

**ORGANIZATION OF  
AFRICAN UNITY**

**SECRETARIAT  
P. O. Box 3243**

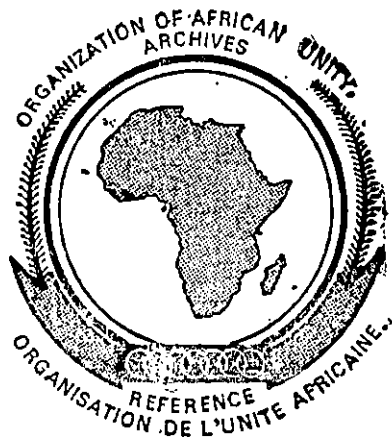
**ADDIS ABABA**

**ORGANISATION DE L'UNITE  
AFRICAINNE**

**SECRETARIAT  
B. P. 3243**

CM/134

REPORT ON THE THIRD MEETING OF LEGAL EXPERTS  
OF THE OAU AD HOC COMMISSION ON THE PROBLEM OF  
REFUGEES HELD IN AFRICA HALL, ADDIS ABABA  
FROM 12TH TO 16TH SEPTEMBER, 1966.



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FROM 12TH TO 16TH SEPTEMBER, 1966.

The meeting was declared open at 4.30 p.m. on Monday 12th September, 1966, by the Chairman of the Second Session, His Excellency Mr. Joseph Albert Kabemba, the Ambassador of the Democratic Republic of Congo to Ethiopia and leader of the delegation of Congo-Kinshasa.

2. After welcoming the delegates, the chairman declared that the Problem of Refugees was one of the most serious problems of our time. It was for that reason that the Heads of State and Government adopted Resolution AHG/Res.26 at Accra on 24 October 1965 asking Member States of the Ad Hoc Commission on the problem of Refugees to provide Legal Experts at the highest level to re-examine once again the Draft Convention which was prepared in Kampala in December 1964 and later revised in Kinshasa in July 1965. The third meeting of the Legal Experts was therefore a very important one and so, delegates should elect somebody quite capable and very knowledgeable on the problem of refugees as chairman of the session,

3. The Delegate of Cameroon, Mr. Etian Elleih Elle, thanked the chairman for the able way in which the work of the Committee was handled in Kinshasa in 1965. He then proposed that the leader of the Ghana Delegation, His Excellency Mr. E.M. Debrah, who was the Doyen of the African Diplomatic Corps in Addis Ababa, should be the chairman of the meeting. The proposal was seconded by the Delegate of Nigeria. Ambassador Debrah was then elected unanimously.

4. In assuming the chair, Ambassador Debrah thanked the Delegates of Cameroon and Nigeria for his nomination and the Committee as a whole for his election. He observed that since that was the third time that the Committee was considering the same problem, it was imperative that on that occasion, they should succeed in producing a liberal and acceptable Convention.

When the Agenda of the meeting had been adopted, the Chairman invited the Assistant Secretary General, His Excellency Mr. Mohamed Sahnoun to make his opening address to the meeting.

5. After welcoming the delegates on behalf of the Administrative Secretary-General, Mr. Sahnoun spoke of the political situation in Africa which had given rise to the refugee problem. He asked the Committee to follow the important example set by the Assembly of Heads of State and Government at Accra in making a clear-out distinction between the problem of subversion and the main problem of refugees. He also advised the Committee that the African Convention must not only respect the elementary principles of human rights and ensure greater humanitarian treatment of refugees but must also lead to greater unity and harmony among African states in dealing with the refugee problem by taking into account the stark realities in Africa today. The full text of Mr. Sahnoun's address forms Annex III to this report.

6. The Committee then proceeded to review the Kinshasa Draft Convention. The Delegate of Ghana presented a draft amendment to the Preamble which clearly made a distinction between refugees and subversive elements. After considerable discussion the new text of the Preamble was adopted. During discussions on the provisions of the Convention, the Secretariat proposed the addition of two new articles concerning "Asylum" and "Repatriation". This was accepted. Later on, the final text of the whole convention was adopted unanimously.

7. The Delegate of Cameroon then presented a Draft Recommendation on the exemption of recognized freedom fighters from certain provisions of the Draft Convention. The Recommendation, which was adopted, forms Annex V to this report.

8. The Committee of Legal Experts held eight sessions between Monday 12th and Friday 16th September, 1966.

9. The meetings were attended by delegates from Burundi, Cameroon, The Democratic Republic of Congo, Ghana, Nigeria, Sudan, Tanzania and Uganda. Only Rwanda and Senegal were absent. The United Nations High Commissioner for Refugees was represented by Mr. P.M. Moussalli who attended as an observer.

10. The meeting did not discuss item 5 on the Agenda concerning the problems of refugees in general. In his closing remarks, the Chairman suggested that a full meeting of the Ad Hoc Commission should be convened just before or during the forthcoming meeting of the Council of Ministers in November to discuss the problem in detail. Such a meeting would be able to make ~~recomm~~endations to the Council of Ministers on the role that the OAU could play in finding a solution to the problem and would also approve the Draft Convention for presentation to the Assembly of Heads of State and Government in accordance with Resolution AHG/Res.26. This was agreed by the Committee. The final session ended at 8:15 p.m. on Friday 16th September, 1966.

ANNEX I

MESSAGES RECEIVED FROM THE GOVERNMENTS OF  
RWANDA AND SENEGAL

"SECRETARY GENERAL OAU ADDISABABA ETHIOPIA

N° 2348/4110 BECAUSE OF DELAY IN RECEIVING INVITATION TO  
ATTEND MEETING OF 12 SEPTEMBER OF THE REFUGEE COMMISSION  
COMA RWANDA GOVERNMENT UNABLE TO SEND LEGAL EXPERTS TO  
THIS MEETING STOP WOULD BE GRATEFUL TO RECEIVE SUMMARY  
RECORDS OF MEETING AND TEXTS OF DECISIONS STOP HIGHEST  
CONSIDERATION FULLSTOP"

MINICOOP

"SENEGAL EMBASSY AT ADDISABABA

NR 915 FOLLOWING YOUR TELEX 871 REGRET TO INFORM GENERAL  
SECRETARIAT OAU THAT BECAUSE OF CIRCUMSTANCES BEYOND ITS  
CONTROL SENEGAL UNABLE TO BE REPRESENTED AT MEETING OF  
LEGAL EXPERTS OF REFUGEE COMMISSION SCHEDULED 12 SEPTEMBER

MINAFETRANG." End of quotation

ANNEX II

MEETING OF LEGAL EXPERTS OF THE OAU AD-HOC  
COMMISSION ON THE PROBLEM OF REFUGEES IN AFRICA ON  
12TH SEPTEMBER 1966, IN ADDIS ABABA

AGENDA

1. Election of Officers.
2. Adoption of the Agenda.
3. Secretary-General's address
4. Review of the Draft Convention on the Status of Refugees.
5. Problems of Refugees in general.

## ANNEX III

AN ADDRESS DELIVERED BY THE  
ASSISTANT SECRETARY-GENERAL H.E. MR. MOHAMED SAHNOUN  
AT THE MEETING OF LEGAL EXPERTS OF THE OAU AD HOC COMMISSION  
ON THE PROBLEM OF REFUGEES WHICH TOOK PLACE IN AFRICA HALL  
ADDIS ABABA, ON MONDAY, 12th SEPTEMBER, 1966.



Mr. Chairman,  
Distinguished Delegates,

It gives me great pleasure to welcome you on behalf of the Administrative Secretary-General, His Excellency Mr. Diallo Telli and my other colleagues to this Third Meeting of Legal Experts of the OAU ad-hoc Commission on the problem of refugees in Africa.

The refugee situation in Africa is a new experience. It is an acute and serious problem giving rise to many difficulties and complexities. No one can deny that Africa, like other continents has always known population movements. But the new migrants with which we are concerned are running away from something rather than moving on on the spur of the moment and aspiration for a better life in a new country or stirred by a spirit of adventure to seek new horizons and new lands.

To-days migrants are people beset by fear for their lives, liberty and properties. They are real refugees and displaced persons who have been forced by circumstances beyond their control to leave their own country because of new regimes, new economic and political situations and new frontiers with which their former way of life and security become untenable.

Because of the political and social origin of this new problem and the political implications which it may have as a source of friction between states and between different classes of people, tribal groups or races within a particular territory, it is often easy to confuse the main refugee problem with the problem of subversion among States. It is therefore imperative that distinctions must be made between various categories of people, such as fugitives from justice who have committed crimes in their own country, fugitives from oppression, persecution or unrest suffered under a colonial regime and those who, because of the conditions obtaining within their country flee from one independent African country to another. To classify all these people as refugees will certainly be unjust and to treat them in the same way will be a sad mistake which may give rise to many complications.

The frank and long discussion on this problem during the Second Ordinary Session of the Assembly of Heads of State and Government at Accra in October 1965 showed that African States were deeply concerned about the refugee situation in Africa. Moreover, by issuing a Declaration on the problem of subversion which was quite distinct from the Resolution adopted on the general problem of refugees, the Assembly succeeded in eliminating the latent confusion by making a clear-cut division between the two problems.

It was clearly recognized that although the two problems were inter-related, they must, however, be treated separately in order to find an increasingly satisfactory solution after taking full account of their various and different implications.

It is for this reason that it was finally decided that the OAU Commission on Refugees should provide legal experts at the highest level to re-examine the draft convention on the refugee problem having regard to the views expressed by the various delegates at that Assembly.

Your Commission therefore has been charged with the important task of producing an acceptable African Convention or regional instrument which will guarantee the legal protection of these refugees, and also serve as a worthy contribution or complement to the international instrument on this problem.

Two attempts have already been made to draw up an OAU Convention on the problem of refugees. The first draft prepared in Kampala in 1964 was again revised in July 1965 in Congo-Kinshasa and can now be referred to as the Kinshasa Draft. But even the Kinshasa Draft has not met with the full approval of Member States.

It must be borne in mind that a large number of African States have adhered to the United Nations Convention on the Status of Refugees signed in 1951. Nevertheless, there is still a great need for an African instrument which will not duplicate the provisions of the International Convention but will, in fact, take into consideration the new situations

in Africa which were not anticipated in 1951 and therefore not provided for in the International Convention. The African Convention which you have been called upon to prepare must therefore not only respect the elementary principles of human rights and the individual rights of peoples to freedom and to the means of livelihood wherever they may be in Africa, but must also take into account the stark realities in Africa to-day.

While the Convention must ensure greater humanitarian treatment of refugees in their country of asylum and increased improvement in their living conditions, it must, at the same time, lead to greater unity and harmony among African States and even co-operative efforts between the countries involved in order to ensure a peaceful settlement of these refugees in the countries of asylum or a voluntary repatriation to their own country of origin.

Mr. Chairman, although this meeting has been asked solely to review the draft convention already prepared, it may be necessary later to ask the meeting to consider the general problem of refugees in Africa to-day and to make some recommendations on the role that the OAU must play in solving this problem. This is because it is not enough to draw up only a set of rules for the legal protection of refugees and a code of treatment of refugees by various States. It is even more essential that serious consideration must also be given to the practical problems with which the refugees themselves are faced and to the great burden which the countries of asylum have to shoulder in providing relief and support for refugees in their country.

I sincerely wish your Committee every success in your deliberations and hope that your efforts will lead to a happy solution to this important human problem facing Africa to-day.

ANNEX IV

DRAFT CONVENTION RELATING TO THE STATUS OF REFUGEES IN AFRICA

PREAMBLE

We the Heads of State and Government assembled in the city of

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Noting with concern the existence of the growing numbers of refugees in Africa and desirous of finding ways and means of alleviating their misery and suffering as well as providing them with a better life and future,

Recognizing the need for an essentially humanitarian approach towards solving the problems of refugees,

Aware, however, that the refugee problems are a source of friction among several member-states, and desirous of eliminating such discord,

Anxious to make a distinction between a refugee who seeks a peaceful and normal life and a person fleeing his country in order to subvert it from outside,

Determined that the activities of such subversive elements should be discouraged, in accordance with the Declaration on the Problem of subversion and the Resolution on the Problem of Refugees adopted at Accra in 1965,

Conscious that the Charter of the United Nations and the Universal Declaration of human Rights have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,

Considering that the Member States should coordinate and harmonize their general policies and grant refugees minimum legal rights,

Convinced that the efficiency of the measures recommended by the present Convention to solve the problem of refugees in Africa necessitates close and continuous collaboration between the Organization of African Unity and the United Nations High Commission for Refugees.

Have agreed as follows:

CHAPTER I  
GENERAL PROVISIONS

Article I  
Definition

1. For the purposes of this Convention the term "refugee", shall mean every person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or, owing to such fear is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear is unwilling to return to it.
2. In the case of a person who has more than one nationality the term "a country of which he is a national" shall mean each of the countries of which he is a national and a person shall not be deemed to be lacking the protection of the country of which he is a national if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.
3. This Convention shall cease to apply to any refugee under this Convention if:
  - (a) he has voluntarily re-availed himself of the protection of the country of his nationality, or
  - (b) having lost his nationality he has voluntarily re-acquired it, or
  - (c) he has acquired a new nationality, and enjoys the protection of the country of his new nationality; or
  - (d) he has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution.

- (e) he can no longer, because the circumstances in connection with which he was recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality;
  - (f) he has committed a serious non-political crime outside his country of refuge after his admission to that country as a refugee;
  - (g) he has seriously infringed the purposes and objectives of this Convention.
4. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that;
- (a) He has committed a crime against peace, a war crime, or a crime against humanity as defined in the international instruments drawn up to make provision in respect of such crimes;
  - (b) He has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
  - (c) He has been guilty of acts contrary to the purposes and principles of the Organization of African Unity;
  - (d) He has been guilty of acts contrary to the purposes and principles of the United Nations.

General Obligations

Article II

Asylum

1. Member States shall use their best endeavours consistent with their laws and constitutions to receive all refugees and to secure the settlement of those refugees who, for well-founded reasons, do not want to return to their country of origin or nationality.

2. The grant of asylum to refugees is a peaceful and humanitarian act and shall not be regarded as an unfriendly act by any Member State.
3. No person shall be subjected by a Member State to measures such as rejection at the frontier, return or expulsion, which would compel him to return to or remain in a territory where his life, physical integrity or liberty would be threatened for the reasons set out in Article 1, paragraph 1.
4. Where a Member State finds difficulty in continuing to grant asylum to refugees, other Member States shall consider, in a spirit of African solidarity and international co-operation, appropriate measures to lighten the burden of the Member State granting asylum.
5. Where a refugee has not received the right to reside in any country of asylum, he shall have a prior claim to temporary residence in any country of asylum in which he first presented himself as a refugee pending arrangement for his resettlement in accordance with Article II, paragraph 4.
6. Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order. He shall also abstain from any subversive activities against any state whatsoever.

### Article III

#### Prohibition of Subversive Activities

Member States shall undertake to prohibit refugees residing in their respective territories, from attacking any Member State of the Organization of African Unity either through press or radio, with arms or through any other activities which may cause tension between the Member States.

### Article IV

#### Non-Discrimination

Member States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.

Article V

Religion

Member States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practice their religion and freedom as regards religious education for themselves and for their children.

Article VI

Rights Granted apart from this Convention

Nothing in this Convention shall be deemed to impair any rights and benefits granted by a Member State to refugees apart from this Convention.

Article VII

The term "in the same circumstances"

For the purpose of this Convention, the term "in the same circumstances" means that any requirements (including requirements as to length and conditions of sojourn or residence) which the particular individual would have to fulfil for the enjoyment of the right in question, if he were not a refugee, must be fulfilled by him, with the exception of requirements which by their nature a refugee is incapable of fulfilling.

Article VIII

Exemption from Exceptional Measures

With regard to exceptional measures which may be taken against the person, property or interests of nationals of a foreign State, the Member State shall not apply measures to a refugee who is formally a national of the said State solely on account of such nationality. Member States, which under their legislation, are prevented from applying the general principle expressed in this article, shall, in appropriate cases, grant exemptions in favour of such refugees.

Article IX

Provisional Measures

Nothing in this Convention shall prevent a Member State, in time of war or other grave and exceptional circumstances, from taking provisional measures which it considers to be essential to its national security



in respect of a particular person, pending a determination by the Member State that that person is in fact a refugee and that the continuance of such measures is necessary in his case in the interests of national security.

Article X

Residence Prior to this Convention

Where for reasons and circumstances set out in Article 1 of this Convention an individual has been residing in the territory of a Member State prior to the date of entry into force of this Convention, subject to the provisions of Article 1 of this Convention, such period of residence shall be considered to have been lawful residence within the territory of a Member State, and such an individual shall be considered a refugee within the terms of this Convention; provided that the rights and benefits accorded to such a refugee by virtue of this Convention shall not have any retroactive effect.

Article XI

Refugee Seamen

In the case of refugees regularly serving as crew members on board a ship flying the flag of a Member State, that State shall give sympathetic consideration to their settlement on its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their settlement in another country.

CHAPTER II

TREATMENT

Article XII

Personal Status

1. The personal status of a refugee shall be governed either by the law of the country of his domicile or if he has no domicile, by the law of the country of his habitual residence.

2. Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage and inheritance, shall be respected by a Member State subject to compliance, if this be necessary with the formalities required by the law of that State, provided that the right in question is one which would have been recognized by the law of that State had he not become a refugee.

#### Article XIII

##### Movable and Immovable Property

Member States shall accord to a refugee treatment as favourable as possible and, in any event not less favourable than that accorded to aliens generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and immovable property.

#### Article XIV

##### Artistic Rights, and Industrial Property

In respect of the protection of industrial property, such as inventions, designs or models, trade marks, trade names, and rights in literary, artistic and scientific works, a refugee shall be accorded in the country in which he has his habitual residence the same protection as is accorded to nationals of that country. In the territory of any other Member State, he shall be accorded the same protection as is accorded in that territory to nationals of the country in which he had his habitual residence.

#### Article XV

##### Right of Association

As regards non-political and non-profit making associations and trade unions the Member States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances in accordance with the laws of the Member States.

Article XVI  
Access to Courts

1. A refugee shall have free access to the courts of law in the territories of all Member States.
2. A refugee shall enjoy in the Member State in which he has his habitual residence the same treatment as a national in matters pertaining to access to the Courts, including legal assistance and exemption from cautio judicatum solvi.
3. A refugee shall be accorded in the matters referred to in paragraph 2 in countries other than that in which he had his habitual residence the treatment granted to a national of the country of his habitual residence.

CHAPTER III

OCCUPATION

Article XVII

Wage-Earning Employment and Self-Employment

Member States shall accord to refugees lawfully staying in their territories the most favourable treatment as that accorded to nationals of a foreign country, and where circumstances permit, restrictive measures imposed on aliens or on the employment of aliens, for the protection of the national labour market, shall not be applied to refugees as regards the right to engage in wage-earning employment or on their own account, in agriculture, industry, handicrafts and commerce and to establish commercial and industrial enterprise.

Article XVIII

Liberal Professions

Each Member State shall accord to refugees, lawfully staying in their territory, who hold academic or professional qualifications recognized by the competent authorities of that State, and who are desirous of practicing a liberal profession, the most favourable treatment as that accorded to nationals of a foreign country.

CHAPTER IV  
Administrative Formalities  
Article XIX  
Identity Papers

Member States shall issue to refugees in their territories standard identity papers in accordance with the Schedule to this Convention.

Article XX  
Travel Documents

1. Subject to Article 3, Member States shall issue to refugees lawfully staying in their territories travel documents in accordance with the Schedule to this Convention for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require. Member States may issue such a travel document to any other refugee in their territories; they shall in particular give sympathetic consideration to the issue of such travel documents to refugees in their territories who are unable to obtain a travel document from the countries of their lawful residence.
2. Travel documents issued to refugees under previous international agreements by parties thereto shall be recognized and treated by Member States in the same way as if they had been issued pursuant to this article.

Article XXI  
Fiscal Charges

1. Member States shall not impose upon the refugees duties, charges or taxes, of any description whatsoever, higher than those which are or may be levied on their nationals in similar situations.
2. Nothing in the above paragraph shall prevent the application to refugees of the laws and regulations concerning charges in respect of the issue to aliens of administrative documents including identity papers and a visa for these papers.

Article XVIII  
Transfer of Assets

1. Member States shall, in conformity with their laws and regulations, permit refugees to transfer assets, which they have brought into their territory, to another country where they have been admitted for the purpose of resettlement.
2. Member States shall give sympathetic consideration to the application of refugees for permission to transfer assets which are necessary for their resettlement in another country to which they have been admitted.

Article XXIII  
Refugees unlawfully in the Country of Refuge

1. Member States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorization, provided they present themselves at the first available opportunity to the authorities.
2. Member States shall not apply to the movement of such refugees restrictions other than those which are necessary and such restrictions shall not be applied until their status in the country is regularized or they obtain admission into another country. Member States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Article XXIV  
Repatriation

1. No refugee shall be repatriated against his will.
2. In examining the question of repatriation of refugees, appropriate arrangements shall be made by the Member State which has granted them asylum for ascertaining the free will to return of the person concerned, and, in co-operation with the country of origin, shall make adequate arrangements for the safe return of the refugees.

3. The country of origin of refugees shall receive the refugees who have expressed the free will to return to their own country, shall facilitate their resettlement and grant them the full rights and privileges like other nationals of their country.
4. A public declaration shall be made by the Government of the country of origin that refugees who willingly decide to return to their own country shall in no way be penalized for having left their country for any of the reasons set out in Article I paragraph 1 of this Convention.

#### Article XXV

##### Expulsion

1. Member States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.
2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.
3. Member States shall allow such a refugee a reasonable period within which to seek legal admission into another country. Member States reserve the right to apply during that period such internal measures as they may deem necessary.

#### Article XXVI

##### Naturalization

Member States may, as far as possible, facilitate the assimilation and naturalization of refugees.

CHAPTER VI  
EXECUTORY AND TRANSITORY PROVISIONS

Article XXVII

Co-operation of the National Authorities with the  
Organization of African Unity

In order to enable the Administrative Secretary-General of the Organization of African Unity to make reports to the competent organs of the Organization of African Unity, Member States undertake to provide the Secretariat in the appropriate form with information and statistical data requested concerning:

- (a) the condition of refugees,
- (b) the implementation of this Convention and
- (c) laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article XXVIII

Co-operation with the United Nations High Commission for Refugees

1. Member States shall co-operate with the United Nations High Commission for Refugees.
2. In accordance with Resolution AHG/Res.26, Member States shall, save as herein provided, apply as far as practicable the provisions of the U.N. Convention of 28 July 1951 relating to the status of refugees irrespective of the dateline and of any geographical limitation.

Article XXIX

Settlement of Disputes

Any dispute between parties to this Convention relating to its interpretation or application, which cannot be settled by other means, shall be referred to the Mediation, Conciliation and Arbitration Commission of the Organization of African Unity, at the request of any one of the parties to the dispute.

CHAPTER VI

FINAL CLAUSES

Article XXX

Signature and Ratification

1. This Convention is open for signature to all Member States of the Organization of African Unity and shall be ratified by Member States in accordance with their respective constitutional processes.
2. The original instrument done if possible in African languages in English and French, all texts being equally authentic, should be deposited with the Administrative Secretary-General of the Organization of African Unity.
3. The instruments of ratification shall be deposited with the Administrative Secretary-General of the Organization of African Unity.

Article XXXI

Adhesion and Accession

Any independent Sovereign African State, member of the Organization of African Unity, may at any time notify the Administrative Secretary-General of its adhesion or accession to this Convention.

Article XXXII

Entry into force

This Convention shall come into force as of the day of deposit of the instrument of ratification by two-thirds of the Member States of the Organization of African Unity.

Article XXXIII

Denunciation

1. Any Member State may denounce this Convention at any time by a notification addressed to the Administrative Secretary-General of the Organization of African Unity.



2. Such denunciation shall take effect for the Member State concerned one year from the date upon which it is received by the Administrative Secretary-General of the Organization of African Unity.

Article XXXIV  
Amendment

This Convention may be amended or revised if any Member State makes a written request to the Administrative Secretary-General to that effect; provided that the proposed amendment is not submitted to the Assembly of Heads of State and Government for consideration until all Member States have been duly notified of it and a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two-thirds of all the Member States.

Article XXXV

Notifications by the Administrative Secretary-General of the  
Organization of African Unity

The Administrative Secretary-General of the Organization of African Unity shall inform all Members of the Organization:

- (a) Of signatures and ratifications in accordance with Article 30.
- (b) Of adhesion and accession in accordance with Article 31.
- (c) Of entry into force in accordance with Article 32.
- (d) Of denunciations in accordance with Article 33.
- (e) Of requests for amendment in accordance with Article 34.

IN FAITH WHEREOF, WE the Heads of African State and Government have signed this Convention.

DONE in the city of .....  
this ..... day of ..... 19.....

ANNEX V

RECOMMENDATION

The Ad-hoc Committee of Legal Experts of the OAU Commission on refugees meeting in Addis Ababa (Ethiopia) from the 12th to 16th of September 1966.

Considering that parts of the African Continent are still suffering from injustice and oppression as a result of colonialism and racism;

Aware that liberty and peace are indivisible and that no African can fully enjoy liberty and peace so long as any part of Africa suffers from painful racial and colonial domination;

Considering that the Heads of State and Government of the Organization of African Unity have recognized the legitimacy of the struggle against racist regimes and foreign domination in Africa and that efforts are being made by the Co-ordinating Committee for the Liberation of Africa to encourage such action;

Considering further that Freedom Fighters are refugees in accordance with Article I of the Convention on the Status of Refugees in Africa and as such should come under the jurisdiction of the said Convention;

Recommends that the Assembly of Heads of State and Government of the Organization of African Unity;

1. Consider that Article I paragraphs 3, 4 and Article II paragraph 6 of the Convention in the Status of Refugees in Africa should not apply to the legitimate action conducted by the Freedom Fighters against colonialism and racism in Africa;
2. Decide, in order to reconcile the legitimate action of the Freedom Fighters with these said provisions of the Convention on refugees in Africa, the adoption of a special Article between Articles I and II which would read as follows:

Article II: Refugees recognized as Freedom Fighters by the OAU Co-ordinating Committee for the Liberation of Africa shall pursue their struggle against colonialism and racism notwithstanding the provisions of Article I paragraphs 3 and 4 and Article II paragraph 6 of the said Convention.

IDENTITY CARD NO...../.....

PARTICULARS :-

1. Surname: MR, MRS or MISS \_\_\_\_\_
2. Other Names \_\_\_\_\_
3. Maiden Name \_\_\_\_\_
4. Name of Father \_\_\_\_\_
5. Name of Mother \_\_\_\_\_
6. Marital Status \_\_\_\_\_
7. Name of Spouse \_\_\_\_\_
8. Place and Date of Birth \_\_\_\_\_
9. Country of Origin \_\_\_\_\_
10. Nationality \_\_\_\_\_
11. Country of domicile or residence \_\_\_\_\_

P h o t o

Delivered at \_\_\_\_\_ on the 19 \_\_\_\_\_

Signature or Mark of  
Bearer.

Issued under Article 19  
(This document is not transferable).

ANNEX VII

SCHEDULE

Paragraph 1

1. The travel document referred to in article 21 of this Convention shall be similar to the specimen annexed hereto.

2. The document shall be made out in at least two languages, one of which shall be English or French.

Paragraph 2

Subject to the regulations obtaining in the country of issue, children may be included in the travel document of a parent or, in exceptional circumstances, of another adult refugee.

Paragraph 3

The fees charged for issue of the document shall not exceed the lowest scale of charges for national passports.

Paragraph 4

Save in special or exceptional cases, the document shall be made valid for the largest possible number of countries.

Paragraph 5

1. The document shall have a validity of either one or two years, at the discretion of the issuing authority.

Paragraph 6

1. The renewal or extension of the validity of the document is a matter for the authority which issued it, so long as the holder has not established lawful residence in another territory and resides lawfully in the territory of the said authority. The issue of a new document is, under the same conditions, a matter for the authority which issued the former document,

2. Diplomatic or consular authorities, specially authorized for the purpose, shall be empowered to extend, for a period not exceeding six months, the validity of travel documents issued by their Governments.

2. The Member States shall give sympathetic consideration to renewing or extending the validity of travel documents or issuing new documents to refugees no longer lawfully resident in their territory who are unable to obtain a travel document from the country of their lawful residence.

#### Paragraph 7

Member States shall recognize the validity of the documents issued in accordance with the provisions of Article 21 of this Convention.

#### Paragraph 8

The competent authorities of the country to which the refugee desires to proceed shall, if they are prepared to admit him and if a visa is required, affix a visa on the document of which he is the holder.

#### Paragraph 9

1. Member States undertake to issue transit visas to refugees who have obtained visas for a territory of final destination.

2. The issue of such visas may be refused on grounds which would justify refusal of a visa to any alien.

#### Paragraph 10

The fees for the issue of exit, entry or transit visas shall not exceed the lowest scale of charges for visas on foreign passports.

#### Paragraph 11

When a refugee has lawfully taken up residence in the territory of another Member State, the responsibility for the issue of a new document, under the terms and conditions of article 21, shall be that of the competent authority of that territory, to which the refugee shall be entitled to apply.

Paragraph 12

The authority issuing a new document shall withdraw the old document and shall return it to the country of issue, if it is stated in the document that it should be so returned; otherwise it shall withdraw and cancel the document.

Paragraph 13

1. Each Member State under-takes that the holder of a travel document issued by it in accordance with article 21 of this Convention shall be readmitted to its territory at any time during the period of its validity.

2. Subject to the provisions of the preceding subparagraph, a Member State may require the holder of the document to comply with such formalities as may be prescribed in regard to exit from or return to its territory.

3. Member States reserve the right, in exceptional case, or in cases where the refugee's stay is authorized for a specific period, when issuing the document, to limit the period during which the refugee may return to a period of not less than three months.

Paragraph 14

Subject only to the terms of paragraph 13, the provisions of this Schedule in no way affect the laws and regulations governing the conditions of admission to, transit through, residence and establishment in, and departure from, the territories of the Member States.

Paragraph 15

Neither the issue of the document nor the entries made thereon determine or affect the status of the holder, particularly as regards nationality.

Paragraph 16

The issue of the document does not in any way entitle the holder to the protection of the diplomatic or consular authorities of the country of issue, and does not confer on these authorities a right of protection,

ANNEX VIII

Specimen Travel Document

The document will be in booklet form (approximately 15 x 10 centimetres).

It is recommended that it be so printed that any erasure or alteration by chemical or other means can be readily detected, and that the words "OAU Convention on the Status of Refugees" be printed in continuous repetition on each page, in the language of the issuing country.

(Cover of booklet)

TRAVEL DOCUMENT

(OAU Convention on Status of Refugees)

No.....

(1)

TRAVEL DOCUMENT

(OAU Convention on Status of Refugees)

This document expires on.....  
unless its validity is extended or renewed.

Name.....

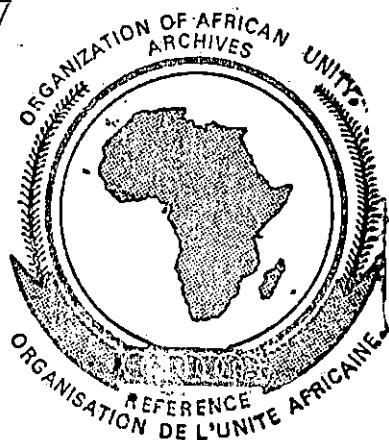
Forename(s).....

Accompanied by ..... child (children).

1. This document is issued solely with a view to providing the holder with a travel document which can serve in lieu of a national passport. It is without prejudice to and in no way affects the holder's nationality.

2. The holder is authorized to return to .....  
..... state here the country whose authorities are issuing the document on or before.....  
..... unless some later date is hereafter specified.

[The period during which the holder is allowed to return must not be less than three months.]



3. Should the holder take up residence in a country other than that which issued the present document, he must, if he wishes to travel again, apply to the competent authorities of his country of residence for a new document. [ The old travel document shall be withdrawn by the authority issuing the new document and returned to the authority which issued it ].

(This document contains                      pages, exclusive of cover)

(2)

Place and date of birth.....  
Occupation.....  
Present residence.....  
\*Maiden name and forename(s) of wife.....  
.....  
\*Name and forename (s) of husband.....  
.....

Description

Height.....  
Hair.....  
Colour of eyes.....  
Nose.....  
Shape of face.....  
Complexion.....  
Special peculiarities.....

Children accompanying holder

		Place and	
Name	Forename(s)	date of birth	Sex
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

\*Strike out whichever does not apply.

(This document contains                      pages, exclusive of cover).



The sentence in brackets to be inserted by Governments which so desire.

Photograph of holder and stamp of issuing authority  
Finger-prints of holder (if required)

Signature of holder.....

(This document contains ..... pages, exclusive of cover.)

(3)

1. This document is valid for the following countries:

.....  
.....  
.....  
.....

2. Document or documents on the basis of which the present document is issued:

.....  
.....  
.....

Issued at .....

Date .....

Signature and stamp of authority  
issuing the document:

Fee paid:

(This document contains ..... pages, exclusive of cover,)

(4)

Extension or renewal of validity

From.....

Fee paid:

To.....

Done at .....

Date.....

Signature and stamp of authority  
extending or renewing the validity  
of the document:

(5)

Extension or renewal of validity

From.....

Fee paid:

To.....

Done at .....

Date.....

Signature and stamp of authority  
extending or renewing the validity  
of the document:

(This document contains                      pages, exclusive of cover.)

---

(6)

Extension or renewal of validity

From.....

Fee paid:

To.....

Done at .....

Date.....

Signature and stamp of authority  
extending or renewing the validity  
of the document:

---

Extension or renewal of validity

From.....

Fee paid:

To.....

Done at .....

Date.....

Signature and stamp of authority  
extending or renewing the validity  
of the document:

(This document contains                      pages, exclusive of cover).

---

(7-32)

Visas

The name of the holder of the document must be repeated in each visa.

(This document contains                      pages, exclusive of cover.)

ANNEX IX

CLOSING REMARKS BY THE REPRESENTATIVE OF THE  
GENERAL SECRETARIAT MR. F. O. OLUFOLABI - DEPUTY HEAD  
OF THE POLITICAL DEPARTMENT

Mr. Chairman  
Distinguished Delegates

On behalf of the Administrative Secretary-General of the Organization of African Unity, it is my privilege to thank, and in fact to congratulate all the delegates and every one who has contributed to the success of this meeting for the excellent work that has been accomplished in the past five days.

The spirit of co-operation which has pervaded discussions on this delicate problem has been commendable and most gratifying for the way in which it has been possible to harmonise various and differing views on how to tackle this problem in order to find a satisfactory solution.

Most significant of all is the humanitarian spirit in which every delegate has approached this problem, which is essentially an African problem, in order to alleviate the misery and suffering of the disturbed and displaced persons on this continent.

There is no doubt in my mind that, when adopted, this draft Convention which is the product of an important initiative on the part of the Organization of African Unity and an answer to a great need in Africa today, will make a great contribution towards international practices and laws for the humanitarian treatment and protection of refugees and for a remarkable improvement in their living conditions.

Finally, I would like to thank our Chairman H.E. Mr. E.M. Debrah for the able way in which he has conducted this important meeting of the legal experts of the OAU Ad Hoc Commission on the problem of Refugees. The fact that the draft Convention was finally adopted unanimously should give every one here and especially the General Secretariat a great satisfaction. Once again I thank you all very much for a job well done.

ANNEX X

LIST OF DELEGATES

BURUNDI

Mr. Protais MANGONA	Chargé d'Affaires Embassy of the Kingdom of Burundi in Addis Ababa	Delegate
Mr. Edouard KIVUMVURI	1st Secretary Embassy of the Kingdom of Burundi in Addis Ababa	Observer

CAMEROON

Mr. Etian Eleih ELLE	1st Secretary-Chargé d'Affaires Embassy of Cameroon in Addis Ababa	Delegate
Mr. François N'DINE	2nd Secretary Embassy of the Republic of Cameroon in Addis Ababa	Delegate

CONGO (DEMOCRATIC REPUBLIC)

H.E. Mr. Joseph Albert KABEMBA	Ambassador of the Democratic Republic of Congo to Ethiopia	Delega
Mr. Léopold FITI	1st Secretary in the Embassy of the Democratic Republic of Congo	Delegate
Mr. Joseph KABALA	1st Secretary in the Embassy of the Democratic Republic of Congo	Delegate

GHANA

H.E. Mr. E.M. DEBRAH	Ambassador of the Republic of Ghana to Ethiopia	Delegate
Mr. A.A. CATO	1st Secretary, Ghana Embassy in Ethiopia	Delegate

NIGERIA

Mr. Fred A.C. ENWONWU	2nd Secretary External Affairs Officer Embassy of Nigeria in Addis Ababa	Delegate
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RWANDA

ABSENT

ABSENT

SENEGAL

SUDAN

Mr. Saeed ABDULLA	Legal Counsellor, Attorney General's Office Khartoum	Delegate
Mr. Osman HAMID	Counsellor Embassy of Sudan in Addis Ababa	Delegate

TANZANIA

Mr. W. J. MBWAMBO	Counsellor Embassy of Tanzania in Addis Ababa	Delegate
Mr. P.M. RUPIA	2nd Secretary Embassy of Tanzania in Addis Ababa	Delegate

UGANDA

Dr. G.R. KATONGOLE	Permanent Secretary & Director of Refugees	Delegate
Mr. E. E. WAKO	Assistant Secretary & Director of Refugees	Delegate
Mr. Henry KAINE	Assistant Secretary - African Affairs - Ministry of Foreign Affairs Kampala	Delegate
Mr. M. B. MATOVU	State Attorney Attorney General's Chambers Kampala	Delegate

UNITED NATIONS

Mr. P. M. MOUSSALLI	United Nations High Commissioner for Refugees Regional Representa- tive for Africa	Observer
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**ORGANIZATION OF  
AFRICAN UNITY**

**SECRETARIAT**

**P. O. Box 3243**

**ADDIS ABABA**

**ORGANISATION DE L'UNITE  
AFRICAIN**

**SECRETARIAT**

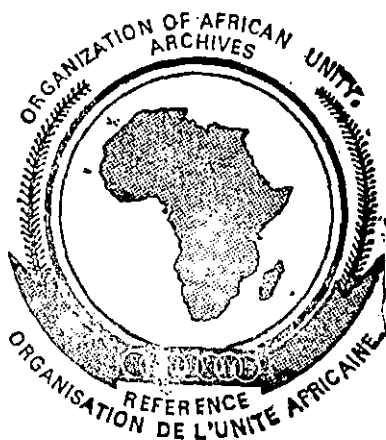
**B. P. 3243**

CM/134

Annex IV/Rev.1.

COUNCIL OF MINISTERS  
Ninth Ordinary Session  
Kinshasa - September 1967

DRAFT CONVENTION ON THE STATUS OF REFUGEES IN AFRICA  
AS REVISED BY THE GENERAL SECRETARIAT



Draft Convention on the Status of Refugees in Africa  
as Revised by the General Secretariat

Explanatory Note

In accordance with Resolution CM/Res.88 the General Secretariat forwarded the Draft Convention on the Status of Refugees to Member States for their comments and observations but only three states, the Imperial Ethiopian Government, the Republic of Camerouns and the Government of Sierra Leone sent in their comments.

Considering the wish of the Council of Ministers as expressed in the sixth preambular paragraph of Resolution CM/Res.88 which states as follows:-

"Desirous that the African instrument should govern the specifically African aspects of the refugee problem and that it should come to be the effective regional complement of the 1951 U.N. Convention on the Status of Refugees",

the General Secretariat has revised the Draft prepared in Addis Ababa in September 1966 by removing some of the Articles which duplicate certain provisions of the 1951 and retaining those that are considered as very essential in dealing with the refugee problem in Africa.

ANNEX IV/Rev.1.

DRAFT CONVENTION RELATING TO THE STATUS OF REFUGEES IN AFRICA

PREAMBLE

We the Heads of State and Government assembled in the city of

---

Noting with concern the existence of the growing numbers of refugees in Africa and desirous of finding ways and means of alleviating their misery and suffering as well as providing them with a better life and future,

Recognizing the need for an essentially humanitarian approach towards solving the problems of refugees,

Aware, however, that the refugee problems are a source of friction among several member-states, and desirous of eliminating such discord,

Anxious to make a distinction between a refugee who seeks a peaceful and normal life and a person fleeing his country in order to subvert it from outside,

Determined that the activities of such subversive elements should be discouraged, in accordance with the Declaration on the Problem of subversion and the Resolution on the Problem of Refugees adopted at Accra in 1965,

Conscious that the Charter of the United Nations and the Universal Declaration of human Rights have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,

Considering that the Member States should co-ordinate and harmonize their general policies and grant refugees minimum legal rights,

Convinced that the efficiency of the measures recommended by the present Convention to solve the problem of refugees in Africa necessitates close and continuous collaboration between the Organization of African Unity and the United Nations High Commission for Refugees.

Have agreed as follows:



Article I  
Definition

1. For the purposes of this Convention the term "refugee", shall mean every person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or, owing to such fear is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear is unwilling to return to it.

2. In the case of a person who has more than one nationality the term "a country of which he is a national" shall mean each of the countries of which he is a national and a person shall not be deemed to be lacking the protection of the country of which he is a national if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

3. This Convention shall cease to apply to any refugee under this Convention if:

- (a) he has voluntarily re-availed himself of the protection of the country of his nationality, or
- (b) having lost his nationality he has voluntarily re-acquired it, or
- (c) he has acquired a new nationality, and enjoys the protection of the country of his new nationality; or
- (d) he has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution.

- (e) he can no longer, because the circumstances in connection with which he was recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality;
- (f) he has committed a serious non-political crime outside his country of refuge after his admission to that country as a refugee;
- (g) he has seriously infringed the purposes and objectives of this Convention.

4. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that;

- (a) He has committed a crime against peace, a war crime, or a crime against humanity as defined in the international instruments drawn up to make provision in respect of such crimes;
- (b) He has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
- (c) He has been guilty of acts contrary to the purposes and principles of the Organization of African Unity;
- (d) He has been guilty of acts contrary to the purposes and principles of the United Nations.

## Article II

### Asylum

1. Member States shall use their best endeavours consistent with their laws and constitutions to receive all refugees and to secure the settlement of those refugees who, for well-founded reasons, do not want to return to their country of origin or nationality.

2. The grant of asylum to refugees is a peaceful and humanitarian act and shall not be regarded as an unfriendly act by any Member State.
3. No person shall be subjected by a Member State to measures such as rejection at the frontier, return or expulsion, which would compel him to return to or remain in a territory where his life, physical integrity or liberty would be threatened for the reasons set out in Article 1, paragraph 1.
4. Where a Member State finds difficulty in continuing to grant asylum to refugees, other Member States shall consider, in a spirit of African solidarity and international co-operation, appropriate measures to lighten the burden of the Member State granting asylum.
5. Where a refugee has not received the right to reside in any country of asylum, he shall have a prior claim to temporary residence in any country of asylum in which he first presented himself as a refugee pending arrangement for his resettlement in accordance with Article II, paragraph 4.
6. Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order. He shall also abstain from any subversive activities against any state whatsoever.

### Article III Prohibition of Subversive Activities

Member States shall undertake to prohibit refugees residing in their respective territories, from attacking any Member State of the Organization of African Unity either through press or radio, with arms or through any other activities which may cause tension between the Member States.

### Article IV Non-Discrimination

Member States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.

Article V

Religion

Member States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practice their religion and freedom as regards religious education for themselves and for their children.

Article VI

Residence Prior to this Convention

Where for reasons and circumstances set out in Article 1 of this Convention an individual has been residing in the territory of a Member State prior to the date of entry into force of this Convention, subject to the provisions of Article 1 of this Convention, such period of residence shall be considered to have been lawful residence within the territory of a Member State, and such an individual shall be considered a refugee within the terms of this Convention; provided that the rights and benefits accorded to such a refugee by virtue of this Convention shall not have any retroactive effect,

Article VII

Movable and Immovable Property

Member States shall accord to a refugee treatment as favourable as possible and, in any event not less favourable than that accorded to aliens generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and immovable property.

Article VIII

Right of Association

As regards non-political and non-profit making associations and trade unions the Member States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances in accordance with the laws of the Member States.

Article IX  
Liberal Professions

Each Member State shall accord to refugees, lawfully staying in their territory, who hold academic or professional qualifications recognized by the competent authorities of that State, and who are desirous of practicing a liberal profession, the most favourable treatment as that accorded to nationals of a foreign country.

Article X  
Identity Papers

Member States shall issue to refugees in their territories standard identity papers in accordance with the Schedule to this Convention.

Article XI  
Travel Documents

1. Subject to Article 3, Member States shall issue to refugees lawfully staying in their territories travel documents in accordance with the Schedule to this Convention for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require. Member States may issue such a travel document to any other refugee in their territories; they shall in particular give sympathetic consideration to the issue of such travel documents to refugees in their territories who are unable to obtain a travel document from the countries of their lawful residence.
2. Travel documents issued to refugees under previous international agreements by parties thereto shall be recognized and treated by Member States in the same way as if they had been issued pursuant to this Article.

Article XII  
Transfer of Assets

1. Member States shall, in conformity with their laws and regulations, permit refugees to transfer assets, which they have brought into their territory, to another country where they have been admitted for the purpose of resettlement.

2. Member States shall give sympathetic consideration to the application of refugees for permission to transfer assets which are necessary for their resettlement in another country to which they have been admitted.

#### Article XIII

##### Refugees unlawfully in the Country of Refuge

1. Member States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorization, provided they present themselves at the first available opportunity to the authorities.

2. Member States shall not apply to the movement of such refugees restrictions other than those which are necessary and such restrictions shall not be applied until their status in the country is regularized or they obtain admission into another country. Member States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

#### Article XIV

##### Repatriation

1. No refugee shall be repatriated against his will.

2. In examining the question of repatriation of refugees, appropriate arrangements shall be made by the Member State which has granted them asylum for ascertaining the free will to return of the person concerned, and, in co-operation with the country of origin, shall make adequate arrangements for the safe return of the refugees.

#### Article XV

##### Expulsion

1. Member States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.

2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.

3. Member States shall allow such a refugee a reasonable period within which to seek legal admission into another country. Member States reserve the right to apply during that period such internal measures as they may deem necessary.

#### Article XVI

##### Co-operation of the National Authorities with the Organization of African Unity

In order to enable the Administrative Secretary-General of the Organization of African Unity to make reports to the competent organs of the Organization of African Unity, Member States undertake to provide the Secretariat in the appropriate form with information and statistical data requested concerning:

- (a) the condition of refugees,
- (b) the implementation of this Convention and
- (c) laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

#### Article XVII

##### Co-operation with the United Nations High Commission for Refugees

1. Member States shall co-operate with the United Nations High Commission for Refugees.

2. In accordance with Resolution AHG/Res.26, Member States shall, save as herein provided, apply the provisions of the U.N. Convention of 28 July 1951 relating to the status of refugees, irrespective of the dateline and of any geographical limitation as provided in the Protocol on the Status of Refugees of 31 January 1967.

3. The present Convention shall be the effective regional complement in Africa of the 1951 United Nations Convention on the Status of Refugees.

#### Article XVIII

##### Settlement of Disputes

Any dispute between parties to this Convention relating to its interpretation or application, which cannot be settled by other means,

shall be referred to the Mediation, Conciliation and Arbitration Commission of the Organization of African Unity, at the request of any one of the parties to the dispute.

#### Article XIX

##### Signature and Ratification

1. This Convention is open for signature to all Member States of the Organization of African Unity and shall be ratified by Member States in accordance with their respective constitutional processes.
2. The original instrument done if possible in African languages in English and French, all texts being equally authentic, should be deposited with the Administrative Secretary-General of the Organization of African Unity.
3. The instruments of ratification shall be deposited with the Administrative Secretary-General of the Organization of African Unity.

#### Article XX

##### Adhesion and Accession

Any independent Sovereign African State, member of the Organization of African Unity, may at any time notify the Administrative Secretary-General of its adhesion or accession to this Convention.

#### Article XXI

##### Entry into force

This Convention shall come into force as of the day of deposit of the instrument of ratification by two-thirds of the Member States of the Organization of African Unity.

#### Article XXII

##### Denunciation

1. Any Member State may denounce this Convention at any time by a notification addressed to the Administrative Secretary-General of the Organization of African Unity.



2. Such denunciation shall take effect for the Member State concerned one year from the date upon which it is received by the Administrative Secretary-General of the Organization of African Unity.

Article XXIII

Amendment

This Convention may be amended or revised if any Member State makes a written request to the Administrative Secretary-General to that effect; provided that the proposed amendment is not submitted to the Assembly of Heads of State and Government for consideration until all Member States have been duly notified of it and a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two-thirds of all the Member States.

Article XXIV

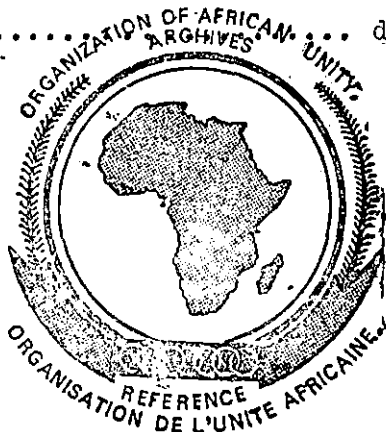
Notifications by the Administrative Secretary-General  
of the Organization of African Unity

The Administrative Secretary-General of the Organization of African Unity shall inform all Members of the Organization:

- (a) Of signatures and ratifications in accordance with Article 19.
- (b) Of adhesion and accession in accordance with Article 20.
- (c) Of entry into force in accordance with Article 21.
- (d) Of denunciations in accordance with Article 22.
- (e) Of requests for amendment in accordance with Article 23.

IN FAITH WHEREOF, WE the Heads of African State and Government have signed this Convention.

DONE in the City of .....  
this ..... day of ..... 19.....



1966-09

# Report on the third meeting of legal experts of the OAU AD HOC Commission on the problem of Refugees held in Africa hall ,Addis Ababa from 12th to 16th September 1966

Organization of African Unity

Organization of African Unity

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