

CM/583

Annex I.

Part II.

ORGANIZATION OF AFRICAN UNITY
COMMISSION OF TEN ON REFUGEE PROBLEMS
IN AFRICA

Eighth Ordinary Session

Addis-Abéba 28 Mai 1974

PROVISIONAL AGENDA

1. Opening of the meeting
2. Election of the Bureau
3. Adoption of the Agenda
4. Organization of Work
5. Consideration of the Co-ordinating Committee report
6. Consideration of the Second Seminar of BPEAR report
7. Date and venue of the next meeting
9. Any other business

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Annex II.

Part II.

OAU COMMISSION OF TEN ON THE
PROBLEM OF REFUGEES IN AFRICA
Eight Ordinary Session
Addis Ababa - 28 May 1974

INTRODUCTORY SPEECH TO THE REPORT OF THE
CO-ORDINATING COMMITTEE TO THE OAU COMMISSION
OF TEN ON THE PROBLEM OF REFUGEES IN AFRICA

Committee of Ten
8th Ordinary Session
Addis Abéba, 28 May 1974

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Annex III
Part 2.

AMOUNT OF EXPENDITURES
FOR THE STAFF OF THE BPEAR



Amount of expenditures
for the Staff of the BPEAR

A. Existing staff

DESIGNATION OF SECTIONS	STAFF	FAMILY SITUATION	TOTAL EXPENDITURES FOR ONE STAFF MEMBER IN US\$
1) DIRECTION	1- Accountant	M+4 Children	16.834,-
	1- Bilingual Secret.	-	11.056,-
	1- Clerk	-	2.970,-
2) EDUCATION	2- Secret. Typist I	-	5.086,-
	- " " II	-	3.234,-
3) PLACEMENT	1- Coordinator	M+1 Child	19.620,-
	2- Secret. typist I	-	7.340,-
	- " " II	-	4.321,-
4) CONFERENCES TRANSLATIONS AND REPRODUCTIONS	1- Translator	6 Children	20.977,-
	1- Secretary Shorthand typist		8.908,-
	1- Secretary typist	1 child	4.989,-
	Lump sum for Medical expenses		2.200,-

TOTAL US \$ 107.535,-

B. Person to be recruited

Expert of rural resettlement P.2-1 - M+ 4 children US \$ 24.532,-

TOTAL EXPENDITURES US \$ 132.067,-
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Committee of Ten
8th Ordinary Session
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Financial Implications

As a result of the readjustment of staff salary scales on the one hand and the non-allocation of the funds provided for under the Heading of New Post [paragraph 8-ii] on the other, the actual grand total for the financial administrative integration of Staff available and to be recruited at BPEAR will amount to US.\$ 132,067,-.

This is shown in the breakdown of this total as set forth hereafter:

Mr. Chairman,
Your Excellencies, Gentlemen,

His Excellency Ato Taye Reta, Vice-Minister of the Interior of the Imperial Ethiopian Government and myself, have been empowered by the Co-ordinating Committee of the OAU Bureau for the Placement and Education of African Refugees to lay before you the report concerning examination of the question of the enlargement of the terms of reference of BPEAR, particularly as regards rural refugees and legal assistance as well as the resulting financial implications. As you have already been reminded by the Commission Chairman at the start of the meeting, this study has been undertaken in pursuance of resolution CM/Res.329(XXII) adopted in Kampala by the Twenty-second Session of the OAU Council of Ministers, calling upon the Co-ordinating Committee to re-examine thoroughly the question of enlarging the terms of reference of the Bureau and submit its report to your Commission so that it may examine it and draw up appropriate recommendations to be submitted to the Twenty-third Session of the Council of Ministers.

In pursuance of this Resolution, the Co-ordinating Committee met in this very room from 3 to 8 of May of this month, and held prolonged discussions, sometimes animated but calm, on this important matter. Following its discussions, the Co-ordinating Committee, after having heard those mainly concerned, notably the representatives of OAU and those of the UNHCR, came to the conclusion that, as things now stand, it is not easy for BPEAR, desirable though it may be, to venture with much success into other new spheres of activity. According to the Co-ordinating Committee, BPEAR should, and for many years to come, confine itself, with a few slight modifications, to its present activities: namely Education and Placement. Thus the Co-ordinating Committee acknowledges the political responsibilities falling to OAU as an organization in which African States consult together to define their policy in all fields of human activity and the rôle OAU should play with regard to respect for the provisions of the Convention on Refugees by its Member-States. In view of the UNHCR Statute, the Committee likewise took into consideration the responsibility assumed by this United Nations Agency with regard to refugees at world level.

The Co-ordinating Committee also considered the current position of BPEAR as regards personnel, and took account of the unanimous desire of African countries that the management and operation of BPEAR be entrusted to officials coming under OAU authority. In this connexion, the Co-ordinating Committee has recommended that the Bureau be authorized to recruit two officials to advise the Director respectively on OAU policy in the matter of legal assistance to refugees and in the field of the resettlement of rural refugees. By reason of its responsibility to implement the OAU Convention on Refugees, BPEAR, according to the Co-ordinating Committee, will henceforth be assisting African refugees in the sphere of legal aid and protection as well as in resettling them in rural areas, in co-operation with the UNHCR within the framework of the Agreement linking the two Organizations. It should be pointed out here that the Agreement referred to, provides among other things, in the sphere of technical co-operation, that: "within the framework of their normal consultations, the UNHCR and OAU shall communicate any opinion or technical analysis which either shall submit on the subject of problems concerning refugees in Africa". As regards consultations on programmes, the agreement of June 1969 between the UNHCR and OAU provides that: "the UNHCR shall keep the appropriate organ of OAU informed of any projects it may initiate with regard to its programmes", of annual aid to refugees in Africa as well as projects sponsored by the UNHCR or in which it is participating. The UNHCR shall be consulted by OAU on all matters concerning these programmes".

The problem of the administrative integration of the Bureau has also been discussed at length by the Co-ordinating Committee. Some maintained that BPEAR has, ever since it was established, been administratively incorporated with the OAU General Secretariat, whilst in actual fact the situation was different: others maintained that the Bureau constituted an entirely autonomous organ vis-à-vis the OAU General Secretariat. However, in its desire to establish clearer bases for a more efficient functioning of BPEAR, the Co-ordinating Committee has come to the conclusion that it should be specified once and for all that henceforth BPEAR is incorporated into the OAU General Secretariat. Thus it is recommended that BPEAR personnel, present and future, should be fully incorporated with the OAU General Secretariat.

This recommendation results in another—that the ordinary budget of BPEAR, that is to say the budget designed to cover the expenses of personnel and equipment should likewise be included in the general budget of the OAU.

However, the Co-ordinating Committee recommends that BPEAR should, although administratively incorporated enjoy partial autonomy, particularly as regards its activities in the fields of Education and Placement. The position adopted by the Co-ordinating Committee is justified by the desire to give the Bureau some degree of flexibility in the financing of its education and placement operations in view of Article 30 of the OAU Charter. This article, as we know, specifies that the Administrative Secretary-General may accept, on behalf of the Organization, gifts, bequests and other donations, made to the Organization, provided that this is approved by the Council of Ministers. It is with a view to facilitating the financing of the Bureau's activities by external sources that it has seemed desirable to grant the Bureau a certain measure of autonomy.

Thus, in view of the fact that the Co-ordinating Committee has agreed to recommend that BPEAR should not engage in new fields of activity, the only financial implications to be envisaged concern the administrative incorporation alone. These implications figure in Paragraph 3 of the report of the Co-ordinating Committee which this Committee has before it: they amount to US.\$141,302.

Consequently, the Co-ordinating Committee has drawn up a new draft statute for the Bureau which is, as will have been realized, appreciably less voluminous than the one that was submitted to this Commission last February. This new draft statute takes full account of the preceding recommendations and is mainly centred on BPEAR. Indeed, the Co-ordinating Committee has been of the opinion that since the statute was designed to administer the Bureau, it would be superfluous to include in its provisions relating to the Co-ordinating Committee save as regards the latter's functions.

This new draft in its very first article, specifies that BPEAR is an organ incorporated into the OAU General Secretariat, while autonomous with regard to its activities in the field of the Education and Placement of African Refugees. The Bureau's terms of reference are clearly defined therein as is apparent from the conclusions reached by members of the Co-ordinating Committee.

It is also worth pointing out to the credit of the new draft that it brings out clearly the responsibilities of OAU and members of the Co-ordinating Committee with regard to the budget. Indeed, as is recommended in the report of the Co-ordinating Committee, the draft statute of the Bureau provides that the BPEAR budget shall be composed of 2 parts, of which one, relating to administrative expenditure, shall be financed and approved by OAU; and the other, relating to the activities connected with the Placement and Education of African Refugees, shall be approved by the Co-ordinating Committee and financed by external sources.

Mr. Chairman,
Your Excellencies, Gentlemen,

The Report I have just submitted to you on behalf of the Co-ordinating Committee, as well as the draft statute of BPEAR which is attached to it, have been adopted unanimously without objection or qualification, after 4 days of intense debate, and this report is the fruit of an agreement between the parties mainly concerned, namely OAU and the UNHCR.

May I express the hope that, in the interests of African Refugees, your Commission will welcome this report and recommend that it be submitted to the Council of Ministers for approval.

I thank you for your kind attention.

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Annex IV.

Part II.

DRAFT RULES AND REGULATIONS ON THE FUNCTIONS OF THE BPEAR

ARTICLE I.

The BPEAR shall be administratively integrated within the OAU General Secretariat but will remain autonomous specifically as far as Placement and Education of African Refugees are concerned.

ARTICLE II.

The functions of the BPEAR shall be:

- a) to implement, within the General Secretariat, the OAU policies in the field of assistance to refugees and refugee work in Africa;
- b) to liaise with the UNHCR and enhance the existing cooperation between the OAU and UNHCR and render its assistance in respect of legal assistance and rural settlement in accordance with the agreement of co-operation between the OAU and UNHCR;
- c) to foster the Education and Placement of African refugees in accordance with Recommendation XI of the Conference on Legal, Economic and Social Aspects of African Refugee Problems as approved by the Council of Ministers in Resolution CM/Res.141(X);
- d) to compile and disseminate information concerning education, training and job opportunities for African refugees in accordance with Recommendation XI of the Conference on Legal, Economic and Social Aspects of African Refugee Problems as approved by the Council of Ministers in Resolution CM/Res.141(X).

ARTICLE III.

The BPEAR shall perform its duties under the supervision of:

- a) the Administrative Secretary General of the OAU and through him the OAU political bodies;
- b) the Co-ordinating Committee as regards Placement and Education.

ARTICLE IV.

The BPEAR shall be headed by a Director assisted by a Deputy Director. These two senior officers as well as other staff members shall be appointed by the Administrative Secretary-General in accordance with the rules and regulations of the OAU.

ARTICLE V.

In budgetary matters, the BPEAR shall have:

- a) an administrative budget financed and approved by the OAU;
- b) a programme budget for Placement and Education approved by the Co-ordinating Committee and financed by outside sources.

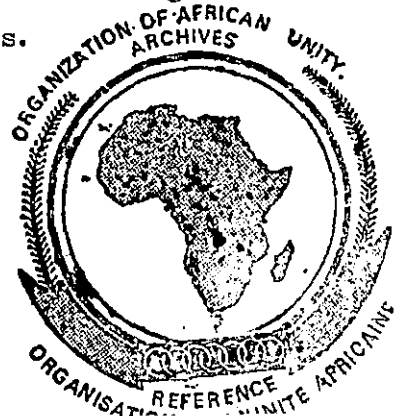
ARTICLE VI.

All financial reports and accounts of the BPEAR shall be audited once a year by the internal and external auditors of the OAU. Their reports shall be sent to the Administrative Secretary General of the OAU who will communicate to:

- a) the Advisory Committee on the Budgetary and Financial matters the reports concerning the Administrative and operational budgets;
- b) the Co-ordinating Committee, the part of the report relating to the programme budget.

ARTICLE VII..

- a) the contributions or donations received shall be paid either by cheque or by virement to a special account opened in the name of the BPEAR;
- b) the BPEAR shall, moreover, undertake fund-raising at the level of Member States and friendly countries.



ARTICLE VIII.

The BPEAR shall have its own Accounting Unit to manage its operational funds. Cheques shall be signed by two persons, namely the Director of the BPEAR or his Deputy in his absence and an accountant of the BPEAR. Specimens of their signatures shall be deposited with the Bank.

ARTICLE IX.

In each of the countries sheltering refugees or desirous of doing so, the BPEAR may request the appointment of a National Correspondent by the National authorities. Similarly the BPEAR may request the national authorities to terminate the functions of a National Correspondent if necessary.

ARTICLE X.The role of the National Correspondent:

The National Correspondent shall, in co-operation with Refugee Counselling Services, where they exist:

- a) inform the BPEAR on education, placement or resettlement opportunities in the country;
- b) inform the refugees in that country about such possibilities;
- c) help the refugees in their efforts to obtain education, placement or resettlement;
- d) support the BPEAR initiatives undertaken with the authorities in that connection.

ARTICLE XI.

The present rules and regulations on the functions of BPEAR shall enter into force as soon as they are adopted by the Council of Ministers of the OAU.

ARTICLE XII

The present rules and regulations on the functions of BPEAR may be amended by the Council of Ministers of the OAU.

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Provisional Agenda

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