



ORGANIZATION OF  
AFRICAN UNITY  
Secretariat  
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منظمة الوحدة الأفريقية  
السكرتارية  
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ORGANISATION DE L'UNITE  
AFRICAINNE  
Secretariat  
B. P. 3243

COUNCIL OF MINISTERS  
Thirty-Eighth Ordinary Session  
22 February - 1 March 1982  
Addis Ababa, Ethiopia

Addis Ababa - أديس أبابا

CM/1171(XXXVIII) Rev.1

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REPORT OF THE COMMISSION OF FIFTEEN ON REFUGEES  
IN AFRICA TO THE THIRTY-EIGHTH ORDINARY  
SESSION OF THE COUNCIL OF MINISTERS

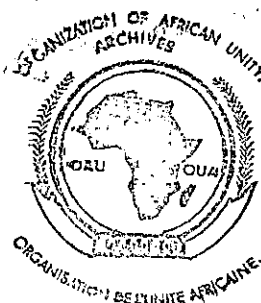


INTRODUCTION

1. During the past year, we have not witnessed any dramatic changes in the overall refugee population trend. However, this not to say that the situation has changed for the better. In fact, inspite of the absence of any dramatic increase in the refugee population whose estimate still stands at about 5 million, the general situation of the refugees is far from improving. The refugee population continues to consist predominantly of children, women and the aged. Despite the commendable efforts of the host countries, the UNECR, Inter-governmental and Voluntary Agencies, the living conditions of the majority of these refugees are still deplorable and require urgent attention. What is more deplorable is the fact that the majority of those refugees who have been outside their countries of origin for more than a decade, are still far from being self-reliant.

2. It is in view of the above situation that the OAU Member States that had submitted projects to the International Conference on Assistance to Refugees in Africa (ICARA) have shown great anxiety in seeing that the funds realised at ICARA are distributed quickly so as to enable them to implement the projects. It should be noted that many of the projects that are to benefit from ICARA funds are of an emergency nature and relief-oriented; hence, the urgency to implement them (Vide Doc. CM/1172 (XXXVIII)). However, while appreciating the arrangements that have so far been made to distribute some of the funds, it is regretted that the whole process of ensuring that the funds are distributed for the projects that were submitted has not been encouraging. Delay in distributing the funds, means delay in implementing the projects whose costs may rise due to inflation to such an extent that the implementation of the projects may not be possible without injection of additional funds. In the interim, the refugees will continue to suffer.

3. The Commission of Fifteen further appreciates the fact that the results of ICARA are not an end per se of the refugee problem in Africa.



Nevertheless, the Commission would like to see that the funds realized... are distributed and utilized quickly, as decided by the Council of Ministers in its Thirty-sixth Ordinary Session, held in Addis Ababa, from 23 February to 1 March 1981. The Council of Ministers, among other things, expressed that ICARA should be the initial stage of a long-term exercise in the course of which fact finding missions, accurate data collection activities, feasibility studies and the like will help to define priorities and to formulate projects whose impact on refugee situations is likely to pave the way for more durable solutions (vide Resolution CM/Res.826(XXXVI). The Secretariat has prepared a separate report on the follow-up of ICARA; but we would be failing in our duty if we do not express these genuine concerns. It is, therefore, our ardent hope that ways shall be found to speed up the distribution of the funds.

#### ACTIVITIES

4. During the period under review the Commission of Fifteen has met three times in an Ordinary Session on 23 April, 14 June 1981 and 19 February 1982. Chief among the matters the Commission dealt with at these Sessions were: the International Conference on Assistance to Refugees in Africa (ICARA); Report of the Eleventh Ordinary Session of the OAU Co-ordinating Committee; Report of the OAU/UNHCR Working Group on the Implementation of the Arusha Conference Recommendations; and the Report of the Sub-Committee of the OAU Commission of Fifteen on Refugees in Africa on the Review of the OAU Co-ordinating Committee.

5. In regard to ICARA, the Commission of Fifteen was closely involved in the preparations that preceded the convening of the Conference on 9 and 10 April 1981 in Geneva, Switzerland. It will be recalled that the Commission was also represented by its Chairman H.E. Mirghani Sulieman Khalil, the Ambassador of the Democratic Republic of the Sudan to Ethiopia, on the OAU high powered delegation that participated in the

Conference. Since then, the Commission's efforts have concentrated on the follow-up of the Conference, especially in relation to the distribution and utilization of the funds realized thereof. In relation to this, the Commission has also dealt with the establishment of ways and means of ensuring, as stated above, that ICARA becomes the initial stage that will lead to the paving of the way for finding more durable solutions to the refugee problem on our continent.

6. One of the routine tasks of the Commission of Fifteen is to consider reports of the OAU Co-ordinating Committee. During the period under review the Commission considered the report of the Eleventh Ordinary Session of the Co-ordinating Committee which was held from 23 to 26 March 1981. The report dealt with, among other things, the activities of the Bureau of Refugees; the activities of the various members of the Co-ordinating Committee; the operational budget of the Bureau of Refugees; the International Conference on Assistance to Refugees in Africa; and the implementation of the Arusha Conference Recommendations. The work of the Co-ordinating Committee which operates in an advisory and co-ordinating capacity is of vital importance to the Commission of Fifteen in drawing up policies on refugee matters, especially in regard to programme of assistance in favour of refugees. The report of the Co-ordinating Committee was adopted by the Commission of Fifteen with all its recommendations (vide Doc. BPEAR/CO-CTEE/48(XI) Rev.1).

7. Due consideration was given to the subject of the implementation of the Arusha Conference Recommendations. The work of the Commission was in this regard guided by two separate ground work reports; one prepared by the Co-ordinating Committee and another by the OAU/UNHCR Working Group on the implementation of Arusha Recommendations. Specific guidelines have been drawn up which aim at helping the OAU Member States, International Organizations and Voluntary Agencies in implementing the said recommendations. Due to the importance which the Commission attaches to these guidelines, it was decided to circulate them to all OAU Member



States for their comments before submitting them to the Council of Ministers for its approval. However, the response from Member States has been poor. Only one member state, the United Republic of Tanzania, has so far reacted to the said documents. The Commission therefore, has requested the OAU General Secretariat to remind those Member States that have not responded to do so as soon as possible.

8. Finally, the Commission addressed itself to the issue of the review of the OAU Co-ordinating Committee. It will be recalled that ever since the successful convening of the Pan-African Conference on the Situation of Refugees, which was held in Arusha, Tanzania, from 7 to 17 May 1979, and the International Conference on Assistance to Refugees in Africa which was held in Geneva, Switzerland, on 9 and 10 April 1981, it has been the concern of the OAU Commission of Fifteen to see to it that the OAU refugee organs are strengthened in order to enable them to grapple with the ever growing refugee problem more effectively. It is in this regard that the OAU Council of Ministers, meeting in its Thirty-Fifth Ordinary Session, in Freetown, Sierra-Leone, from June 18 - 28, 1980, approved the recommendations of the Commission of Fifteen itself to review its composition so as to make it more effective. The composition of the Commission was then reviewed and enlarged from ten to fifteen countries. Similarly, since the beginning of 1979, major steps have been taken by the OAU Secretary-General to strengthen the Bureau of Refugees, so as to enable it to attain its original mandate. The only refugee organ that has not yet been strengthened within the framework of the dynamic nature and character of Africa's refugee scene throughout the seventies has been the OAU Co-ordinating Committee. It is in this light that the Commission of Fifteen, meeting in its Fourteenth Ordinary Session, among other things, decided to review the Co-ordinating Committee, and to change its name to the OAU Co-ordinating Committee on Assistance to Refugees. In like manner, the original name of OAU/BPEAR changed to OAU Bureau of Refugees (BR).

9. In view of the importance of the exercise of reviewing the Co-ordinating Committee, and the need for a systematic and in-depth study of the matter, it was decided that a sub-committee from within the Commission itself be constituted to undertake the exercise and come up with concrete recommendations. The report and recommendations of the sub-committee were adopted by the Commission of Fifteen during the third part of the Fourteenth Ordinary Session held on 19 February 1982 as evidenced by the minutes of the meeting attached to this report.

10. In conclusion, the OAU Commission of Fifteen on Refugees wishes to point out that this report is a summary of the activities of the Commission during the period under review. With special reference to the decision reached, it will be noted that these decisions are aimed at making the OAU refugee organs to grapple with the refugee problems on our continent more effectively.

11. It is, therefore, the ardent hope of the Commission that the 38th Ordinary Session of the Council of Ministers will give due consideration and adopt this report with its recommendations.

MINUTES OF THE FIRST PART OF THE FOURTEENTH ORDINARY  
SESSION OF THE OAU COMMISSION OF FIFTEEN ON REFUGEES  
IN AFRICA HELD AT THE OAU HEADQUARTERS ON 23 APRIL 1981

**I. PARTICIPANTS**

H.E. Ambassador Mirghani Sulieman Khalil (Chairman)	Sudan
H.E. Ambassador Joseph Diatta (Vice-Chairman)	Niger
H.E. Ambassador G Chipampata (Rapporteur)	Zambia
H.E. Ambassador Simon Nkoo Etoungou	Cameroon
H.E. Ambassador S J Mahaka	Zimbabwe
Dr E A Ngara	Zimbabwe
Mr Toko Diakenga Serao	Angola
Mr D A Ahumibe	Nigeria
Mr Joe Kishi	Nigeria
Mr Abbas Osman Elkalifa	Sudan
Mr John M Mwendwa	Tanzania
Mr Leshwange Mbei	Zaire
Mr Zeydi Drame	Mali
Mr Alioune Badara Kebe	Senegal
Mr John T Mamba	Swaziland
Mr William G Naggaga	Uganda
Mr F X Njenga	OAU
Mr Dawit G/Egziabher	"
Dr C J Bakwesegha	"
Dr Solomon Gomez	"
Mr Ngung Mpwotsh	"
Mr I O Mensa-Bonsu	"
Major G Zoula	"
Mrs T S Karumuna	"
Mrs Seynabou Sarr	"
Mr Jean Mfasoni	"
Mr I C Mponzi	"
Mr Mohamed Reddadi	"
Mr Damien Kabanda	"
Mr A W Kishindo	"

OBSERVERS

H.E. Ambassador Melchior Bwakira	Burundi
Mr Mrabet Mohamed	Algeria
Mr C A Bosque-Hamilton	Ghana
Mr Abdel Aziz Dauoud	Egypt
Mr Daniel Kendie	Ministry of Foreign Affairs Ethiopia
Mr Chris Lati	Kenya
Mr Assane Samb	UNHCR
Dr S Awuye	UNHCR

II. OPENING

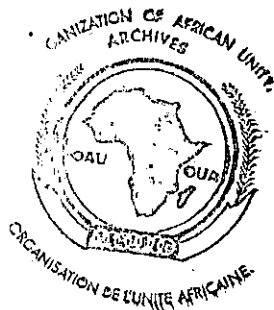
1. The Chairman of the Commission of Fifteen H.E. Mirghani Sulieman Khalil, the Ambassador of the Democratic Republic of the Sudan opened the meeting at 10.30 a.m. by welcoming all the participants. He extended special welcome to the delegates of Angola, Mali and Swaziland who were participating as members of the Commission for the first time.
2. He then invited the participants to consider the adoption of the draft agenda.

III. ADOPTION OF DRAFT AGENDA

1. After some lengthy discussion of the items of the draft agenda, the Commission amended the draft agenda and then adopted it in the following form:

IV. AGENDA

1. Opening
2. Adoption of Draft Agenda
3. Adoption of the Report of the Eleventh Ordinary Session of the OAU/BPEAR Co-ordinating Committee





4. Reports of the OAU/UNHCR Working Group on the Implementation of the Arusha Conference Recommendations
5. Brief on the International Conference on Assistance to Refugees in Africa (ICARA) by the Chairman of the Commission of Fifteen
6. Date and venue of the next Session

However, consideration of item 4 was deferred to the next Session in order to allow adequate time for members to study the relevant documents.

V. ADOPTION OF THE REPORT OF THE ELEVENTH ORDINARY SESSION OF THE OAU/BPEAR CO-ORDINATING COMMITTEE

1. In presenting the report Mr A Samb, the Chairman of the OAU/BPEAR Co-ordinating Committee made a resume of the subject that the Committee discussed. He drew special attention of the Commission to the following major points contained in the report; the revitalization of the BPEAR; the success of the missions of the Commission of Fifteen; the reports of the Co-ordinating Committee and the OAU/UNHCR Working Group on the implementation of the Arusha Conference Recommendations; the convening of ICARA; the programme and the Operational Budget of the BPEAR; and the need for refresher courses for the staff of the BPEAR.
2. Following this the Chairman of the Commission thanked Mr Samb for his comprehensive and brilliant presentation of the report and proceeded to invite the participants to make their comments or questions on the report.

3. A lengthy debate ensued on the following questions:
  - (a) Status and composition of the Co-ordinating Committee;
  - (b) Mandate of the Co-ordinating Committee;
  - (c) The relationship between the Co-ordinating Committee and the Commission of Fifteen; and
  - (d) The relationship between the Operational Budget and Regular Budget and the role of the Advisory Committee in its approval.
  
4. In response to these questions, the Secretariat distributed the Rules of Procedure of the OAU/BPEAR Co-ordinating Committee (Document BPEAR/CO-Cttee/17(VI) Rev.3) and explained that the Co-ordinating Committee was created by the Council of Ministers in 1968 following the recommendations of the Conference on the Legal, Economic and Social Aspects of African Refugee Problems, held in Addis Ababa, in 1967. The representative of the Secretariat added that the Co-ordinating Committee was an advisory body on matters pertaining to African refugees and that its functions do not in any way duplicate those of the Commission. Finally he said that the Co-ordinating Committee meets once every year in an ordinary session and the report of its deliberations and recommendations are then submitted to the Commission for its adoption.
  
5. Following this, the Commission argued that the name of the Co-ordinating Committee (OAU/BPEAR Co-ordinating Committee) is certainly obsolete in view of the recent developments on the African refugee situation, especially the holding of ICARA.

It was suggested that the Committee should be called OAU, UN, UNHCR and Voluntary Organizations Co-ordinating Committee. The Commission strongly felt that whatever new name that is given to the Co-ordinating Committee it should reflect the results of ICARA.

6. In this connection the Commission decided to set up a sub-committee, whose terms of reference are:

- (a) to redefine the functions of the Co-ordinating Committee;
- (b) to review its composition; and
- (c) to give it a new impact in order to enable it to grapple with the refugee situation in Africa.

7. Composition of the Sub-Committee

- a) Bureau of the Commission;
- b) Chairman of the OAU/BPEAR Co-ordinating Committee;
- c) Senegal; and
- d) OAU Secretariat

8. The Sub-Committee was requested to submit the report of its findings to the next Session of the Commission. At this juncture it was agreed to postpone consideration of the report of the Co-ordinating Committee until the Commission received the report of its Sub-Committee.

CM/1171 (XXXVIII)

Annex II

MINUTES OF THE SECOND PART OF THE FOURTEENTH ORDINARY  
SESSION OF THE OAU COMMISSION OF FIFTEEN ON REFUGEES  
IN AFRICA HELD AT THE KENYATTA CONFERENCE CENTRE, NAIROBI  
ON 14th JUNE 1981.

DRAFT MINUTES OF THE SECOND PART OF THE FOURTEENTH  
ORDINARY SESSION OF THE OAU COMMISSION OF FIFTEEN  
ON REFUGEES IN AFRICA HELD AT THE KENYATTA CONF-  
ERENCE CENTRE, NAIROBI ON 14TH JUNE 1981

I. PARTICIPANTS

Sudan	H.E. Ambassador Mirghani Sulieman Khalil (Chairman)
Niger	H.E. Ambassador Joseph Diatta (Vice-Chairman)
Zambia	H.E. Ambassador G. Chipampata (Rapporteur)
Cameroon	Member
Zaire	"
Tanzania	"
Mali	"
Swaziland	"
Algeria	Observer
Burundi	"
Egypt	"
Ethiopia	"
Guinea	"
Morocco	"
Rwanda	"
PATU	"
UNHCR	Mr. Assane Samb Chairman, OAU/BPEAR Coordinating Committee
OAU	Dr. Peter ONU, Assistant Secretary General
OAU/Political Department	Staff

II. OPENING

1. The resumed session of the Fourteenth Ordinary Session of the OAU Commission of Fifteen on Refugees in Africa which took place in Nairobi, on June 14, 1981, was opened by the Chairman of the Commission, H.E. Mirghani Suleiman Khalil, the Ambassador of the Democratic Republic of the Sudan in Addis Ababa, Ethiopia.

2. The Chairman reminded the Commission that the meeting was a continuation of the Fourteenth Session held in Addis Ababa, on April 23, 1981. In view of the time constraint, the Chairman appealed to the Members of the Commission to be brief but constructive in their interventions.

III. ADOPTION OF DRAFT MINUTES OF THE FIRST PART OF THE FOURTEENTH ORDINARY SESSION

The Commission adopted the draft minutes of the first part of the Fourteenth Ordinary Session without amendments. (Document BPEAR/COM/XV/35 (XIV)).

IV. REPORT OF THE SUB-COMMITTEE ON THE OAU/BPEAR COORDINATING COMMITTEE

1. The Chairman recalled the anxiety expressed during the first part of the Fourteenth Ordinary Session of the OAU Commission of Fifteen on Refugees in Africa regarding the relationship between the OAU/BPEAR Coordinating Committee and the Commission of Fifteen which necessitated the appointment of the Sub-Committee made up of the following;

- a) The Bureau of the Commission;
- b) The Chairman of the OAU/BPEAR Coordinating Committee;
- c) Senegal; and
- d) OAU Secretariat.

2. The Chairman informed the Commission that due to reasons beyond control, the Sub-Committee had not been able to meet; but that a prelimi-

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nary meeting on the subject under review had taken place between the Bureau of the Commission and the OAU Assistant Secretary General for Political Affairs. As a result of this meeting two background papers had been prepared by the Secretariat on the issues raised during the first part of the Fourteenth Ordinary Session of the Commission. In view of the fact that it had not been possible for the Sub-Committee to meet, the Commission decided to defer consideration of the item to the next Session.

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

1. The report (Document BPEAR/CO-CTTEE/48(XI) Rev.1), which had been introduced by the Chairman of the OAU/BPEAR Coordinating Committee during the first part of the Fourteenth Ordinary Session of the Commission and had then been discussed at some length, was adopted without any further detailed discussion.

VI. REPORT ON THE OAU/UNHCR WORKING GROUP ON THE IMPLEMENTATION OF THE ARUSHA CONFERENCE RECOMMENDATIONS

1. These reports were introduced by a representative of the UNHCR. In his introduction, the representative appealed to the Commission to give serious consideration to the reports since they contained a lot of legal and other implications pertaining to the welfare of refugees in Africa. Since the reports were so technical, the Commission took note of them and requested the General Secretariat, in the first place, to circulate the reports to all the OAU Member States for their comments.

VII. REPORT ON THE INTERNATIONAL CONFERENCE ON ASSISTANCE TO REFUGEES IN AFRICA

1. The report (Document CM/1130(XXXVIII) Rev.1) was introduced by the OAU Assistant Secretary General for Political Affairs. In his

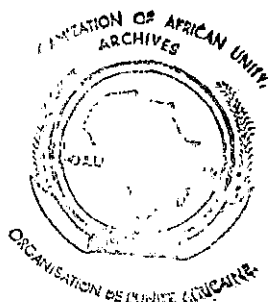
introduction, he highlighted the problems that arose prior to the holding of the Conference as well as the reluctance of some Socialist States to honour the invitation to the Conference. Regarding Israel's participation, he informed the Commission of the circumstances that caused the UN Secretary General to extend invitation to Israel to participate in the Conference. He pointed out, however, that the invitation was issued without prior consultations with the OAU.

2. Of the non-participation of some Socialist Countries in the Conference, the Assistant Secretary General informed the Commission that the Socialist States had argued that since the problem of refugees in Africa was a direct result of colonialism, these States were unable to accept the invitation to the Conference. He further drew the attention of the Commission to the contributions that had been pledged at ICARA, as well as those that were made after the Conference. In this connection, he informed the Commission of Libya's decision to contribute US dollars one million directly to the OAU.

3. The Assistant Secretary General finally pointed out to the Commission that it was not easy for one to envisage exactly how the contributions would be utilized since many countries that had made these contributions had not yet indicated how they wanted their contributions to be used or how they would be channelling them. However, he informed the Commission that the tripartite Committee which had been set up to prepare for the holding of the Conference would continue to exist to work out the modalities pertaining to the utilization of the pledges.

4. Following this a discussion ensued and the Commission expressed the hope that the tripartite Committee would liaise with the countries of asylum in establishing priorities for the disbursement of the funds. The Commission then took note of the report as it was a Conference

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document for the Council of Ministers.

VIII. INVOLVEMENT OF ISRAEL IN REFUGEE WORK IN AFRICA

L. This subject was introduced by the representative of the Sudan who expressed grave concern for the participation of Israel in ICARA. He observed that Israel's participation was a diabolical manoeuvre to come back to Africa through the back door. The Commission rejected the contribution that had been pledged by Israel after the conclusion of ICARA in conformity with the Stand of the Chairman of the African Group as stated in the report of the Secretary General on ICARA (Document CM/1130 (XXXVII) Rev.1).

IX. MORE MISSIONS OF THE SECOND PART OF THE FOURTEENTH  
SELECTED OAU MEMBER STATES

1. The idea of undertaking more missions to some Member States which were not visited last year by the Commission of Fifteen but which were equally affected by the refugee problem was introduced by a Member of the OAU Secretariat. He informed the Commission that the idea had been endorsed by the OAU Council of Ministers in its Thirty-Sixth Ordinary Session last year. The Commission, therefore, reconfirmed the importance of undertaking these missions especially to Southern Africa, and decided to consider the financial implications relating to these missions in consultation with the OAU Advisory Committee on Financial Matters at a later stage.

X. ANY OTHER BUSINESS

1. One observer expressed anxiety regarding the representation of the Northern Part of Africa on the OAU Commission of Fifteen on Refugees in Africa. The Chairman reiterated the eagerness of the Commission to receive the names of the representatives as soon as possible in order to facilitate the work of the Commission.

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VI. BRIEF ON THE INTERNATIONAL CONFERENCE ON ASSISTANCE TO REFUGEES IN AFRICA BY THE CHAIRMAN OF THE COMMISSION OF FIFTEEN

1. In his introduction, the Chairman intimated that he will not at this stage present a detailed report on the subject as this was to be done together with the Secretariat. He then proceeded to underline the following pertinent aspects of the Conference: the objectives; the preparations made; the problems that arose; the proceedings; and the results. In conclusion the Chairman stressed the success of the Conference which raised the total amount of US\$560 million. The participants welcomed the successful conclusion of the Conference and wished to know the arrangements made for receiving funds that some countries had promised to contribute directly to the OAU, and the modalities for distribution and management of the funds.
2. After an exchange of views it was agreed that a discussion on these matters should be postponed until the next Session when the Assistant Secretary-General responsible, Dr. Peter Onu should present a detailed report.

VII. DATE AND VENUE OF NEXT SESSION

1. After some discussion, it was agreed that the Commission should meet again towards the end of May upon confirmation by the Secretariat.

The meeting closed at 12.50 p.m.

CM/1171 (XXXIII)

Annex III

COUNCIL OF MINISTERS

Thirty-Eighth Ordinary Session

22 February - 1st March 1982

Addis Ababa, Ethiopia

MINUTES OF THE THIRD PART OF THE FOURTEENTH ORDINARY  
SESSION OF THE OAU COMMISSION OF FIFTEEN ON REFUGEES HELD  
AT THE OAU HEADQUARTERS, ADDIS ABABA, ON 19 FEBRUARY 1982

MINUTES OF THE THIRD PART OF THE FOURTEENTH ORDINARY  
SESSION OF THE OAU COMMISSION OF FIFTEEN ON REFUGEES HELD  
AT THE OAU HEADQUARTERS, ADDIS ABABA, ON 19 FEBRUARY 1982

I. PARTICIPANTS

H.E. Ambassador J. Diatta	: Vice-Chairman, OAU Commission of Fifteen
H.E. Ambassador G. Chipampata	: Rappoporteur, OAU Commission of Fifteen
H.E. Ambassador Simon Nkdo Etoungou	: Cameroon
Mr. Etoundi Francois	: Cameroon
H.E. Ambassador Allouane Mohammed Lamine	: Algeria
Mr. Delmi Boudgemaa	: Algeria
Mr. Mrabet Mohammed	: Algeria
Dr. E.G. Ngara	: Zimbabwe
Mr. Abbas Osman El Khalifa	: Sudan
Mr. Dan. A. Ahymbe	: Nigeria
Mr. J.M Mwendwa	: Tanzania
Mr. Leshwange Mbei	: Zaire
Mr. Alioune Badara Kebe	: Senegal
Mr. Ibou N'diaye	: Senegal
Mr. William Naggaga	: Uganda
Mr. Kotondi Amadou	: Niger
Mr. F.X. Njenga	: OAU Secretariat
Dr. C.J. Bakwesegha	: OAU Secretariat
Mr. Ngung Mpwotsh	: OAU Secretariat
Mr. I.C. Mponzi	: OAU Secretariat
Mr. Mensa Bonsu	: OAU Secretariat

Mrs. S. Saar	: OAU Secretariat
Mr. J.B. Felli	: OAU Secretariat
Mr. A. Kishindo	: OAU Secretariat
Mr. J. Mfasoni	: OAU Secretariat
Mr. D. Kabanda	: OAU Secretariat
Mrs. T.S. Karumuna	: OAU Secretariat
Mr. M. Raddadi	: OAU Secretariat

#### OBSERVERS

Mr. Assane Samb	: Chairman, OAU Co-ordinating Committee on Assistance to Refugees
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## II. OPENING

1. The Third Part of the Fourteenth Ordinary Session of the OAU Commission of Fifteen on Refugees took place at the OAU Headquarters, Addis Ababa, on Friday 19 February 1982 under the Chairmanship of the Vice-Chairman, H.E. Mr. J. DIATTA, the Ambassador of the Republic of Niger.

2. In his opening statement, the Chairman apologised to the Commission for the absence of H.E. Mirghan Sulieman Khalil, the substantive Chairman and Ambassador of the Democratic Republic of the Sudan due to official commitments back in his country. The following agenda was introduced and adopted without any comments:

## III AGENDA

1. Opening
2. Adoption of the proposed Agenda.
3. Adoption of the Second Part of the Minutes of the Fourteenth Ordinary Session of the OAU Commission of Fifteen on Refugees in Africa.

4. Matters Arising.
5. Report of the Sub-Committee of the OAU Commission of Fifteen on Refugees in Africa.
6. Second International Conference on Assistance to Refugees in Africa.
6. Any Other Business.

IV. REPORT OF THE SECOND PART OF THE FOURTEENTH ORDINARY SESSION OF THE OAU COMMISSION OF FIFTEEN ON REFUGEES IN AFRICA

1. The Chairman appealed to Members of the Commission to be brief in their interventions due to time constraint and since most Members were rather busy in view of the impending 38th ordinary Session of the OAU Council of Ministers. He then called on the Rapporteur to introduce the Minutes of the Second Part of the Fourteenth Ordinary Session of the OAU Commission of Fifteen on Refugees.
2. In his introduction, the Rapporteur remarked that apart from a few typographical errors, the Report was a correct record of what had transpired during the meeting. He asked for any comments that Members may have and after a minor correction on page 5 paragraph 9 which should read "MORE MISSIONS OF THE OAU COMMISSION OF FIFTEEN ON REFUGEES TO SELECTED OAU MEMBER STATES", the Minutes were adopted without further comments.

V. MATTERS ARISING

1. Some Members of the Commission sought clarification from both the Secretariat and the Chairman regarding the proposed missions of the OAU Commission of Fifteen to selected Member States and wanted to know why the said missions were not undertaken.

2. In reply, the Secretariat explained that it was still waiting for responses from the governments of Morocco and Senegal, the two states still to be visited.

3. After a brief discussion, however, the Chairman ruled that the Secretariat should continue with the necessary arrangements to effect these visits in the near future. In addition to the two states, it was agreed upon that the Southern African Member States which were originally not included in the list of selected countries to be visited by the OAU Commission of Fifteen on Refugees in Africa, should be visited as well. This should be done in conformity with the directive of the 36th Ordinary Session of the OAU Council of Ministers (vide Doc. CM/1093 (XXXVI)).

4. In the absence of any further comments on this matter, the Chairman called on the Rapporteur to introduce the next item on the Agenda.

VI. REPORT OF THE SUB-COMMITTEE OF THE OAU COMMISSION OF FIFTEEN ON REFUGEES IN AFRICA

1. The Rapporteur then proceeded to invite the Commission to discuss the Report after a brief resume of the work of the Sub-Committee.

2. The Chairman thanked the Rapporteur for his brief and precise presentation of the Report and in turn explained the criteria the Sub-Committee had in mind when the Report was being prepared. He said these included material and moral assistance as well as legal protection that Members of the Coordinating Committee gave to African refugees. He drew the attention of the Commission to the draft Rules of Procedure of

the OAU/BPEAR Co-ordinating Committee.

3. Several Members of the Commission expressed satisfaction and congratulated the Sub-Committee for their comprehensive and analytical Report.

4. After very lengthy and exhaustive discussion on the Rules of Procedure, various amendments and additions were made to this document. The Report of the Sub-Committee as well as the draft Rules of Procedure were accordingly adopted, (vide Documents BR/CC-CITTEE(17) XI) Rev. 5 and CM/1171(XXXVIII).

VII. SECOND INTERNATIONAL CONFERENCE ON ASSISTANCE TO REFUGEES IN AFRICA

1. On this item, the Chairman called upon the Representative of the Sudan to introduce it since it was included in the Agenda on the instructions of his government. In his introduction, the Representative of the Sudan recalled the proceedings of the 36th Session of the UN General Assembly which was held in New York from September to December 1981 and Draft Resolution AC.3/36/L.56. Rev. 1 introduced by the Representative of Benin, Chairman of the African Group at the UN, calling for the holding of a second International Conference on Assistance to Refugees in Africa to be held in 1983. The Representative of the Sudan also recalled the amended form of the said Resolution (Ref. RES.56/124) which was subsequently adopted by the UN General Assembly on this subject and said it was in the light of this Resolution that his government felt it necessary to bring it to the attention of the Commission of Fifteen for consideration.



2. In reply, the Chairman was of the view that the Democratic Republic of the Sudan as a sovereign country and had every right to bring any item for discussion at any level within the Organization of African Unity (OAU). He felt that since this same item is included on the Agenda to be presented to the 38th Ordinary Session of the OAU Council of Ministers, he invited Members of the Commission merely to take note of the subject and appealed to Members to support the item during the meeting of the Council of Ministers.

3. Some Members expressed anxiety over the final follow-up of the first International Conference on Assistance to Refugees in Africa (ICARA) which was held in Geneva in April 1981 and requested for a briefing from the OAU Secretariat.

4. In reaction to this, the Director of the OAU Political Department disclosed that a meeting of the Steering Committee on ICARA at the level of the OAU/UN/UNHCR took place in Nairobi in February, 1982 to review the position of the distribution and utilisation of the ICARA funds. He further explained that the Report on this meeting would be submitted to the OAU Secretariat in due course. In the absence of the Report, it was decided that discussion on this subject be postponed.

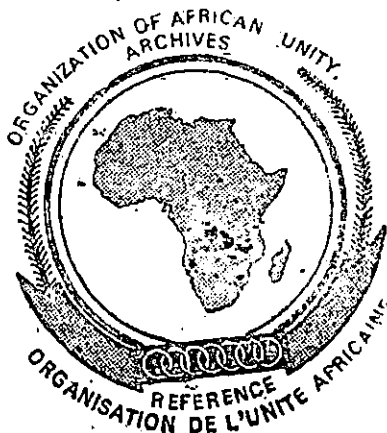
5. In this connection, it was agreed upon to convene another extra-ordinary session of the Commission of Fifteen during the forth coming 38th Session of the OAU Council of Ministers to consider the Report on ICARA together with the Minutes of the 3rd part of the Fourteenth Ordinary Session of the OAU Commission of Fifteen.

VIII. ANY OTHER BUSINESS

1. On this item, the Chairman drew the attention of the Commission of Fifteen to a Note Verbale containing comments of the United Republic of Tanzania on the OAU/UNHCR Working Group Reports on the Implementation of the Arusha Conference Recommendations. He recalled the Second part of the Fourteenth ordinary Session of the Commission of Fifteen which was held in Nairobi in June 1981 during which the Commission directed the OAU Secretariat to transmit the said Reports to all OAU Member States for their comments. He informed the Commission that so far it is only the United Republic of Tanzania that has reacted to the Reports. He therefore, requested the Secretariat to remind all other Member States to submit their comments on these Reports as soon as possible for the consideration of the Commission.

2. The Chairman also drew the attention of the Commission to the pending issue of the representation of the Northern region on the Commission of Fifteen. It was decided that this matter be referred to the 38th Ordinary Session of the OAU Council of Ministers for decision.

3. There being no other business, the meeting came to a close at 1:20 p.m.



COUNCIL OF MINISTERS

Thirty-eighth Ordinary Session

22 February - 1 March 1982

Addis Ababa

CM/1171 (XXXVIII)

Annex IV

RULES OF PROCEDURE OF THE OAU CO-ORDINATING  
COMMITTEE ON ASSISTANCE TO REFUGEES

RULES OF PROCEDURE OF THE OAU CO-ORDINATING COMMITTEE  
ON ASSISTANCE TO REFUGEES

ARTICLE I : C O M P O S I T I O N

The OAU Co-ordinating Committee on Assistance to Refugees, hereinafter referred to as "The Co-ordinating Committee", is an advisory and co-ordinating body comprising representatives of :-

- (a) the General Secretariat of the Organization of African Unity,
- (b) the United Nations High Commissioner for Refugees (UNHCR), the International Labour Organization (ILO), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Economic Commission for Africa (ECA), the United Nations Commission for Namibia (UNCN), the United Nations Education and Training Programme for Southern Africa (UNETPSA), the United Nations Development Programme (UNDP); and any other Organizations within the UN family concerned with refugees,
- (c) Governmental, inter-governmental and non-governmental Organizations who show great interest in the problem of African refugees : the All Africa Conference of Churches/ World Council of Churches, Lutheran World Federation, World University Service, Amnesty International, Caritas Internationalis, Catholic Relief Service, International Council of Voluntary Agencies, Commonwealth Secretariat; and any other Organization or voluntary agency which may at a later stage qualify, and be accepted by the Commission of Fifteen, for membership.

- (d) the Executive Secretariat of the OAU Liberation Committee.

ARTICLE II : A. PERMANENT OBSERVERS

(i) Qualifications

A permanent observer status may be granted to any Organization which has over the years demonstrated in practical terms interest in the activities of the OAU, especially in matters pertaining to the African refugee situation;

- (ii) Application to the Co-ordinating Committee for a permanent observer status shall be communicated before hand through the OAU General Secretariat to the Co-ordinating Committee which shall study and make appropriate recommendations to the OAU Commission of Fifteen on Refugees in Africa, which in turn shall give these applications due consideration;
- (iii) Permanent observers shall not be exempted from provisions laid down in Article XI of the Rules of Procedure of the Co-ordinating Committee.

B. AD HOC OBSERVERS

- (i) An Ad Hoc observer status shall be granted to any OAU Member State where the OAU Co-ordinating Committee may happen to convene for its ordinary or extra-ordinary session.
- (ii) The OAU Secretary-General may, in consultation with the Chairman of the Co-ordinating Committee, grant an Ad Hoc observer status for only one session to any State or

Humanitarian organization for reasons which in the opinion of the Secretary-General warrant the presence of such a State or organization.

C. The Committee may allow such Ad Hoc observers to :

- (i) make a written or oral statement on a matter which falls within their field of competence;
- (ii) reply to any questions posed by the Committee or any member of the Committee.

ARTICLE III : DUTIES

The duties of the Co-ordinating Committee in the field of refugees shall be :

- (a) to advise the OAU Bureau of Refugees on general policy;
- (b) to co-ordinate the efforts of member organizations in order to enable the OAU Bureau of Refugees to discharge its duties as efficiently as possible;
- (c) to assist the OAU Bureau of Refugees in drawing up and implementing its programmes;
- (d) to examine the activity reports of the OAU Bureau of refugees; and
- (e) to participate in preparing the operational budget of the Bureau of Refugees.

ARTICLE IV:

WORKING GROUP

Members of the Co-ordinating Committee resident in Addis Ababa shall form the Working Group which shall assist the OAU Bureau of Refugees in its normal activities and meet on an Ad Hoc basis on the request of the Director of the Bureau in consultation with the Chairman or Vice-Chairman of the Co-ordinating Committee.

ARTICLE V:

SECRETARIAT

The OAU Bureau of Refugees shall be responsible for the Secretariat of the Committee and shall ensure translation, printing and distribution of documents, reports etc..., as well as any other tasks assigned to it by the Committee.

ARTICLE VI:

Invitations to meetings shall be sent at least one month before the meeting.

ARTICLE VII:

ORDINARY SESSIONS

The Co-ordinating Committee shall meet at least once a year.

ARTICLE VIII:

EXTRA-ORDINARY SESSIONS

At the request of any member of the Committee or the Director of the OAU Bureau of Refugees after consultation with, and the approval of, the Chairman or in his absence the Vice-Chairman of the Co-ordinating Committee, the latter shall meet in an extra-ordinary session, subject to approval by simple majority of its members.

ARTICLE IX:

PLACE OF MEETING

The Co-ordinating Committee's ordinary sessions shall be held at the Headquarters of the Organization of African Unity or at any other venue proposed by the OAU General Secretariat.

ARTICLE X:ELECTION OF OFFICERS AND DURATION OF  
TERM OF OFFICE

At the opening of each ordinary session, the Committee shall elect by a simple majority, a Chairman, Vice-Chairman and Rapporteur whose term of office shall expire at the opening of the next ordinary session.

ARTICLE XIEXPULSION

Any member Organisation whose activities are proved beyond doubt to be incompatible with the interests and objectives of the OAU shall forthwith be expelled from the membership of the Co-ordinating Committee by the Commission of Fifteen on Refugees on the recommendation of the Co-ordinating Committee.

ARTICLE XII:QUORUM

The quorum for the opening of all meetings shall be made up of one-third of the permanent members of the Committee. All decisions shall be made by a simple majority of the members present.

ARTICLE XIII:RECOMMENDATIONS

The OAU General Secretariat, in consultation with the officers of the Committee, shall draw up a list of recommendations of the Committee's meetings to be submitted for adoption to the OAU Commission of Fifteen on Refugees in Africa. The Committee's recommendations shall be made by consensus or by simple majority of members present and voting.

ARTICLE XIV:ENTRY INTO FORCE

The present Rules of Procedure shall enter into force on their adoption by the OAU Council of Ministers.





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