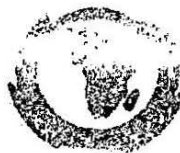


**ORGANIZATION OF  
AFRICAN UNITY**

Secretariat,  
P. O. Box 3241



منظمة الوحدة الأفريقية  
المقر  
ب. ص. ٣٢٤١  
أديس أبابا

**ORGANISATION DE L'UNITÉ  
AFRICAIN**

Secrétariat  
B. P. 3241

أديس أبابا

COUNCIL OF MINISTERS  
THIRTY-FOURTH ORDINARY SESSION  
ADDIS ABABA  
6 - 15 FEBRUARY 1980

CM/1035(XXXIV)

REPORT OF THE 12TH ORDINARY SESSION OF THE OAU  
COMMISSION OF TEN ON REFUGEES IN AFRICA



CM-1035  
MICROFICHE

REPORT OF THE 12TH ORDINARY SESSION OF THE OAU  
COMMISSION OF TEN ON REFUGEES IN AFRICA

PARTICIPANTS

<u>NAME</u>	<u>REPRESENTING</u>
1. H.E. Ambassador Melchior Bwakira	Burundi
2. Mr. Etoundi François	Cameroon
3. Mr. Mike A. Akuamo	Ghana
4. Mr. M.B. Brimah	Nigeria
5. Mr. Ambode	Nigeria
6. H.E. Ambassador Peter A.I. Otai	Uganda
7. Mr. G. Kalimugogo	Uganda
8. H.E. Ambassador Kabanda Célestin	Rwanda
9. Mr. Alioune Badare Koba	Senegal
10. Mr. Mustafa Hassan Ahmed	Sudan
11. Mr. Abbas Osman El Khalifa	Sudan
12. Mr. D. Kapya	Tanzania
13. Mrs. T.S. Karumuna	Tanzania
14. Mr. Lingonga Epako	Zaire
15. Mr. Leshwange Mbei	Zaire
16. Mr. A.N. Chimuka	OAU Assist. Secretary-General (Administration)
17. Dr. Peter ONU	OAU Assist. Secretary-General (Political)
18. Mr. M. Daar	Ag. Director, Political Depart.
19. Mr. C.J. Bakwesegha	Director, OAU/BPEAR
20. Mr. I.C. Mponzi	Coordinator, OAU/BPEAR

OBSERVERS

- |                     |                        |
|---------------------|------------------------|
| 21. Mr. Kouassi Ble | Ivory Coast            |
| 22. Mr. P. Adossama | Chairman of BPEAR C.C. |
| 23. Mr. Assane Samb | UNHCR                  |
| 24. Mr. J.N. Kawuki | UNHCR                  |

For ease of reference the following annexes appear at the end of this report :

- A. Recommendations of the 12th Ordinary Session of the OAU Commission of Ten on Refugees in Africa.
- B. BPEAR Operational Budget 1980/81
- C. Assistant Secretary General's Statement
- D. Directors Report on the Arusha Conference on refugees in Africa
- E. Statement of the UNHCR Representative.

I. OPENING SESSION

In the absence of the Current Chairman of the Commission of Ten H.E. Citoyen Nzeza Kiluangu, the Ambassador of Zaire, H.E. Mr. Kabanda Célestin, the Ambassador of Rwanda was requested by the Commission to chair the meeting.

The Chairman started off by inviting the Assistant Secretary-General for Administration to address the Commission of Ten.

In his statement, Mr. Chimuka welcomed the members of the Commission and drew their attention to the escalation of the number of African refugees which resulted from a combination of many factors. He called upon members of the Commission not to confine themselves to budgetary matters; but also to consider factors which give rise to refugee situations.

The Assistant Secretary General referred to the events which took place in 1977, which had led to the postponement of the Commission of Ten until now. He admitted, however, that the situation had now changed and the BPEAR was once again on its proper footing. The Chairman outlined the events that took place since the last Session of the Commission of Ten. He referred to the BPEAR National Correspondent Seminar early in September 1977, and to the Pan-African Conference on the refugee situation in Africa which took place in May 1979, in Arusha, Tanzania. He also referred to the Council of Ministers and the two Summit Meetings of Heads of State and Government as well as to the 9th Ordinary Session of the OAU/BPEAR Coordinating Committee Meeting which took place in August 1979. From there he annotated the agenda of the Ordinary Session of the Commission of Ten. He referred mainly to agenda items n° 4 and 5 (see below).

During the general debate that ensued regarding the Assistant Secretary General's statement, it was noted that the BPEAR had already been elevated to a Division but the matter was awaiting the return of the OAU Secretary General for implementation. The Commission, however, urged the Secretary General to give further moral as well as material support to the Bureau, putting into consideration the notion of equitable geographical and linguistic distribution in his effort to recruit more staff for the Bureau.

Reference was made to the significance of economic factors in the creation of refugeeism, especially in some countries neighboring racist South Africa. It was observed that in some of these countries, economic conditions are such that a considerable proportion of the labour force finds itself forced to work in South Africa under very difficult conditions. It was, therefore, suggested that in determining the status of refugees, economic considerations should also be put into account. The Commission further called upon the countries concerned to strive to work out a policy of employment aimed at preventing the flow of their citizens to South-Africa.

Finally, some members of the Commission wished to know whether the BPEAR embezzled funds could be recovered. After some discussion it was agreed that the Secretary General of the OAU, on receiving a comprehensive report from the Ministry of Foreign Affairs of Socialist Ethiopia, should report to the Council of Ministers.

## II. ELECTION OF THE BUREAU

The following were elected as office-bearers for the year 1980/81 :

Chairman : H.E. Ambassador of Rwanda

Rapporteur : The Leader of the Delegation of the Democratic  
Republic of the Sudan.

## III. ADOPTION OF THE AGENDA

The provisional agenda bearing the following items was introduced:

1. Opening Session,
2. Election of the Bureau
3. Adoption of the Agenda
4. Report of the Arusha Conference on Refugees in Africa
5. Report on the Ninth Ordinary Session of the OAU/BPEAR  
Coordinating Committee
6. Committee of Experts on the Problems of Refugees from  
Southern Africa
7. Date and Venue of the next session
8. Any other Business.

Following this, a debate ensued as to whether or not to insert in the agenda item "Rehabilitation of the BPEAR and Officers Incriminated" as proposed by the Zaire delegation. This issue was thoroughly examined by the honourable delegates and it was finally resolved that the item should not be included in the agenda. Thus, the agenda was accordingly adopted without amendments.

#### IV. REPORT OF THE ARUSHA CONFERENCE ON THE SITUATION OF REFUGEES IN AFRICA

The report of the Arusha Conference on Refugees in Africa that was held in May 1979, in Arusha, Tanzania was introduced by the BPEAR Director.

The Director started off by outlining the background information that led to the holding of the Arusha Conference. He talked of the 1967 Conference on Refugees in Africa which preceded the Arusha Conference, the circumstances that led to the establishment of the BPEAR, the functions of the BPEAR, and the great concern of the OAU Member States with regards to the deteriorating condition of the African refugee situation.

He outlined the major recommendations that emerged out of the Arusha Conference which included the urgent revitalization of the BPEAR with skilled and dedicated staff; the different roles to be played by different serving organizations in implementing the Arusha recommendations; and the importance of translating the principle of burden sharing into action. The Director also outlined the recommendations that had been made by the OAU/BPEAR Co-ordinating Committee when it convened in August 1979; and the programme of action which the BPEAR staff was intending to embark on specifically regarding the Arusha recommendations, the Monrovia resolution, as well as the BPEAR Co-ordinating Committee of August 1979.

It was added that the study should, inter alia, aim at exploring possibilities for appointing Senior Civil Servants as National Correspondents, preferably from Ministries dealing with refugee problems, and that the BPEAR should assist in the appointment of these National Correspondents.

Referring to the countries with highest concentrations of refugees on one hand, and those without or with fewer refugee numbers on the other, a number of delegates stressed the notion of burden-sharing and commended the idea to all Member States in solving the problems of refugees.

The commission of Ten urged Member States to seriously consider implementing the Arusha Report on Refugees and also to keep the OAU/BPEAR informed.

Furthermore, the question of missions as recommended by the BPEAR Director, was discussed; and it was noted that although the BPEAR was not yet fully staffed, some missions were absolutely necessary to enable the BPEAR staff achieve the goals and objectives of the Bureau.

V. REPORT OF THE NINTH ORDINARY SESSION OF THE OAU/BPEAR COORDINATING  
COMMITTEE

While introducing the report of the 9th Ordinary Session of the OAU/BPEAR Co-ordinating Committee the Chairman of the Committee, Mr. Adossama (ILO), pointed out clearly that increasing numbers of refugees in Africa should be able to provoke further thought on the side of African peoples. He said that Africa should regard the African refugee situation as a detrimental factor to the development of their nations. He said that no person or country has a monopoly of being involved in a refugee situation. In other words, anybody can become a refugee at any time. Mr. Adossama pointed out categorically that no one can secure the future of Africa and foster the development of the African nations other than the sons and daughters of Africa. In this regard he made special appeal to African leaders to consider seriously granting freedoms to their fellow nationals to enable them participate actively in the development of their respective countries.

Turning to the OAU/BPEAR, Mr. Adossama outlined and elaborated upon the main problems that have been faced by the BPEAR over the years. These, he said, include the following:

- (a) The work of the BPEAR is increasing and therefore the BPEAR needs to be strengthened in every way; not only in terms of professional staff but also in terms of supporting staff as well as office equipment requirements;

- (b) A balance should be worked out between the placement and education activities of the BPEAR.
- (c) The necessity for implementing the Arusha recommendations concerning the African refugees; for recommendations that are shelved without implementation do not mean anything.
- (d) The efficiency of the BPEAR does not only depend on the BPEAR staff but also greatly depends on the support of all the entire OAU Staff.
- (e) Responsibilities of the specialized agencies and the voluntary donors should be carefully monitored by the Bureau, so as to know what each of them is doing in the African Region.
- (f) The programme and budget of the Bureau should be implemented with maximum seriousness in order to create more confidence from the Member States of the OAU and the donor agencies. It was pointed out that US \$ 750,000 had been approved by the Co-ordinating Committee out of which US \$ 600,000 had been allocated for placement and US \$ 150,000 for education and training.

Finally the Chairman of the BPEAR/Co-ordinating Committee informed the honourable delegates that the UNDP at its session of 1978, the Governing Council of UNDP granted 7 million US dollars in the form of additional humanitarian assistance to Liberation Movements recognized by the OAU. He continued to inform the Committee that this figure brings to a total of US \$ 17.3 million as the financial resources available for the activities in the priority sectors which are teaching, vocational training, health and public administration. He further informed the honourable delegates that 20 projects have been approved for the benefit of the members of SWAPO, Patriotic Front, the PAC(Azania), and African National Congress (South Africa).



The UNHCR Representative, Mr. Assane Samb, addressed the Commission of Ten and in his intervention he expressed his satisfaction of the fact that the Bureau has taken a different turn, especially, since the 9th. Session of the Coordinating Committee of the BPEAR. He also expressed satisfaction on the appointment of the two officers. Then he went on to enumerate the practical problems that are facing not only UNHCR but also other related agencies regarding assistance to refugees. One of such practical problems, he said, was that of distinguishing between what is humanitarian and what is political. He emphasized that refugees are products of our errors and made special reference to the Arusha Conference of 1979 which, in his view, managed to establish a link between the violation of human rights and the emergence of refugee situations in Africa.

The Representative informed the Committee that the role of the UNHCR is twofold : Protection as well as Material Assistance to Refugees. Of protection he reminded the Committee of the cardinal principle that the grant of asylum is not an unfriendly, but rather a peaceful and humanitarian act. Accordingly, he made an appeal to African States to adopt their national laws to the existing conventions for the benefit of refugees. He also referred to the significance of African States ratifying the conventions governing refugees. He said that the only 18 African countries that have so far ratified the conventions find it difficult to cope with the existing numbers of refugees.

Following this the UNHCR Representative referred to the significant role played by African States in extending assistance to refugees; but at the same time he made a plea to the African States to redouble their efforts.

Finally the UNHCR Representative made reference to the notion of "burden sharing" as spelled out in the BPEAR Co-ordinating Committee Report; and appealed to the OAU Member States to see to it that the idea

is properly interpreted and implemented especially with regards to its implications on the welfare of African refugees.

The Commission underlined the need to draw up a clear, precise and realistic programme in favour of refugees for submission to the BPEAR Co-ordinating Committee for consideration at its next session March 1980.

The imbalance existing in the budget proposal for the projects on Education and Placement of African Refugees (Annex E of the Report of the Ninth Ordinary Session of the BPEAR Co-ordinating Committee) was noted by the Commission. The Commission made adjustments to the budget and allocated the sum of US \$ 450,000 for the project of Placement and Employment, and US \$ 300,000 for the Education and Training Project. The working out of the details of the adjustments of the budget was entrusted to the BPEAR staff.

The Commission thanked International Organizations engaged in refugee work, UNHCR, ILO, LWF, IUEF etc., and OAU Member States for their contribution to the welfare of refugees. In particular the Commission expressed its gratitude to UNDP for its attention to the needs of African refugees especially in the field of liberation struggle and asked the Chairman of the Co-ordinating Committee to convey its appreciation to UNDP.

Finally, with the amendments referred to above both the BPEAR Operational Budget (1980/81) and the Administrative Budget (Doc.BPEAR/CO-COMTEE/31(IX)) were adopted together with the Report of the Ninth Session of the OAU/BPEAR Co-ordinating Committee.

#### VI. COMMITTEE OF EXPERTS ON THE PROBLEMS OF REFUGEES FROM SOUTHERN AFRICA

Introducing this topic, the Director. of the BPEAR pointed out to the honourable delegates that the Committee of Experts on Southern African Refugees owes its existence to the 1976 Soweto uprising which resulted in massive exodus of refugees from South Africa into neighbouring countries. Following this uprising, the OAU Member States passed a

resolution calling for the establishment of a special fund to aid the affected refugees as well as establishing a Committee of Experts to follow up the work.

Following this, a meeting of experts was called in 1977, in Addis Ababa. Unfortunately, the meeting was frustrated by lack of quorum.

In 1978, in Khartoum, Member States again expressed the need for convening another meeting before the end of that year. In November 1978, a meeting was called, in Addis Ababa, which was again frustrated due to lack of quorum.

Another meeting was scheduled in Arusha, in May 1979, and the OAU General Secretariat presented a budget of US \$ 5 million. It was found by the members of the Committee that this budget lacked supportive evidence and, therefore, it was resolved that the Front-Line States together with members of the Liberation Movements concerned should prepare information and data on the South African refugees with a view to holding another meeting in Dar-Es-Salaam, Tanzania, in June 1979. This meeting took place as scheduled, except that the required information and data was lacking. The meeting was, therefore, postponed and another meeting was convened in Monrovia, Liberia, in July 1979; but again there was no adequate information and data. In Monrovia, it was, thus, resolved that BPEAR should follow up the matter of collecting and compiling the relevant information with a view to calling another meeting soon.

The Director, informed the Commission that the Bureau has already sent a note verbale to the Front-Line States and Liberation Movements concerned to furnish the Bureau with the information to enable the convening of the meeting in February 1980. The Director, however, expressed pessimism over the question of getting this information on time. He, therefore, suggested that the Commission should consider the issue of BPEAR undertaking a mission as soon as possible to the affected countries

with a view to soliciting the relevant information. He, thus, suggested the following budget for the mission:

- Countries to be visited :
1. Angola
  2. Mozambique
  3. Botswana
  4. Zambia
  5. Lesotho
  6. Swaziland

Proposed budget

Airfair	US \$ 1,889.37
Per diem for 18 days -- 65	" 1,170.00
Terminal expenses	" 132.00
	<hr/>
TOTAL	3,191.37
	<hr/>

The Director's proposed mission was endorsed by the Commission. However, the Director was advised to read all the reports of his predecessors regarding the Soweto uprising before undertaking the mission.

VII. DATE AND VENUE OF THE NEXT SESSION

It was agreed that the date for the next session of the Commission of Ten would be communicated to the members of the Commission by the BPEAR in consultation with the Chairman; and that in the absence of an offer from the Member States of the Commission of Ten for a venue, the next session would take place in Addis Ababa, Ethiopia.

VIII. ANY OTHER BUSINESS

The Chairman gave a resume of the proceedings of the meeting since it began. He made reference to the fact that the Government of the Democratic Republic of the Sudan has the intention of declaring 1980 the year for refugees in Sudan. He payed special tribute to the Government of the Republic fo Zaire for the General amnesty it declared which has so far resulted in the return of many

refugees to their country of origin.

The Chairman then thanked the participants for the frank manner in which they had conducted the business of the meeting as well as for the co-operation which they had demonstrated. The Chairman thanked the Rapporteur and the staff of the Secretariat for making the meeting of the Commission of Ten a success.

In return, the Assistant Secretary General for Political Affairs, Dr. Peter ONU, thanked the members of the Commission of Ten on behalf of the OAU Secretary General. He assured the members of the Commission that the recommendations would be put into effect.

A note of thanks to the Chairman was moved by the Distinguished delegate from Ghana, Mr. Mike A. Akuamoah.

The meeting ended at 20.10 hours p.m.

RECOMMENDATIONS OF THE 12TH ORDINARY SESSION OF THE  
OAU COMMISSION OF TEN ON REFUGEES IN AFRICA.

The Twelveth Ordinary Session of the OAU Commission of Ten was held in Addis Ababa, Ethiopia, on 29th and 30th October, and on the 2nd November 1979. In the course of their deliberations members of the Commission agreed on the following :

I. BUREAU FOR THE PLACEMENT AND EDUCATION OF AFRICAN REFUGEES

1. The Commission of Ten took note of the steps taken by the Secretary-General of the Organization of African Unity with regards to the restructuring and revitalising the Bureau for the Placement and Education of African Refugees, especially :

- a) the appointment of the two senior officers to the BPEAR;
- b) the upgrading of the BPEAR to a Division; and
- c) the reform of the system of management of the BPEAR Funds, which has henceforth become the direct responsibility of the Chief Accountant of the OAU General Secretariat.

2. The Commission recommends :

- a) that now that the BPEAR has been elevated to the status of a Division, the appointment of the Head of the Division takes place as soon as possible;
- b) that the staffing of the BPEAR be completed as soon as possible by appointing highly qualified staff to the Bureau putting into consideration their knowledge of refugees matters and devotion to duty;
- c) that during the recruitment, account should be taken of linguistic and geographical distribution; and

d) that the BPEAR be provided with the necessary office equipment to enable it to live up to its original mandate.

3. In order to further raise the image of the BPEAR which the bad management of one of its staff had tarnished, the Commission urgently recommends that the Secretary-General furnish the OAU Member States' Governments with all the clarifications likely to result in regaining the confidence of these same Governments by, especially, supplying them the court's decision. The Commission recommends, in particular that the Resolution of the Council of Ministers held in Tripoli and the recommendation of the Advisory Committee on Budgetary and Financial Matters be implemented.
4. The Commission recommends that the BPEAR staff should scrupulously endeavor to safeguard the interests of the refugees such as in seeing to it that the files and documents relating to refugees are properly managed and strictly kept.

## II. PROGRAMME FOR REFUGEES

The Commission emphasises the fact that equal attention should be accorded the programmes for Placement on one hand and Education and Training of Refugees on the other. To this end, the Commission decided to divide the Budget of the Refugee programmes as follows : US \$ 450,000 for the programme on Placement and US \$ 300,000 for the Programme on Education and Training of Refugees.

## III. NATIONAL CORRESPONDENTS

Having considered at length the role of national correspondents, the Commission calls on the BPEAR to undertake missions to certain countries so as to collect the exact reasons which generated inefficiency

in the service of the national correspondents. It further calls on the BPEAR to establish contact with countries with very high concentration of Refugees, so as to consider the most appropriate means of ensuring the efficiency of national correspondents.

#### IV. PROBLEM OF BURDEN SHARING

With regards to burden-sharing, without prejudice to the conclusions of the Committee of Nineteen in charge of, among other things, the problems of burden-sharing in Front-Line States, the Commission is of the opinion that countries which have large numbers of refugees should circulate to Member States, through the OAU Secretary-General, the state of the needs for which they would require assistance from OAU Member, as well as other, States.

The Commission recommends that a high-powered delegation from within the Commission of Ten visits countries (other than the Front-Line States) with a high concentration of refugees, to discuss with them all social, political and economic problems of refugees and the issue of burden-sharing. The delegation should also visit countries without or with fewer numbers of refugees, to make such countries aware of the magnitude of the refugee problems, with a view to bringing about the implementation of the principle of burden-sharing.

#### V. RESOLUTIONS ON REFUGEE PROBLEMS

Noting that there are superabundant resolutions adopted by the competent bodies of the OAU on refugee problems, most of which have not been implemented, the Commission of Ten recommends that the BPEAR:

1. take stock of the resolutions in question;
2. indicate those which have been implemented and those which have not yet been implemented including the reasons and then submit a report thereon to the Coordinating



Committee at its next session.

The Commission further calls on the BPEAR to programme its work on the basis of the Resolutions adopted on refugee problems and submit this programme to the Coordinating Committee in 1980, for approval.

V. AN AFRICAN COMMISSION ON HUMAN RIGHTS

The Commission hails the decision of the Monrovia Summit to establish a Human Rights Commission to operate within the framework of the OAU and expresses satisfaction with the holding of the recent Seminar on Human Rights in Monrovia; and hopes that an African Charter on Human Rights will considerably reduce the number of refugees in Africa.

TWELVETH ORDINARY SESSION

BPEAR/COM/X/18(XII)Rev2

1. OAU/BPEAR COMMISSION OF TEN

Annex B

ON REFUGEE PROBLEMS

29 AND 30 OCTOBER AND 2ND NOVEMBER

ADDIS ABABA, ETHIOPIA

BPEAR Operational Budget 1980/81

BPEAR OPERATIONAL BUDGET 1980/81

1. Annual Meeting of the Executive Committee of UNHCR,  
Geneva, 12 Days, 1 Officer (+Asst. Secretary General)

The participation of the OAU at this annual meeting of UNHCR is in conformity with the spirit of cooperation within the context of the OAU/UNHCR agreement of cooperation. (Res.CM/346(XXIII) and CM/Res.622(XXXI)

The attendance of the OAU at this meeting is extremely important for presenting dossiers on behalf of African refugees whose numbers have ever increased to more than 4 million. Moreover, the meeting affords the OAU an opportunity to examine and discuss the various refugee cases of the past year and for helping to draw more attention to the problems of African refugees and thus influence the 1980/81 UNHCR plans and programmes with regard to African refugees.

2. Annual Meeting of the International University Exchange Fund,  
(IUEF Board, Geneva, 8 days, 1 Officer)

The BPEAR is always invited to the IUEF Annual Board Meeting. It is at this meeting that the IUEF examines the question of the award of scholarships and bursaries to African refugee students. From past experience the participation of the CAU/BPEAR has proved extremely necessary to argue and justify the requests for funds. It should also be mentioned that over the years the IUEF has been one of the most reliable sources of finance for the BPEAR especially for educational purposes.

3. Mission on Employment and Education of African Refugees  
55 days (11x5 days) 1 Officer - KIGALI - BUJUMBURA -  
KAMPALA - DAR ES SALAAM - LUSAKA - KINSHASA - LUANDA  
LIBREVILLE - YAOUNDE - NAIROBI - MOUGADISHU

4. Mission on Employment and Education of African Refugees  
55 days (11x5 days) 1 Officer - Brazzaville - Lagos -  
Accra - Abidjan - Monrovia - Malabo - Dakar - Guinea Bissau -  
Algeirs - Tripoli - Khartoum
5. Mission on Employment and Education of African Refugees  
20 days (4x5 days) 1 Officer - Maputo - Gaberone -  
Manzini - Maseru

NOTE: Items 3-5 all relate to missions the OAU/BPEAR intends to make in the course of 1980/81 fiscal year. The missions are for on-the-spot consultations with the competent national authorities regarding placement and education of refugees were recommended by the OAU Commission of Ten to the 27th Ordinary Session of the Council of Ministers following the recommendation of the 7th Session of the Co-ordinating Committee. Consequently, the Council of Ministers adopted Resolution CM/Res.489(XXVII) dealing basically with matters relating to education, placement, legal protection of refugees, the taking of a country-by-country census of refugees and the voluntary repatriation of refugees.

Resolution CM/Res.536(XXVIII) also calls for on-the-spot contacts with Member States in working out measures to relieve the plight of refugees. So demands resolution CM/Res.547(XXIX) on Special Assistance to Southern African Refugees.

6. Annual Meeting of the OAU/BPEAR Coordinating Committee  
Addis Ababa, 4 days

The OAU/BPEAR Coordinating Committee meets annually to discuss the report on activities and programmes and budget of the BPEAR and approves the BPEAR Operational Budget to which many members of the cc contribute.

7. Annual Meeting of the OAU Commission of Ten on Refugees,  
Addis Ababa, 4 days

The OAU Commission of Ten on refugees meets in ordinary session once every year to examine and discuss the various recommendations of the Co-ordinating Committee and if adopted to recommend them for adoption by the Council of Ministers. Thus the Committee of Ten acts as a Clearing house and liaison between the Co-ordinating Committee and the Council of Ministers.

Subvention for the BPEAR

8. Financial Contribution to the Operational Budget of the Bureau  
for the Placement and Education of African Refugees for  
Fiscal Year (1980/81)

a) Subvention for the Celebration of Africa Refugee Day 1980/81  
in conformity with resolution CM/Res.398(XXIV) (US\$5,000)

The efforts and measures aimed at sensitizing public opinion to the problems and plight of refugees constitute an important aspect which should assume a new position within the context of the activities of the BPEAR. The Council of Ministers insisted strongly on the necessity of giving practical effect to the said resolution on African Refugee Day.

b) Subvention to the Operational Budget of the BPEAR for fiscal  
1980/81 in application of the resolutions indicated below  
(US\$150,000)

- (i) CM/Res.266(XIX)
- (ii) CM/Res.296(XX)
- (iii) CM/Res.346(XXIII)
- (iv) CM/Res.489(XXVII)
- (v) CM/Res.620(XXXI)

All the above resolutions request Member States of the OAU to accord the BPEAR more appropriate financial assistance to enable the latter to undertake and reinforce measures for raising funds to facilitate its work of assistance to refugees whose numbers estimated now at more than 4 million.

In fact it seems to have become the regular feature that the budget of the BPEAR is never fully contributed to each year and indeed this has been the case since the BPEAR's creation. It is to be noted that the BPEAR Operational Budget used to be replenished from the external financial sources, namely, the Danish, Swedish and Norwegian Governments, the World Lutheran Federation and the World Council of Churches and UNHCR. Because of recent difficulties even such sources have now become reluctant to contribute to the BPEAR Operational Budget.

The numerous promises by which many members of the Co-ordinating Committee had flattered the BPEAR have hitherto remained "dead letters". In the face of the growing financial difficulties confronted with, the BPEAR has never ceased to sound the alarm to those who, on the more than one occasion, have not hesitated to affirm their sincere wish and their determination to positively cooperate with the BPEAR and to extend to it all the assistance necessary for the accomplishment of its mission. However, in practice, with passing years the gap between the good promises and their realisation continues to grow.

One could in fact say that the diminution on contributions constitutes a serious brake which acts as a barrier in the activities of the BPEAR in favour of African refugees. If care is not taken there is the risk that in the not too distant future the activities of the BPEAR could be completely paralysed as a result of lack of finance.

In conclusion the BPEAR recommends that the OAU might seriously consider the financial autonomy of the BPEAR by according it financial contributions with a view to helping it efficaciously assist in resolving the existing and very arduous problems of African refugees. This action would not in any way prejudice any of the existing areas of cooperation and contacts of the intermediaries who operate between the donors and the BPEAR. .

However, this amount of US\$150,000 is glaringly insufficient when viewed against the numerous requests for bursaries and scholarships that remain unsatisfied and the ever growing number of requests for employment from specialists and technicians from among the 4 million African refugees.

It is against the background of imperative and urgent cases enumerated above that the BPEAR is urging the highest organs of the OAU to grant the total amount of subvention requested of US\$150,000. This purely African assistance will permit the BPEAR to feel that it is enjoying growing support from the Member States of the OAU.

c. Special Fund for Assistance to Southern Africa Refugees

US\$120,000

In view of the urgency, seriousness and magnitude of the problem of Southern Africa refugees the OAU Council of Ministers at its 29th. Ordinary Session in Libreville, Gabon 23 June - 3 July 1977 decided by its resolution, CM/Res.547(XXIX) on the creation of a SPECIAL FUND FOR ASSISTANCE TO SOUTHERN AFRICA REFUGEES, similar to the fund of the OAU liberation committee. The said Council passed Resolution CM/Res.620(XXXI) in Khartoum making the contribution of OAU Member States compulsory to the Special Fund. This fund will be financed through extra budgetary contributions and will be administered by the BPEAR.

The OAU/BPEAR estimates that a minimum of US\$120,000 will be required for fiscal 1980/81 to help solve some of the educational and training problems of the great many young refugees from Southern Africa.

d. OAU/BPEAR Assistance to self-help projects of Liberation  
Movements, US\$200,000

Following the deliberations of how the BPEAR could help with self-help projects planned and implemented by Liberation Movements from countries still under the rule of the racist minority regimes, the OAU Council of Ministers passed its Resolution CM/620(XXII) in Khartoum in July asking the OAU/BPEAR to extend all financial assistance to help in such endeavors. The BPEAR estimates that having in mind the possible huge costs of such self help projects, a minimum sum of US\$200,000 will be required.

SUMMARY OF THE BPEAR BUDGET FOR FISCAL YEAR 1980/81

1. Annual Meeting of Executive Committee of UNHCR, Geneva

12 days - Asst. Secretary General+ 1 Officer

Air fare (Economy)	US\$1,340
Per diem 12x70	840
Termination Expenses	12
	<hr/>
	US\$2,192
	=====

2. Annual Meeting of IUEF Board, Geneva, 8 days,

1 Officer

Air fare (Economy)	US\$1,340
Per diem (8x70)	560
Terminal Expenses	12
	<hr/>
	US\$1,912
	=====



3. Mission on Employment and Education of African Refugees,

55 days (5 days per country) 1 Officer

KIGALI, BUJUMBURA, KAMPALA, DAR ES SALAAM LUSAKA, KINSHASA,  
LUANDA, LIBREVILLE, YAOUNDE, NAIROBI, MOGADISHU

Air fare (Economy)	US\$ 4,200
Per diem	3,000
Terminal Expenses (11 X 12)	132
	<hr/>
	US\$ 7,332
	=====

4. Mission on Employment and Education of African Refugees

55 days (5 days per country) 1 Officer

BRAZZAVILLE, LAGOS, ACCRA, ABIDJAN MONROVIA, MALABO  
DAKAR, GUINEA BISSAU, ALGERIS, TRIPOLI, KHARTOUM

Air Fare (Economy)	US\$ 2,300
Per diem	3,300
Terminal Expenses 11x12	132
	<hr/>
	US\$ 5,732
	=====

5. Mission on Education and Employment for African Refugees

20 days (5 days per country) 1 Officer

Air fare (Economy)	US\$ 2,480
Per diem	1,000
Terminal Expenses 4x12	48
	<hr/>
	US\$ 3,528
	=====

## 6. Annual Meeting of the BPEAR CO-ordinating Committee

Addis Ababa, 4 days

Salaries for two Interpreters 160 X 2 X 4 - US\$1,280

Salaries for two translators 75 X 2 X 4 - 600

Refreshments 10 X 4 - 40

Subtotal ... 1,920

## 7. Annual Meeting of the Commission of Ten on

Refugees, Addis Ababa, 4 days

Salaries for two Interpreters 160 X 2 X 4 - US\$1,280

Salaries for two Translators 75 X 2 X 4 - 600

Refreshments 10 X 4 - 40

Subtotal 1,920

## 8. Financial contribution to the Operation Budget of the BPEAR for the fiscal year 1980/81

## a) Subvention for the celebration of Africa Refugee Day

Application of Resolution CM/Res.398(XXIV) US\$5,000

## b) Subvention to the BPEAR Budget for Education and

Placement of African Refugees (Resolutions 266(XIX), 296(XX), 346(XXIII), 498(XXVII) and 620(XXXI) US\$150,000

## c) Special fund for the Assistance of young refugees

from Southern Africa(Resolutions 536(XXVII), 537(XXIX) and 620(XXXI) US\$120,000

## d) BPEAR assistance to self-help project implemented

by Liberation Movements (Resolution CM/Res.620(XXXI) US\$200,000

total BPEAR proposed Budget (1980/81) US\$499,336

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OPENING SPEECH TO THE 12TH ORDINARY SESSION OF THE  
COMMISSION OF TEN ON REFUGEE PROBLEMS

(BY MR. A.N. CHIMUKA, ASSISTANT SECRETARY-GENERAL)

FOR ADMINISTRATION

Your Excellencies,

Honourable Delegates,

The Chairman of the Commission of Ten on Refugee Problems,

Ladies and Gentlemen,

I would like to welcome you to this 12th Ordinary Session of the Commission of Ten on the refugee problems which takes place at a moment when the problem of refugees in Africa is steadily growing worse. In 1976, a conservative estimate of Africa's refugees was put at 2.6 million. Now the figure has grown to more than 4 million, which means that one out of every 100 persons is a refugee.

2. This escalation in the number of African refugees results from a combination of factors and circumstances largely relating to the intensification of the liberation struggle being waged by the peoples of Southern Africa, Zimbabwe, and Namibia who have escaped the malpractices of racist and minority regimes; and, also relating to such unfortunate cases of political strife such as border conflicts, claims and counter-claims associated with the legacies of colonialism in some of the independent African countries. We wish, however, to thank those African Governments which in the spirit of African Unity and African solidarity have declared general amnesty to their fellow nationals to return home and participate in nation-building. Along these lines we wish also to express our gratitude to those African Governments that have just given indications of giving amnesty to their fellow nationals who have fled their respective countries.

3. I now call upon, Your Excellencies, not only to concern yourselves with budgetary matters, but also to consider in depth factors which compel the best sons and daughters of Africa to leave their countries of origin and go elsewhere. I appeal to you also to find ways and means of making African political leaders give further thought to the seriousness of refugee problems.

4. Your Excellencies, I am sure you are aware of the fact that the Commission of Ten has at least to meet once a year. It has to be noted that it was not possible to convene such a meeting during 1978, basically due to the events that took place in the year 1977, and led to the redeployment of the BPEAR staff to other departments within the OAU, and the subsequent freezing of the BPEAR accounts as advised by the Advisory Committee of the OAU. I am, however, glad to report to you that the circumstances which prevailed a short while ago over the BPEAR and which made the international organizations and voluntary agencies withhold their financial assistance have now been resolved. Two highly competent staff have been recruited by the General Secretariat to the OAU/BPEAR; and the General Secretariat is on the way to employing more professional staff in order to strengthen the OAU/BPEAR even more.

5. Your Excellencies, permit me at this juncture to give you a picture of the major events that took place since the last session of the Commission of Ten. One of such events was the convening of the BPEAR National Correspondence Third Seminar between 13 and 14 September 1977, in Addis Ababa. The other event was the Pan-African Conference on the Refugee situation in Africa which took place from 7 to 17 May, 1979 in Arusha, Tanzania.

Then there were four meetings of the Council of Ministers and two Summit Meetings of Heads of State and Government. Finally, there was the 9th Ordinary Session of the OAU/BPEAR Co-ordinating Committee which took place between 20 and 23 August, 1979. All these meetings and conferences gave rise to a number of far reaching resolutions pertaining to refugee work in Africa.

Your Excellencies,

Honourable Delegates

Ladies and Gentlemen,

6. Agenda item No 4 is the Report of the Arusha Conference on Refugees. Under this item, the honorable delegates are invited to examine the following :

- (a) The short, medium and long term objectives of the conference, which appear on pages 2 and 4 of the report.
- (b) The budget proposals appearing in Annex E of the report, as well as the attached Administrative budget constituting Document BPEAR/CO-COMTEE/31(IX).
- (d) The proposals of the Co-ordinating Committee on setting up a sub-committee on scholarships and counselling appearing in pages 18-19.

Mr. Chairman

Your Excellencies,

8. It is my sincere hope that the draft resolutions which your Committee will submit to the Council of Ministers for adoption will constitute the means for effective and realistic operation of the BPEAR in its endeavour to live up to its original mandate.

I thank you.

TWELVETH ORDINARY SESSION  
OAU/BPEAR COMMISSION OF TEN  
ON REFUGEE PROBLEMS  
29 and 30 OCTOBER AND 2 NOVEMBER 1979  
ADDIS ABABA, ETHIOPIA

BPEAR/COM/X/18(XII) Rev.2

ANNEX D

OAU/BPEAR DIRECTOR'S REPORT TO THE TWELVETH ORDINARY  
SESSION OF THE COMMISSION OF TEN

(Addis Ababa, October 29 - 30, and November 2, 1979)

OAU/BPEAR AG. DIRECTOR'S REPORT TO THE TWELFTH ORDINARY  
SESSION OF THE COMMISSION OF TEN

(Addis Ababa, October 29-30, 1979)

Mr. Chairman,  
Your Excellencies,  
Ladies and Gentlemen,

On behalf of the OAU/BPEAR Staff, I wish to first of all like to welcome the honorable delegates in their capacity as representatives of their respective States being Members of the OAU/BPEAR Commission of Ten, to the Twelveth Ordinary Session. I wish them a fruitful stay with us and a happy return home at the conclusion of our session.

Mr. Chairman,

The African refugee problem assumed to have emerged at the turn of the 1950s did so with Africans fleeing from the odious policy of apartheid of the minority racist regimes of Southern Africa, as well as from the Portuguese colonial administration. By the early 1960s, the problem had become more acute as refugees began fleeing in much greater numbers not only from colonial and white-dominated territories but also from some independent African States. Thus, today we no longer describe the magnitude of the African refugee problem in terms of thousands but rather in millions; with the most recent figure having gone beyond the four-million mark. What is more, in certain countries the daily influxes are not in tens, or even hundreds; but rather in thousands.

The socio-political changes taking place in many parts of Africa continue to bring about a constant flow of new refugees. In general, their future is uncertain. Some have been repatriated after a time in exile; and thanks go to all those African Governments that have declared general amnesty to enable their fellow nationals to return home. However, others are doomed to remain refugees for the unforeseeable future.

The African refugee is first and foremost, a human being who has given up the security of his home. He has had to leave his belongings, friends and possibly his family behind. Perhaps he will never see them again. In a new and alien environment, he is left with the fears of his own security and the worry of his own daily existence. He lives from hand to mouth; but sometimes the hand does not even reach the mouth.

For refugees the mental trauma is hard to throw off; and the time in exile frequently leaves behind deep personal scars. Children, or young people in general, and even women are particularly vulnerable to hardships of any form in a refugee situation.

However, in his uprooted existence, the refugee constantly hopes that, one day he will be able to return home and walk on a familiar ground. African refugees have not chosen to be what they are. They are created by forces beyond their control. They are people who have been victims of various political events and developments mainly of a racial discriminatory character, apartheid, oppression of humanity, socio-political deprivation, and systematic assault on human civilizations particularly obtaining in South Africa, Rhodesia and Namibia.

Mr. Chairman,

That Member States of the OAU have been continuously concerned about the African refugee problem is a feature attested to by their earlier effort to convene a Conference in Addis Ababa, in 1967, to find specific solutions to the African refugee problem. Out of this emerged what is known as the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, adopted in September 1969.

Another significant feature that emerged out of the 1967 Conference was the creation of the OAU Bureau for the Placement and Education of African Refugees (BPEAR), whose duties are carried out under the guidance and supervision of two Committees:



- (a) The Co-ordinating Committee whose membership includes UNHCR, UNECA and many international organizations and Voluntary Agencies dealing with refugee work in Africa; and
- (b) The Commission of Ten whose membership consists of ten Member States of the OAU.

BY PLACEMENT is meant the process of resettling a refugee in another country where preferably an employment opportunity has been made available for the refugee. This is an exercise that calls for the concerted effort of the BPEAR, UNHCR, Member States of the OAU, and other international organizations and voluntary agencies. BY EDUCATION is meant the process of offering scholarships to various cadres of African refugees to pursue vocational training programmes as well as undergraduate studies within Africa and sometimes outside Africa.

Mr. Chairman,

Despite the fact that Member States of the OAU have for more than a decade been grappling with the African refugee problem with considerable seriousness, the problem has, instead, not only persisted but has also been gaining greater and greater momentum. Against this background the idea of holding a meeting, somewhat similar to the 1967 Refugee Conference, was conceived by the All Africa Conference of Churches, at the beginning of 1977. It was this humble initiative that resulted in the mammoth Arusha Pan-African Conference of May 1979. Precisely, this Conference which was co-sponsored by the UNHCR, UNECA and the OAU was, in comparison with the one which was held in 1967, in Addis Ababa, unique in many ways:

1. It was held against alarming reports that the number of African refugees had grown by fourfold since 1967 - thereby reaching a new peak of more than 4 million.

2. It was held against reports that out of the total OAU membership of 49, only 18 countries, some of which are shockingly poverty-stricken, share 90 per cent of the burden of providing asylum and care to the African refugees.
3. A total of 38 Member States of the OAU plus liberation movements recognized by the OAU were represented at the Conference by high-powered delegations.
4. Almost all international organizations and voluntary agencies engaged in African refugee work or, at least, concerned with the African refugee problem were also represented at the Conference.
5. The Conference dealt with all the salient aspects of the African refugee problem, be they legal and protection, economic, social, institutional, administrative, financial, or whatever.
6. The catalogue of the recommendations that emerged from the Conference included a variety of specific recommendations on the rejuvenation of the OAU/BPEAR in the wake of all the difficulties that the Bureau had been confronted with since the turn of 1977. The catalogue also included specific recommendations on the follow up and implementation of the Arusha recommendations - specifying clearly the role of the OAU/BPEAR, the UNHCR, the UNECA, the OAU Member States and such like refugee serving agencies. Another major specific recommendation was that of an appeal to all Member States of the OAU to translate the principle of burden sharing into real action.

Mr. Chairman,

The OAU Secretary-General's report of the BPEAR to the 33rd Ordinary Session of the Council of Ministers and the 16th Summit Meeting of the Heads of State and Government convened in Monrovia, Liberia, in July 1979, carried, inter alia, the report and the recommendations of the Arusha Pan-African Conference on Refugees in Africa. Both the Council of Ministers and the Summit endorsed the Arusha Refugee Conference Recommendations and accordingly adopted an important resolution regarding the African refugee situation.

Mr. Chairman,

Following the Liberia 33rd Ordinary Session of the Council of Ministers and the 16th Summit Meeting of Heads of State and Government, the OAU/BPEAR Co-ordinating Committee Meeting was convened in Addis Ababa, Ethiopia, from 20 to 23 August, 1979.

All the Arusha recommendations together with the Monrovia resolution pertaining to the African Refugee Problem were duly introduced to the Members of the Co-ordinating Committee. And out of their deliberations emerged, inter alia, the following salient recommendations:

1. That OAU Secretary-General should implement as soon as possible the Arusha recommendation regarding the restructuring and strengthening of the BPEAR. On this specific recommendation, Mr. Chairman, I have the pleasure to report that two persons with considerable experience in refugee work have already been recruited to work in the Bureau, and the General Secretariat of the OAU is at the moment busy looking for highly qualified and skilled manpower to fill the rest of the vacant posts of the BPEAR.
2. That the OAU Secretariat together with the BPEAR should officially communicate all the recommendations of the Arusha Refugee Conference as well as the Monrovia Resolution on the African refugee problem to all Member States of the OAU and report back to all international refugee serving organizations regarding the measures adopted by the various OAU Member States to implement these recommendations and resolution. Mr. Chairman, I am pleased to report that all the said recommendations and resolution have been duly despatched to all Member States of the OAU; with a note verbale appealing to the Member States to effect the implementation of the same. We now leave it to the Member States of the OAU to use their good offices and proceed to implement these recommendations and resolution with a view to sending regular progress reports on their implementation exercises to the OAU/BPEAR for further action.

3. That the OAU/BPEAR staff mounts a study, as soon as possible, aimed at determining the efficiency and efficacy of the OAU/BPEAR National Correspondents and report back the findings of the study to the 10th Ordinary Session of the Co-ordinating Committee of March, 1980.  
Mr. Chairman, permit me to inform the distinguished delegates that the BPEAR recognizes the significance of such a study, and has gone ahead to make the necessary preparations to launch the study in November this year.
4. That the OAU Secretary-General should, as soon as possible, write a letter (and sign it himself) to all donor agencies highlighting the difficulties that the BPEAR faced between 1977 and 1979, and assuring the donors of the drastic changes that have been made in an effort to revitalize the Bureau. That in the same letter, the Secretary-General should emphasize the need for funds to meet the educational commitments of the BPEAR; and should also spell out that from now onwards, Placement will be a priority activity of the Bureau.

Once more, Mr. Chairman, permit me to assure the honourable delegates that by the end of this year the said letter will have been despatched to all the relevant organs.

Furthermore, the significance which the OAU/BPEAR now attaches to the issue of Placement of African refugees is attested to by the fact that in the OAU/BPEAR operational budget of 1980/81, the money allocated for the Placement Project is about four times as much as the amount which is allocated for the Education Project.

Mr. Chairman,

With your permission I wish now to inform the distinguished delegates that the results of the Ninth Ordinary Session of the OAU/BPEAR Co-ordinating Committee Meeting have been compiled into a report, copies of which were

despatched to all Members of the OAU/BPEAR Commission of Ten before their coming here. This report which is now before the honorable delegates will constitute the working documents for our present session.

Mr. Chairman,

At this juncture allow me to place on record our gratitude to the office of the UNHCR for making available one of its experts to help us in the BPEAR: and we would like to take this opportunity to commend highly the said UNHCR expert for the work he has carried out in the direction of enabling the Bureau live up to its original mandate.

Mr. Chairman,

With your permission, I wish now to turn to the budgetary procedures relating to the activities of the BPEAR during the 1980/81 fiscal year. In the past the BPEAR staff has been largely depending on written communications to the OAU Member States and international organizations with regards to placement and education opportunities for refugees in Africa. This procedure has not proved to be very successful. The Co-ordinating Committee which met in August 1979, therefore, passed a decision that the BPEAR staff should undertake missions within Africa and outside it to establish direct contact with government officials and representatives of international organizations concerned, regarding opportunities for placement and education of African refugees.

In this regard the following missions were approved by the Co-ordinating Committee:

1. Annual meeting of the Executive Committee of UNHCR, Geneva:  
12 days, 1 Officer plus the Assistant Secretary-General (Political Affairs) which will cost US\$2,192.00.

2. Annual meeting of the International University Exchange Fund in Geneva, for one Officer for 8 days which will cost US\$1,912.00.
3. Mission on Employment and Education of African refugees for one Officer in the following countries: Rwanda, Burundi, Uganda, Tanzania, Zambia, Zaire, Angola, Gabon, Cameroon, Kenya and Somalia which will cost US\$7,332.00.
4. Mission on Employment and Education of African Refugees for one Officer in the following countries: Congo-Brazzaville, Nigeria, Ghana, Ivory Coast, Liberia, Equatorial Guinea, Senegal, Guinea-Bissau, Algeria, Libya and Sudan which will cost US\$5,732.00.
5. Mission on Education and Employment for African refugees for one Officer in the following countries; Mozambique, Botswana, Lesotho, and Swaziland which will cost US\$3,528.00.

In addition to the above, the Co-ordinating Committee approved the following budget:

6. Annual Meeting of the BPEAR Co-ordinating Committee in Addis Ababa, in the year 1980/81, which will cost US\$1,920.00.
7. Annual meeting of the Commission of Ten, in Addis Ababa, which will cost US\$1,920.00.
8. For the financial year 1980/81 we expect to resettle a total of 60 refugees in Africa, and each of these 60 refugees is assumed to have 5 dependents requiring re-settlement. Money is needed for single trip tickets for the refugees and dependents as well as allowances while settling in. The amount approved by the Co-ordinating Committee for this purpose is US\$607,382.27.

9. For the financial year 1980/81, we intended to place 25 refugees in universities and 10 refugees in vocational training institutions. Money is required for tuition, board and lodging. The total amount approved by the Co-ordinating Committee is US\$164,972.50.

Finally, Mr. Chairman,

Through you, I wish to thank all those international organizations who have over the years managed to associate themselves with the African refugee problem, and who have relentlessly worked in favour of the plight of the African refugees. I would like, in particular, to thank all those Member States of the OAU who have been able to give assistance be it in terms of cash, land or whatever, to the African refugees; and I hope that, in the light of Africa's worsening refugee problem and the state of impoverishment of some of the African countries currently shouldering the burden, they, too, will redouble their effort to assist the uprooted community of the African continent in the years to come.

I thank you, Mr. Chairman.

Excellencies,  
Honourable Ambassadors,  
Honourable Chairman of the Committee of Ten,  
Your Excellency Secretary-General of the OAU,  
Ladies and Gentlemen,

First of all, I should like to thank the honourable Chairman of the Committee of Ten for having kindly given me the floor, in so far as I am an Observer. This gives me a pleasant opportunity to expose briefly, to one of the OAU bodies, certain issues relating to the activities of my Organization.

UNHCR and OAU maintain close relations of consultation on problems of common interest and which concern the refugees, our uprooted brothers and sisters, the most deprived of the continent.

In this consultation, BPEAR plays an important role by implementing the general principles laid down by the high authorities of the Organization.

I shall, certainly, be dishonest if I did not say that any Organization followed with much bitterness certain mishaps, moreover well known, in which the Bureau was involved. These mishaps drew the attention of UNHCR which, while contributing financially to the activities of the Bureau, was induced under certain circumstances to conduct "Fund Raising" from other institutions concerned with the fate of refugees in Africa.

Nevertheless, I must say that the efforts made, today, to revitalise the Bureau so as to make it more operational revive many hopes in me. UNHCR, within the framework of this, restorations, if I dare say so, will, as in the past, give its support to BPEAR.

In Africa, as elsewhere, the cause of the existence of refugees should be the subject of reflection for all national leaders. My friend and colleague, Pierre Adossama, Chairman of the Co-ordinating Committee and ILO representative



in Addis Ababa, has put forward relevant ideas, which are an authority, on this issue. They spare me from labouring the point.

UNHCR, an essentially humanitarian body, comes into action when the political contradictions have ended producing their effects. That is when people, no longer having any links with their country of origin, start wandering in search of more merciful horizons.

But when we attend to human sufferings, it is difficult to ignore the causes. And everyday we are in touch with a reality which teaches us that, in the field of refugees, it is difficult to delineate the frontier between humanitarian and politics.

This is what explains those meaningful words of a high official of UNHCR. He said "The Refugee is the result of our errors, his grief bears the condemnation of our conduct as a people and nation. The conflicts of our time has, alas, drawn, in a concrete manner, a long list of his sufferings. His existence is a lesson and a warning". One cannot find better words.

We are happy to find that at the Arusha Conference, African leaders translated, by adopting a resolution, an essential concern, namely, the close link existing between the violation of human rights and the problem of refugees.

I am sure, this resolution of Arusha which the African Heads of State adopted, will bring in many thoughts and initiatives. The fact that a seminar on the possible establishment of a Human Rights Commission in Africa should be held recently in Monrovia, after the OAU Summit Conference, would suffice to convince one.

UNHCR, in its day to day work, comes into action in two essential fields for the refugees: that of legal protection on the one hand and material assistance on the other.

By legal protection, UNHCR endeavours to ensure the diplomatic protection of the refugee. It thus fills a legal gap which otherwise could have heavy consequences for the safeguarding of the fundamental rights of the party concerned. By doing so, it requests the States to implement, in favour of the refugees, the international conventions to which they adhered freely. These are essentially the 1951 Convention complemented by the Protocol of 1967 and the OAU Convention of 1969.

The provisions of these conventions forbid the signatory States, among others, to expel, detain arbitrarily or drive back the refugees.

In general, any measure by which a refugee is compelled to go back to his country or is sent to a country where he rightly fears persecution constitutes a serious violation of the generally reknown principle of 'non-driving back' (of refugees).

Although the right of sanctuary is considered as a sovereign right for the State granting it, it is generally accepted that the States must do everything to shelter those people asking it in good faith.

A shelter, at least temporary, must be granted to people in quest of it in case of massive afflux of refugees. The corollary of this state of affairs is that, in accordance with the principle of equitable sharing of responsibilities, the States facing the massive afflux of refugees, must, according to their needs, receive an immediate assistance from other States. It would, therefore, be, as such, that appropriate measures be taken by the other States so that the responsibility, weighing on the country of shelter, is equitably shared.

When it concerns people looking for shelter as individuals, we should earnestly guide ourselves towards adopting common criteria to resolve the problem of identifying the country responsible for examining the request for shelter.

In the context of finding and elaborating these criteria it would be advisable to avoid the risks of disagreement between States on the point of knowing which one between them would examine the request for shelter. In the same line of ideas, the intentions of the requesting shelter, the country where he wishes to take shelter should, as far as possible, be considered.

Finally, it would be advisable that the establishment of criteria in question should be accompanied by provisions arranging for regular consultations between the Governments concerned in view of examining cases for which solutions have not been found.

It appears highly useful for us to stress that the general principles, clearly set forth in the international conventions mentioned above, or following from a free interpretation of their provisions, would not bind the States of the latter which did not adhere to them. Therefore, we shall continue to repeat that the ratification of international conventions in question by a large number of States is the best guarantee for an efficient legal protection of the refugee.

The OAU Convention of 1969 on African Refugees, a legal instrument adopted at regional level, therefore a manifestation of a certain solidarity, a relative community of interests, should obtain from the States an anti-limitation of their sovereign competence, whose result would be a larger number of ratifications.

It should be added that to receive a genuine application, these general principles should be adapted to the concrete situations of the States. It would be easily understood that, given the youth of our States and in the absence of a well-tried constant jurisprudence, the international norms, in most cases, could not be adequately integrated in the internal legal practice.

Nevertheless, we have the right to think that with continuous efforts and self awareness, this difficulty, thus recalled, could be surmounted.

In the field of material assistance, my Organization gives a varied help to the refugees. There are programmes of emergency help, repatriation, reintegration, reinstallation help for an important number of refugees and displaced persons.

As can be guessed, these different activities require considerable sums of money. For your information, UNHCR, during the past two years, set up, among others, assistance programmes of more than 13 million US dollars for refugees and displaced persons after the Ogaden conflict, 13 million dollars to help Ugandans returning to their country, 11.3 million dollars, excluding 13,500 tons of food for Zairian refugees repatriated from Angola. Africa has around four million refugees and displaced persons in total of 10 million in the world. The High Commissioner is conscious that international solidarity should continue to support refugees in Africa. He is also aware that African States already do a lot for the refugee. Faithful to their tradition of hospitality, they, indeed, make an important contribution by opening widely their frontiers, welcoming them on their territories, giving them plots of land for settlement and taking up agriculture so as to be able to provide for their own sustenance.

I should not be complete if I did not mention the efforts made by UNHCR for the Education and Reinstallation of refugees in Africa.

A top official, Mr. Joseph Kawuki, responsible for the problems of reinstallation, works in close collaboration with BPEAR. I avail myself of this opportunity to say, on behalf of the High Commissioner, how glad I am of this very good cooperation he maintains with BOEAR and reiterate my wish to see the latter continue to give political support for finding possibilities of reinstalling qualified African refugees in our States.

The High Commissioner, laying emphasis on a resolution adopted by the Assembly of Heads of State in Monrovia, following a recommendation of the Arusha Conference requesting African Governments to increase their assistance to refugees by granting them admission in their schools and universities, made an appeal in the same line to the abovementioned Governments on 21 August 1979.

Perhaps this the venue to state that it would be much desired if OAU, through BPEAR, gives its necessary support to this appeal by the means it would deem appropriate.

I thank you for your kind attention.

Assane Samb

Regional Representative for the Liaison Office  
of the United Nations High Commission for Refugees  
in Africa



1980-02-06

# Report of the 12th Ordinary Session of the OAU Commission of the Ten on Refugees in Africa

Organization of African Unity

Organization of African Unity

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