



ГЕНЕРАЛЬНАЯ АССАМБЛЕЯ

Distr.
GENERAL

A/HRC/11/42
16 June 2009

RUSSIAN
Original: ENGLISH

СОВЕТ ПО ПРАВАМ ЧЕЛОВЕКА
Одиннадцатая сессия
Пункт 3 повестки дня

**ПООЩЕНИЕ И ЗАЩИТА ВСЕХ ПРАВ ЧЕЛОВЕКА, ГРАЖДАНСКИХ,
ПОЛИТИЧЕСКИХ, ЭКОНОМИЧЕСКИХ, СОЦИАЛЬНЫХ И
КУЛЬТУРНЫХ ПРАВ, ВКЛЮЧАЯ ПРАВО НА РАЗВИТИЕ**

Записка секретариата

Секретариат препровождает настоящим Совету по правам человека информационную записку от 11 июня 2009 года, представленную Ближневосточным агентством Организации Объединенных Наций для помощи палестинским беженцам и организации работ* в развитие групповой дискуссии по вопросам прав человека женщин, состоявшейся 4 июня 2009 года.

* Воспроизводится в приложении в полученном виде только на том языке, на котором она была представлена.

Annex

- a. UNRWA's policy on services to Palestine refugee women married to non-refugees, and
- b. UNRWA's commitment to respect and promote the human rights of Palestine refugee women.

1. During the 4th June 2009 HRC panel discussion on the human rights of women, a Civil Society Representative made incorrect and misleading statements regarding UNRWA's registration of refugee women, their entitlement to UNRWA services, and the genuineness of UNRWA's commitment to the human rights of Palestine refugee women.

2. The purpose of this note is to provide the HRC with accurate and current information regarding UNRWA's policies, to set the record straight and thus correct the misunderstandings caused by the statement by the Civil Society Representative.

3. By way of background, UNRWA has for the past sixty years been devoted to assistance and protection of Palestine refugees in Jordan, Syria, Lebanon, the West Bank and Gaza. It functions mainly through the provision of services in the areas of primary education, comprehensive primary health care, emergency relief, social safety-net, infrastructure and camp improvement, and microfinance. There are some 29,000 UNRWA staff, the majority of whom are refugees themselves.

4. In her statement on 4th June, the Civil Society representative stated: "UNRWA has a policy that, once a refugee woman marries a non-refugee man, she loses her refugee status and so she and her children are not entitled to the benefits". This statement is incorrect and bears no relationship to any UNRWA policy either in the past or currently.

5. The relevant policy document on this subject is UNRWA's *Consolidated Eligibility and Registration Instructions* (CERI), which is the authoritative internal guide to the determination of eligibility for UNRWA services. The CERI stipulates that persons eligible to be registered in UNRWA's Registration System and to receive UNRWA services are: [...] "persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict. Palestine Refugees, and descendants of Palestine refugee males, including legally adopted children, are eligible to register for UNRWA services." [...]

6. The effect of this provision is that eligibility for registering with UNRWA is transmitted through the male lineage (as in the host countries where UNRWA works), i.e. from a refugee

father to his sons and daughters. However, no provision in the CERI or in any UNRWA policy or practice requires or allows Palestine refugee women to lose their UNRWA registration or their entitlement to access Agency services when they marry a non-refugee. At no time in UNRWA history have refugee women married to non-refugees been stricken off the Agency's registration rolls.

7. When a Palestine refugee woman informs the Agency of having married a non-refugee, she may either: 1) continue to be listed on her father's family registration card as category MNR (married to non-refugee); or 2) she may ask to be removed from her father's family registration card, and to be issued a new UNRWA registration card in her own name, again as category MNR. In either case the woman keeps her registration with UNRWA and continues to have access to all Agency services. As of April 2009, 114,587 refugee women married to non-refugees (MNR) were registered with and entitled to benefit from UNRWA services in the West Bank, Gaza, Jordan, Syria and Lebanon.

8. Moreover, although a refugee woman married to a non-refugee cannot transmit refugee registration to her children, UNRWA introduced in 2006 an entitlement for MNRs' children to access UNRWA services. As a consequence of this development, already in March 2006, some 5,400 children of MNR families were enrolled in UNRWA schools, several thousand were benefiting from Agency health services and 700 MNR families living in special hardship were supported with relief assistance.

9. Although MNR family members are not registered on its refugee rolls, UNRWA fully appreciates that the extension of services to them is required by international principles and consistent with its mandate. As the non-refugee wives of registered refugees are entitled to receive UNRWA services, the same entitlement is also given to descendants -including legally adopted children - of refugee women married to non-refugees.

10. The Civil Society Representative erroneously referred to UNRWA's "use of local culture and traditions as an excuse", which she claimed could result in discrimination against refugee women.

11. As a UN Agency, UNRWA complies with international standards in the design and implementation of its programmes and operations, while allowing for variations to account for specific field needs and circumstances. For example, in some fields, UNRWA has specific programmes to assist refugees to gain access to higher education in or to the labour market of the particular host country or authority. UNRWA respects and values local culture and laws, but only to the extent consistent with adherence to UNRWA policy or overarching UN principles.

12. UNRWA's consistent and determined support for gender equality over the decades is a relevant reference. In 1951, the proportion of female pupils was 26 per cent. Today, thanks to UNRWA's insistence on equal educational opportunity for boys and girls, that proportion has doubled. It is also pertinent to recall that 47% of all UNRWA staff are female. UNRWA would not be able to sustain the support of its donors if it were not constantly striving to uphold the rights of Palestine refugee women, in spite of the extremely difficult circumstances in which the Agency operates.

13. UNRWA has clear well-established gender equality and gender empowerment policies and practices that are applied equally to its staff and refugees to realize the mainstreaming of gender issues and to ensure equal rights and opportunities for refugee women and men; refugee girls and boys; the elderly, sick, disabled and special hardship cases among the Palestine refugee population. The reference in paragraphs 6 and 7 above to the provision of services to family members of refugee women married to non-refugees is only one of the many ways in which UNRWA has responded – and continues to respond – to the needs of vulnerable refugees.

14. UNRWA trusts that the information provided in this note clarifies the actual policy currently in place and rectifies the misunderstandings generated by the 4th June HRC statement of the Civil Society Representative.

- - - - -