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COUNCIL OF MINISTERS

مجلس وزراء  
Addis Ababa

TWENTIETH ORDINARY SESSION

Addis ababa, 5 - 10 February 1973

CM/485

RECOMMENDATIONS OF THE COMMISSION OF TEN  
ON REFUGEES PROBLEM



RECOMMENDATIONS OF THE COMMISSION TO THE  
ON REFUGEES PROBLEM

1. The sixth meeting of the Commission of Ten of the OAU, created deal with the problems of refugees in the Continent, opened at Africa Hall under the Chairmanship of H.E. Y.B. Turkson, Ambassador of Ghana to Ethiopia, who declared the meeting opened at 4.30 p.m. on December 18, 1972. The following countries were represented :
 

1. BURUNDI	6. SENEGAL
2. CAMEROUN	7. SUDAN
3. GHANA	8. TANZANIA
4. NIGERIA	9. UGANDA
5. RWANDA	10. ZAIRE
  
2. The Chairman read out a letter addressed to him by the Administrative Secretary General requesting the Members of the Co-ordinating Committee of the OAU Bureau for the Placement and Education of African Refugees be allowed to attend the meeting of the 6th session of the Commission as "observers". After a brief discussion during which Article 9 of the Rules of Procedure of the Commission, which stipulates that "All meetings of the Commission shall be private" was evoked, the members of the Commission decided in favour of their admission as observers. This decision was based among other things on Art. 7 and the view according to which these representatives could positively assist the Commission in its deliberations. Then the Chairman requested the Secretariat to invite the representatives to come in and attend the meeting.
  
3. The Chairman then gave the floor to the Representative of the Administrative Secretary General to make his opening speech. The Representative conveyed to the Commission the apologies of H.E. the Secretary General of the OAU for having been unable to attend the opening. After welcoming the members to this sixth session, he set out to lay emphasis on the tasks of the Commission which in his view were fourfold and as follows :

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- Review of the present situation of Refugees in Africa
- Consideration of concrete measures and steps to be taken by OAU Member States with a view to contributing to :
  - the practical assistance to the Refugees
  - voluntary repatriation
  - resettlement

The Representative in his concluding remarks expressed the confidence of the Secretariat that the work of the Commission will be successful and in this connection he pledged the total assistance of the Secretariat.

4. After having thanked the Representative of the Administrative Secretary General for his brilliant speech, the Chairman made his own opening speech. He spoke about the creation of the Commission in 1964 by the Council of Ministers of the OAU and narrated the activities of the Commission since its creation. He pointed out the importance of the task of the Commission and what is expected from it. He urged Members of the Commission to tackle and solve the problems facing the Bureau in trying to help African Refugees.
5. Once the opening ceremony was over, the Chairman referred to Article 5 of the Rules of Procedure which states that "At the opening of its first sitting the Commission shall elect a Chairman and a Rapporteur from among its Members". The Ambassador of the Democratic Republic of the Sudan to Ethiopia proposed H.E. the Ambassador of Zaïre to Ethiopia as Chairman of the sixth session of the Commission. The Delegate from Cameroun seconded the proposal and on his turn proposed that the Sudan be elected as a Rapporteur. The Delegate from Senegal seconded the proposal made by Cameroun and the above proposals were unanimously accepted.
6. Then the out-going Chairman requested the Ambassador of Zaïre to come and take the Chair.
7. The Ambassador of Zaïre took the Chair and thanked the out-going Chairman for the valuable work he performed during his stay in office. He also thanked the members of the Commission for having elected him as the new Chairman of the Commission and promised that he will do everything possible so that the sixth session of the Commission be a successful one.
8. The Chairman then proceeded to the adoption of the Provisional Agenda with four items presented by the General Secretariat. The Ambassador of Tanzania requested the floor and proposed that item 5 be "any other business" so that questions that are not on the Agenda be discussed under this item. The proposal was accepted and the following agenda adopted :
  1. Actual situation of Refugees in Africa
  2. Problems of settlement
  3. Problems of education
  4. Legal protection and application of the OAU Convention
  5. Any other business

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9. After the adoption of the Provisional Agenda, the Chairman informed the members that Mr. K. Ankrah, from the World Council of Churches, representing the Co-ordinating Committee of the Bureau for the Placement and Education of African Refugees be allowed to present document C 10/6 (II) as he was to leave Addis Ababa the next day. This was unanimously accepted.

Mr. Ankrah thanked the Chairman and the members of the Commission for having permitted him to present his document and did so.

In his introductory speech Mr. Ankrah informed the Commission that he was requested by the members of the Co-ordinating Committee to present document C 10/6 (II) mainly for three reasons :

- a) the subject of refugees and their problems is one of those which has not been given all the priority it deserves inspite of the fact that the Heads of State and government already in 1964 become aware of the gravity and the desperate condition in which many refugees find themselves.
- b) the problem of refugees is not diminishing ; rather it is increasing at an alarming rate in term of its damaging influence on the personality of those affected by that status.
- c) everyone concerned with the plight of refugee is grateful to the Council of Ministers and the Summit of Heads of Government and State for resuscitating your Commission.

He then went on and explained the creation of the Bureau and the Co-ordinating Committee. He also gave the summary of document C 10/6 (II) which mainly contains :

- a. a perspective on the African problems,
- b. a review of the work being performed by the Bureau since its inception five years ago,
- c. the current action of other Organizations concerned with the problem of refugees in the Continent,
- d. the structure of the Bureau and the terms and relationship which exist between the Bureau and its ancillary bodies, and
- e. proposals and recommendations requiring urgent action by African Governments.

He concluded by saying that he is not presenting the document only as a "spokesman" of the Co-ordinating Committee, but also as an African concerned with the problems facing African refugees.

10. The Chairman thanked the speaker for the detailed informations contained in the document and requested the members of the Commission to study this document which will be discussed the next day. The Delegate from Nigeria asked whether someone from the Secretariat will be there to answer questions related to document C 10/6 (II) since he was told that Mr. Ankrah will be leaving Addis Ababa when the document will be on discussion. The Representative of the Secretariat informed the Commission that the Vice-Chairman of the Co-ordinating Committee and the members of the Sub-Committee, who helped in the preparation of the document, will be present to answer all questions and also the Head of the Bureau is there to give additional information if that is the case.

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11. The Chairman informed the members of the Commission about the working hours which were agreed as follows :

- a. Mornings from 10.00 to 13.00 hrs
- b. Afternoons from 16.00 to 19.00 hrs

He urged that the above timetable be respected and suspended the Meeting at 18.20 hrs until the next day.

12. The meeting resumed at 10.15 a.m. the following day and the Chairman reminded the members of the Commission that document C 10/2 (II) and C 10/6 (II) were to be discussed under this item. He then gave the floor to the Head of the Bureau to present the documents in question.

13. In his introductory remarks on the report of the Secretary General on the situation of refugees in Africa, the Head of the Bureau pointed out that the problem of refugees if not given a solution or followed carefully, is likely to jeopardize both the security and economic progress of the States, as well as the relations of good neighbourhood between African States.

The Head of the Bureau told the Commission that there are two major categories of refugees on the African Continent :

1. Refugees from Countries under Colonial domination and
2. Refugees who have escaped the malpractices of racial and minority regimes in the Southern part of Africa.

The Head of the Bureau then spoke about a third marginal group. He told the Commission that the situation falling within that group, though serious does not pose problems as complex and as difficult as that of refugees from territories still under colonial and racist domination. He went on to explain the composition of refugees population, which is made up of rural dwellers, manual labourers, intellectuals, adolescents and school-age children.

As regard to rural dwellers, the Head of the Bureau stressed the fact that the refugee settlement campus should be abolished and replaced by effective programmes of rural re-adjustment; so that an eventual permanent settlement of these refugees among the local population takes place. In this connection International and Inter-Governmental Organizations as well as Voluntary Agencies should give their assistance to African Governments to assist the latter in drawing up or modifying their development plans or programmes, so as to take into consideration these masses of people, who have left nearly all their belongings in their country of origin.

As to the manual labourers, he informed the Commission that there is no need to draw up specific programmes, but quite simply, to include them in the available man-power of the Country of asylum.

The problem becomes difficult to solve when dealing with the resettlement of Intellectual refugees. There is the question of the working language and secondly the economic and financial difficulties of the countries of asylum.

As to the adolescents and school-age children, the BPEAR is organized to guide these youngsters towards disciplines leading to employment opportunities, which Africa considers as having priority.

The Head of the Bureau concluded by saying that the aim of all these efforts is not only to help improve the living conditions of these refugees, but also to prepare effectively for their possible return to their native country.

14. The Chairman thanked the Head of the Bureau for his brief and useful introduction. Then the item was open for debates. Several delegates made comments on this item.
15. Some expressed their disagreement with the 2 documents. Thus the view was expressed that the document dealt exclusively with African refugees abroad and omitted detailed reference to repatriation and resettlement. This was not in compliance with the important resolution of the Council of Ministers (twelfth session) which stipulates that all necessary measures should be taken in order to assist repatriate and resettle African refugees. The question of marginal Group of refugees was raised and strong objections were voiced concerning the statement according to which this Group of refugees does not pose problems as complex and as difficult as those coming from territories still under colonial and racial domination.
16. Reference was made to the specific case of the Democratic Republic of the Sudan. This country would not have succeeded in solving its problem without having established good relations with its 8 neighbouring States. Emphasis was laid on the need to prepare the people both psychologically and materially in order to convince them of the necessity to go to their country of origin and not to perpetuate the existing situation. Speaking about the rural dwellers, some delegates expressed their disagreement with any programme of integration within the Country of asylum, because of the possible difficulties that could inevitably arise between the Government of that Country, the refugees and the local communities. Objections were also expressed regarding the idea of assimilation and the view was expressed that it was a wrong policy. Assimilation could lead to difficulties and deteriorate the relations with neighbouring States. Consequently anything that might create problems with neighbouring States should be avoided.
17. Manual labourers could be usefully utilised. During the cotton picking season for example, in the Sudan, between December and February, half a million refugees are employed. Moreover, in Khartoum a substantial number of labourers and craftsmen from neighbouring States worked in accordance with the rules of the Country. As to the group of the so called "Intellectuals" refugees they should be rather called "enlightened classes" since they were to lead the people to the liberation of their Countries.
18. The question was asked why the OAU should not seriously consider employing some of these refugees. In this connection attention was drawn to the fact that various posts at OAU and ECA were held by non Africans. The Bureau for the Placement and Education of African Refugees was requested to supply the Committee with a record of those intellectuals in order to place them according to quotas.

The opinion was expressed that the alarming situation is not because of the numbers of refugees that exist in the continent but because of the refusal to recognise and accept the existence of the situation, thus allowing it to perpetuate.

Regarding the question of the National Committees, it was said that they should always be composed of the relevant ministries concerned, of International, national organisations and the UNHCR Office. The diplomatic missions of member states should cooperate with the national Committee and assist them in solving their problems. Member states were urged to contribute towards the financing of national Committees in their respective countries.

The need for Refugees Counselling Services was also stressed.

19. The idea that the ideal solution of the refugee problem was voluntary repatriation to the country of origin since it was the only lasting solution to the problem. Attention was drawn to the need for a proper screening of the refugees in order to avoid that the OAU give assistance to subversive elements.

The question of equivalence of diplomas was raised and a request was made that refugees get equal treatment as nationals on this question.

20. The idea that member states farther away from Southern Africa should be persuaded to accept refugees detained in remand prisons to relieve the countries detaining them for security reasons was supported.

21. The opinion was expressed that if one looks at the functions of the Bureau, one could not discover whether it was mandated to deal with the rural refugees. Because of this, it was felt that the Commission should enlarge the mandate of the Bureau and recommend that the Council of Ministers decides on this so as the Bureau covers the rural refugees.

22. The Bureau was requested to work in closer collaboration with the countries of asylum so as to be informed of the latest developments in the situation. It should also inform the refugee belonging to the marginal group wherever the conditions in his country of origin had changed and convince him to return home.

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23. It was pointed out that qualified refugees should go and help the liberation movements instead of seeking employment elsewhere.
24. Some other delegations gave detailed information to the Commission on their personal experience at home and on the efforts made by their country in favour of the Refugees. Thus the Representatives of Senegal, Tanzania and Zaïre among others, spoke about the situation in their respective countries.
25. The representatives of different International Organisations members of the Coordinating Committee admitted as observers to the meeting of the sixth session of the Commission informed also the Commission about their activities in the field of helping african refugees. They are UNHCR, UNESCO, IUEF and the Vice-President of the Coordinating Committee.
26. Then the head of the Bureau gave all the necessary answers related to the two documents in discussion. He first spoke about the marginal group of refugees and said that this group of refugees from independent African States had left their countries of origin motivated by reasons of insecurity caused by political or social conflicts. Since changes could occur at any moment they were likely to return to their country of origin quicker than any other group of refugees. This was the reason for which they had been called a marginal group. He told the Commission that the Secretariat had never intended to interfere in the internal affairs of States, but had been moved by the sufferings and tragedy of these refugees. He concluded by saying that what has been said by all those who intervened has been noted by the Secretariat and thanked the members of the Commission for their frank and constructive ideas put forward.
27. The Chairman then proposed the setting up of a drafting Committee to prepare the relevant recommendations to be made to the Council of Ministers. After a brief discussion Tanzania, Senegal, Burundi, Cameroun and Sudan were elected to be members of the drafting Committee.
- The Chairman summed up the main points that should be borne in mind by the drafting Committee when preparing the recommendations to be submitted to the Council of Ministers. It will be proposed to the Council of Ministers to expand the scope of activities of the Bureau in order that it covers the rural refugee. It had also been proposed to categorize refugees in order to establish an order of priorities in respect of measures to be taken. The Drafting Committee should also take into account the suggestion made by the representative of Nigeria to the effect that qualified refugees from territories under colonial domination should be induced to offer their services to the Liberation Movement struggling to secure the independence of their countries instead of seeking employment elsewhere.

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28. On the following day Wednesday 20th December, when the meeting resumed, the chairman invited the members to consider Items 2 and 3 of the agenda dealing with the placement and Education of African refugees. He requested that the problems facing the Bureau in the field of Placement and Education be considered together. He then asked the head of the Bureau to make a brief introduction.

The Head of the Bureau presented the documents related to these items. Then the items were open for discussion.

29. The members of the Commission felt that the Bureau should make an improvement in the way cases are presented to governments for employment.

Some members emphasised the fact that the Bureau should not only content itself in sending files of refugees to governments for employment purposes but must study employment opportunities with the different african countries.

The members of the Commission pointed out the fact that Africa needed qualified man-power and if refugees with the required qualifications exist they don't see the reason of their not being employed.

As to the Education of refugees the members requested the Bureau to give the necessary orientation to refugees seeking higher education.

30. After a detailed discussion on the question, the chairman summarised what has been said.

- some countries have too many refugees while others have none.
- It is imperative that countries that have no refugees accept to take some.
- Due to the geographical position of some countries refugees prefer to stay there in order not to be far away from their motherland for reasons that are known to all of us.
- He requested the members of the Commission to note the satisfactory evolution of the recognition of liberation movements by the last General Assembly of the United Nations.
- the placement and education of refugees should be planned along with the liberation movements.
- The intellectual refugees coming from territories under colonial domination should be under the authority of the Liberation movements, especially after the new status accorded to these movements by the General Assembly of the United Nations.

The Commission requested that the Bureau inform all the members on how the contributions received have been spent.

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31. The Head of the Bureau replied to all the questions formulated by the members of the Commission and presented the last document under item 4 of the agenda C 10/4 (II) which deals with the Legal protection of refugees.
- The Members gave their views on the document and requested the Secretariat to approach all members of the OAU to ratify the Convention and agreed to formulate a recommendation on this respect to the Council of Ministers.
32. The chairman then asked the members of the Commission if they had anything under item 5 which is any other business. The Secretariat requested that the date and place of the next meeting of the Commission be decided.
33. After a brief discussion the Chairman requested that the Secretariat proposes a date the next day before the final closing of the meeting. It was so decided and the meeting was adjourned at 13.20 hours.
34. The last sitting of the Commission took place on Thursday 21st. During this sitting the Commission considered and adopted the Recommendations here attached to this report.
35. Finally regarding the date and venue of the next meeting, it was decided to leave this matter to the Chairman and the General Secretariat who will make the necessary consultations and inform the members accordingly.
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### RECOMMENDATIONS

The OAU Commission of Ten on Refugee problems in Africa held its Sixth Session in Addis Ababa from 18 to 21 December 1972, in conformity with Resolution CM/Rés.266 (XIX) adopted by the Council of Ministers at its Nineteenth Ordinary Session held in Rabat from 5 to 12 June 1972.

The Commission having considered:

1. The present situation of refugees in Africa
2. Settlement problems
3. Problems of settlement and education
4. Legal protection and application of the Convention,

has reached the conclusion that in spite of the efforts deployed by the Member States of the OAU, the situation of the refugees is still the subject of main concern because of the increase in their number.

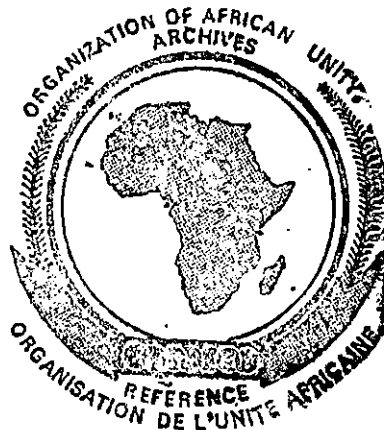
1. In the light of the foregoing, the Commission:

Recommends a. that the Bureau of refugee should be strenghtend,  
b. that the Council of Ministers should consider referring to the Co-ordinating Committee the enlargement of the role of the Bureau with special reference to the resettlement of rural refugees.

2. Requests OAU Member States to make greater financial contributions to the Bureau to complement the efforts made by the International Organizations and Voluntary Agencies.
3. Earnestly requests the OAU to grant all the support needed for the Seminar that will be organized by the BPEAR and scheduled to be held in September 1973, by making adequate financial contributions and by requesting the Member States to send to this Seminar experts on the problems of refugees in Africa.
4. Recommends that the Council of Ministers should invite OAU Member States to organize, once a year, a "Refugees Day" to raise funds with a view to increasing the means made available to the Bureau for the assistance of refugees.
5. Appeals to Member States of the OAU, which have not yet done so, to ratify as soon as possible the OAU Convention of Refugees governing the specific aspects of refugees in Africa, so as it will come into force.

6. Invites Member States which have ratified the aforesaid regional instrument, to apply it in as liberal spirit as possible.
7. Welcomes the fruitful co-operation that exists between the OAU Bureau, International Organizations and Voluntary Agencies and expresses its hope that this co-operation will continue to strengthen and will expand further in the best interest of the refugees.
8. Recommends to Council of Ministers to invite the Member States of the OAU which are not directly confronted with the problem of refugees, to foresee the possibility of sharing the burden of the Countries of first and second asylum of these refugees, in accepting every year a number of refugees, which they will be free to determine.
9. Reaffirms that the ideal solution to the refugee problem is voluntary repatriation of refugees to their countries of origin. To this effect the Commission recommends to the Council of Ministers to invite the Member States to create in as much as it is possible, with the assistance of the UNHCR, OAU and any other party, the conditions which will favour such a repatriation.
10. Recommends that the Bureau should adopt such a method that will enable it to screen properly refugees seeking assistance in order to ensure that agents of interest inimicable to Africa are not given such facilities.
11. Requests the Bureau to endeavour to assure, in as much as possible the participation of qualified refugees, coming from territories under colonial rules, that seek assistance from the Bureau, in the tasks of re-construction in the liberated zones by the liberation movements.
12. Requests the Member States of the OAU which have the means, to deploy new efforts in order to offer in as much as it is possible greater employment possibilities to the refugees. To this effect requests the Bureau to try to get periodically from the Member States the list of their needs in man-power and to assess the employment possibilities.

13. Congratulates the Member States of the OAU for the efforts already made and requests them to increase their assistance to refugees.
14. Expresses its gratitude to the Scandinavian Countries and also to the Voluntary Agencies for the generous assistance that they give to African refugees and encourages them to continue their efforts in this respect.
15. Took note of the material assistance given by the Specialized Agencies of the United Nations family and requests the higher bodies of the OAU to appeal to these Agencies so they may increase their contribution to this effect.
16. Took also note with satisfaction of the work done by the Bureau and Requests the OAU Member States to encourage the Bureau to continue with its activities.



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