

ORGANIZATION OF
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SECRETARIAT
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ADDIS ABABA

ORGANISATION DE L'UNITE
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COUNCIL OF MISSION
Fifteenth Ordinary Session
Addis-Ababa, August 1970

CM/339

The Problem of the recognizing GRAE as
Government of Angola in Exile.



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Government of Angola in Exile.

1. In implementation of resolution CM/Res.210 (XIV), paragraph 5, adopted by the Council of Ministers of the Organization of African Unity at its Fourteenth Ordinary Session held in Addis Ababa in February - March 1970, the General Secretariat of OAU, on 7 May 1970 sent a Note Verbale No. POL.70/580-70 to all Member States of the Organization of African Unity requesting them to forward to it, as soon as possible, their viewpoints on the advantages and disadvantages of recognizing GRAE.
2. The General Secretariat sent similar letter to the Liberation Committee.
3. By 17 August 1970, the General Secretariat had received only five replies to its Note Verbale referred to above. The five replies came from Dahomey, Kenya, Malawi, Mali and the Liberation Committee.
4. Despite the very limited number of replies received, the General Secretariat noted what seemed to it to be a slight confusion with regard to GRAE and FNLA. The General Secretariat would like to point out, in this connexion, that GRAE is the revolutionary Government-in-Exile of Angola, formed by the Liberation Movement FNLA (Front National de Liberation de l'Angola - National Liberation Front of Angola). FNLA is, and remains, recognized by OAU as the Liberation Movement. Whatever decision may be taken in respect of GRAE, it will in no way affect FNLA.
5. The Council will be pleased to find annexed hereto the Note Verbale of the General Secretariat together with the five replies.

The General Secretariat of the Organization of African Unity presents its compliments to the Ministries of Foreign Affairs of Member States and, in accordance with the decision of the Fourteenth Ordinary Session of the Council of Ministers, has the honour to request them to forward to it, as soon as possible, their viewpoints on the advantages and disadvantages of recognizing the revolutionary Government-in-Exile of Angola.

As decided by the Council of Ministers, these viewpoints should be formulated with due regard to the legal, political and military consequences of either maintaining or withdrawing such recognition.

The General Secretariat of the Organization of African Unity avails itself of this opportunity to renew to the Ministries of Foreign Affairs of Member States the assurances of its highest consideration.

Addis Ababa, 7 May 1970

DAHOMÉY

The Ministry of Foreign Affairs of the Republic of Dahomey presents its compliments to the General Secretariat of the Organization of African Unity and has the honour to acknowledge receipt of its Note POL.100 GEN/578-70 dated 7 May 1970 in which the Secretariat requested it to forward the observations of the Government of Dahomey on the question of "advantages and disadvantages of recognizing the Revolutionary Government-in-Exile of Angola" (GRAE), in accordance with Resolution CM/Res.210 (XIV), paragraph 5, adopted by the Council of Ministers of OAU at its Fourteenth Session (Addis-Ababa, February-March 1970).

It should be recalled that the Assembly of Heads of State and Government meeting in Cairo (UAR) at its First Session from 17 to 21 July 1964, decided upon the recognition of the Revolutionary Government-in-Exile of Angola. In the Resolution which was adopted during that Session (Resolution AHG/Res.18/(1)), the Assembly of Heads of State and Government, particularly specified in paragraphs 1 and 2:

1. "Calls on those Member States which have not recognized the Revolutionary Government of Angola in Exile to accord the latter full recognition;
2. Calls further on all Member States to assist and support the Revolutionary Government of Angola in Exile."

It was not until four years later, in February 1968, that the Council of Ministers of the Organization adopted, at its Tenth Ordinary Session, Resolution CM/Res. 136 (X) which "recommends to the Heads of State and Government to review the status of the Government-in-Exile of Angola, as this status could not only lead some liberation movements to complacency, but also diminishes their dynamism and vigour in the struggle".

Serious divergencies of view appeared within the Council of Ministers on the interpretation of Resolution CM/Res. 136 (X); the Council at its Twelfth Session (February 1969) had recommended "the Assembly of Heads of State and Government to review the status of FNLA and make a definite pronouncement on this issue during its next session." (Resolution CM/Res. 175 (XII)).

During its Sixth Session (September 1969), the Assembly of Heads of State and Government considered the request submitted by the Council of Ministers and finally decided (AHG/Dec.35 (VI) that the said Council should report to it on the advantages and disadvantages of recognizing GRAE at its Seventh Ordinary Session, scheduled for September 1970.

It was in these circumstances that the Council of Ministers was led, during its Fourteenth Session (February-March 1970), to reconsider the question of GRAE's status and to adopt Resolution CM/Res. 210 (XIV), requesting Member States to forward their observations on the matter with due regard to the legal, political and military consequences of maintaining or withdrawing this recognition.

On the legal plane: The recognition of a Government is, in principle, a purely legal matter which corresponds with certain specific legal criteria (notably effectiveness), because in the long run, it amounts to participation by human societies in international affairs.

In practice, however, the recognition of a Government most frequently assumes a political character according to the circumstances. This is particularly the case with GRAE: indeed, in according the status of Government-in-Exile to FNLA, the aim was to support the action of this Movement, which is still engaged in the struggle for independence.

The recognition of a Government most frequently implies taking into consideration a large number of factors which are not necessarily legal. This explains its discretionary and thus political nature.

The problem that arises is that of establishing the legal force of the resolutions adopted by the Assembly of Heads of State and Government in the prescribed conditions as regards quorum and majority, in accordance with the Charter of OAU and the Rules of Procedure of the Assembly of Heads of State and Government. The Charter of OAU and the Rules of Procedure of the Assembly are silent on this point.

This in no way constitutes a matter for theoretical debate, but is an important issue that affects the very life of the Organization.

On the political and military planes: The "political" and "military" aspects are closely linked when we consider liberation movements. One influences the other, and vice versa.

In the opinion of the Government of Dahomey, the withdrawal or maintenance of recognition of GRAE should not, it seems, alter the political and military situation in Angola. What matters, is that the two rival movements, FNLA and MPLA, should agree to form a united front in order to co-ordinate their struggle and render it more effective.

It must, furthermore, be stressed that the two movements should at least be given equal assistance by OAU, but this has not been the case. Thus, particular movement should be reproached with "ineffectiveness" whilst at the same time, for obscure reasons, the means of achieving effectiveness are withheld from it.

The Ministry of Foreign Affairs of the Republic of Dahomey avails itself of this opportunity to renew to the General Secretariat of OAU the assurances of its highest consideration.

Cotonou, 19 June 1970.

The Ministry of Foreign Affairs of the Republic of Kenya presents its compliments to the General Secretariat of the Organization of African Unity and with reference to the latter's undated Note Ref. POL. 70/7/580 - 70 requesting Kenya's view on the advantages and disadvantages of the recognition of GRAE, has the honour to state that Kenya's policy towards GRAE or any other liberation movement is guided by the following basic principles:-

- a) So long as a particular movement has been recognized by the OAU and is dedicated to the goal of liberation, it should not be subject to ideological or any other type of discrimination. If this principle is not accepted the task of reconciliation would be very difficult.
- b) If any movement ceases, on good evidence, to be able to fulfill the primary objective of promoting liberation, its status should be reviewed. This should be done only when sufficient opportunity has been given to the movement in question to defend itself before the OAU Liberation Committee or any other organ established for the purpose.
- c) The Committee should establish machinery to screen any movements that apply for recognition. The purpose is to verify the bona fides of the movement in question. Central criteria should be:
 - i) The movement should be African;
 - ii) It should be struggling against colonial domination;
 - iii) It should be headquartered in African soil;
 - iv) It should not be a splinter group.

It is believed that strict adherence to these principles will greatly serve the cause of unity among movements fighting for the same country. Moreover, the question of the advantages or disadvantages of recognising one or the other would not arise.

The Ministry of Foreign Affairs of the Republic of Kenya avails itself of this opportunity to renew to the General Secretariat of the Organization of African Unity the assurances of its highest consideration.

9th June, 1970.

NAIROBI.

Organization of African Unity
Secretariat,
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ETHIOPIA.

No. 126

The Ministry of External Affairs of the Republic of Malawi presents its compliments to the General Secretariat of the Organization of African Unity and has the honour to acknowledge receipt of the latter's Note No. POL. 70/7/580 - 70 requesting the views of all Member States of the Organization of African Unity on the advantages and disadvantages of recognition of the Revolutionary Government of Angola in Exile (GRAE).

The Ministry of External Affairs begs to advise that the Government of Malawi does not wish to accord any recognition to the GRAE since, pursuant to the general principles of international law, the GRAE does not fulfill the criterion for recognition at this stage.

The Ministry of External Affairs of the Republic of Malawi avails itself of this opportunity to renew to the General Secretariat of the Organization of African Unity the assurance of its highest consideration.

MALI

The Ministry of Foreign Affairs and Co-operation presents its compliments to the General Secretariat of OAU and has the honour to acknowledge receipt of its Note POL.100 GEN/578-70 dated 7 May 1970 concerning "the advantages and disadvantages of recognizing the Revolutionary Government-in-Exile of Angola."

The Government of Mali will inform the General Secretariat of OAU of its attitude during the next few days.

The Ministry avails itself of this opportunity to renew to the General Secretariat of OAU the assurances of its highest consideration.

Koulouba, 17 June 1970.

LIBERATION COMMITTEE

Dear Director,

In reply to your letter No. POL/100 GEN/593, I should like to inform you that the Liberation Committee's viewpoint on the advantages and disadvantages of recognizing GRAE as the Government-in-Exile will be known during the Seventeenth Ordinary Session of the Liberation Committee and will be communicated to you only after that Session.

Dar-es-Salaam, 8 June 1970.



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