwhile BBC News (www.news.bbc.co.uk) reports the Algerian ambassador to Germany has condemned the right of asylum granted by European states to terrorists involved in the massacres taking place in Algeria. AFP quotes him as saying asylum should not be used as a cover by terrorists who have the blood of women and children on their hands. But The (London) Times (www.the-times.co.uk) reports a former professor of Islamic law knows his tormentors were the police, security forces and army agents. He was quickly granted asylum when British doctors reported the scale of his injuries, says the report.

EXILE CREDIT. [15/1/98] Today 5.7 million former exiles can take the credit for Mozambique's postwar economic miracle, reports The Christian Science Monitor (csmmonitor.com). We may have returned with nothing, and to nothing, but at least we can work here and try to make something for ourselves ... In the refugee camps you just sit there with your arms folded across your chest, waiting for a handout, said one man in Tate who spent most of Mozambique's 16-year civil war in a UN refugee camp in Zimbabwe. Anxious to solidify the peace, in 1992 UNHCR launched a US\$145 million programme to smooth the way home for refugees. A recent UNHCR report is quoted as saying: Despite the intensity of the Mozambican conflict, the many atrocities which took place during the war, and the enormous amount of social dislocation which it generated, there has been a remarkable absence of revenge and retribution, while returning refugees and displaced people have been subjected to very little discrimination and harassment. The Christian Science Monitor (csmmonitor.com) also reports that far from being empowered by their years as single mothers in the refugee camps, Mozambican peasant women have resumed their old subservient roles in their ancestral villages.

FLOOD OPERATION. [15/1/98] The death toll in flooding in Somalia hit 1,980 yesterday as cholera and other diseases continue to sweep through east Africa while aid agencies are having to feed a million destitute Somalis, reports AFP. Several international aid agencies, including WFP, UNHCR, UNDP, UNHCR and USAID have mobilised supplies to start the second phase of Flood Operation in Somalia, a weekly report released in Nairobi by the Inter-Agency Flood Response said. In Kenya's North Eastern Province bordering Somalia, rains have continued to beat down on refugee camps which

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From: Makiko Shinohara
To: UNHCRGSRLO.PC.WESTB, vauropi
Date: 1/16/98 2:43pm
Subject: HC on Algeria

Algeria must identify massacre caused: UN official

BRUSSELS, Jan 14 (AFP) - UN High Commissioner for Refugees Sadako Ogata on Wednesday urged Algeria to determine the reasons behind the recent massacres in order to halt them.

"I would hope very much the causes of these violent violations of human rights can be identified and dealt with," Ogata said as she left a NATO meeting on Bosnian refugees.

Asked to comment on European Union plans to send a mission to Algeria, Ogata said she was following the situation in the north African country "with great concern."

prh/mec/dw

AFP

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HC-ALGERIA-UNHCR

Be lenient with Algerian refugees, says UNHCR head

BRUSSELS, Jan 14 (Reuters) - Algerians leaving their country should not be turned back even if their status as refugees is doubtful, the United Nations High Commissioner for Refugees, Sadako Ogata, said on Wednesday.

"There are Algerians who leave their country, and I am appealing to European countries that even those who are not recognised as refugees be considered in a humane way," Ogata told reporters during a visit to NATO headquarters in Brussels.

"I would be very hesitant to return anybody to Algeria today," she added.

Over 65,000 people have been killed in Algeria since the army annulled 1992 elections to prevent Islamic fundamentalists from gaining power. In the past two weeks over 1,000 people have been slaughtered in raids on villages.

The government blames Islamic extremists but banned Islamic groups say the authorities are covertly fuelling the violence.

The European Union, due to send a diplomatic mission to Algeria shortly to discuss what it can do to help Algeria stop the massacres, has repeatedly offered humanitarian aid to Algiers, which firmly refuses it.

"We do not have any independent assessment of the needs, but we are following the situation with great concern," Ogata said.

Asked what she expected of the EU mission, the UNHCR chief said: "I would hope very much that the cause of these violations of human rights be identified and dealt with and some genuine help given to the authorities to cope with this situation."

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