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REPORT OF MISSIONS OF THE COMMISSION OF FIFTEEN ON
REFUGEES TO THE FORTIETH ORDINARY SESSION
OF THE COUNCIL OF MINISTERS



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In view of the alarming refugee situation in Africa, the OAU Council of Ministers during its Thirty-fourth Ordinary Session held in Addis Ababa, in February 1980, adopted Resolution CM/Res.774 (XXXIV) which required the OAU Commission of Fifteen on Refugees to undertake missions to some selected OAU Member States with a view to promoting the principle of "burden-sharing" as enshrined in the 1979 Arusha Conference on the Situation of Refugees in Africa. The Commission undertook the said missions in 1980. Following the successful conclusion of these missions, the OAU Council of Ministers meeting in its Thirty-six Ordinary Session adopted Resolution CM/Res829 (XXVI) requesting the Commission of Fifteen on Refugees to undertake similar missions to those OAU Member States which were exceptionally overburdened by refugee problems but which had not been visited by the Commission in 1980.

In this regard, the OAU Secretariat in collaboration with the OAU Commission of Fifteen and the OAU Member States concerned, identified the following countries to be visited from 18 October to 13 November 1983:

Angola	Swaziland
Botswana	Uganda
Lesotho	Tanzania
Mozambique	Zambia
Rwanda	Zimbabwe

Both the findings and recommendations of these missions are embodied in Doc. CM/1236 (XL) which is attached herewith for ease of reference.

CM/1236 (XL)

Annex I

REPORT OF MISSION THREE OF THE OAU COMMISSION OF
FIFTEEN ON REFUGEES IN AFRICA (ZIMBABWE,
BOTSWANA, SWAZILAND AND ZAMBIA

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I. INTRODUCTION

In view of the alarming refugee situation in Africa, the OAU Council of Ministers during its Thirty-fourth Ordinary Session held in Addis Ababa in February 1980 adopted Resolution CM/Res.774 (XXXIV) which required the OAU Commission of Fifteen on Refugees to undertake missions to selected OAU Member States with a view to promoting the principle of "burden sharing" as enshrined in the 1979 Arusha Conference on the situation of refugees in Africa. The Commission of Fifteen on Refugees undertook the missions in 1980. Following the successful conclusion of these missions, the OAU Council of Ministers meeting in its Thirty-sixth Ordinary Session adopted Resolution CM/Res.829 (XXXVI) requesting the Commission of Fifteen to undertake similar missions to those OAU Member States which are affected by the refugee problems but which were not visited by the Commission. The two latter missions of the OAU Commission of Fifteen on Refugees started on the 18 and 21 October 1983 respectively.

II. COMPOSITION OF THE MISSION

2. Mission three of the OAU Commission of Fifteen was composed of the following:

- (i) H.E. Ambassador A. Blankson of Nigeria to Ethiopia,
Chairman of the OAU Commission of Fifteen and Leader of the mission;
- (ii) H.E. Ambassador Dr. T.J.B. Jokonya of Zimbabwe to Ethiopia;
- (iii) Mr. I.C. Mponzi of OAU Bureau for Refugees.

3. A representative of UNHCR Office in Addis Ababa was supposed to accompany the delegation, but for unforeseen circumstances he was not able to do so. However, the UNHCR Regional Liaison Office in Addis Ababa communicated the objectives of the mission to the UNHCR Headquarters in Geneva requesting its branch offices in the countries to be visited to cooperate with the mission.

III. SYNOPSIS OF VISITS

4. The delegation visited Zimbabwe, Botswana, Lesotho, Swaziland and Zambia from 21 October to 13 November 1983.

5. In all the countries visited, the delegation was accorded fraternal welcome and given the opportunity to meet various government officials in the Ministries of Foreign Affairs, Home/Internal Affairs, Labour and Social Affairs, Deputy Prime Minister's office, President's office, Liberation Movements, UNHCR and Voluntary Organizations which have refugee programmes.

6. The delegation held discussions with top Government officials on the objectives of the mission, the situation of refugees in Africa and all aspects of refugee problems. In all countries visited, the delegation had the opportunity of discussing refugee matters with Foreign Ministers or as in one instance, with the Deputy Prime Minister. It was quite clear that Member States visited, without exception, had a very high regard of the mission. The delegation got a very strong impression that, there is deep concern for the escalating refugee problem in Africa in all these Member States visited. Where the situation warranted, the delegation was accorded the opportunity to visit refugee transit centres, houses where refugees were killed by the apartheid fascist regime of South Africa, and refugee settlements. These physical visits to various refugee places enabled the delegation to gain further insight into the magnitude of the refugee burden being borne by the host countries, the majority of which are in the LDC group (Least Developed Countries).

IV. PURPOSE OF THE MISSION

7. The purpose of the mission was to hold consultation with the representatives of the OAU Member States visited and to sensitize them on the magnitude of the current refugee problem in Africa, make an on-the-spot assessment of the gravity of the refugee problem affecting the countries visited with a view to promoting the principle of "burden-sharing" as enshrined in the 1979 Arusha Pan-African Conference on the situation of Refugees in Africa which was held from 7-17 in March. The mission was also implementing Resolution CM/Res.829 (XXVI) para 8 as adopted by the Thirty-sixth Ordinary Session of the OAU Council of Ministers.

V. TERMS OF REFERENCE

8. The mission was empowered to discuss, draw conclusions and make recommendations on the following:

1. Accession to and implementation of international instruments concerning refugees and international solidarity;
2. Work permits for refugees;
3. Return clause to be incorporated in the travel documents of refugees;
4. Economic fees for refugees;
5. Burden-sharing;
6. National refugee machineries;
7. Enactment of amnesty laws;
8. Naturalization;
9. Accession to and implementation of the African Charter on Human and Peoples' Rights;
10. Observance of Africa Refugee Day 20th, June;
11. Preparation for the Second Conference on Assistance to Refugees in Africa (ICARA II).

VI. COUNTRY BY COUNTRY ANALYSIS

ZIMBABWE

9. In Zimbabwe, the delegation was received and had discussions with H.E. W. Mangwenda, Minister for Foreign Affairs, H.E. K. Kangai, the then Minister for Labour and Social Services and other highly placed officials of both the Ministries of Foreign, Labour and Social Affairs.

10. The delegation also met the representative of the UNHCR in Zimbabwe.

11. The Republic of Zimbabwe pledged all assistance to refugees especially admitting refugee students in its institutions provided they got sponsors to pay their school fees.

12. The delegation visited the newly acquired refugee transit centre which, when completed, will accommodate more than 200 refugees. The

centre will house the refugees temporarily for screening by the Zimbabwean Refugee Committee. The Committee consists of the Commissioner for Refugees, one member from each of the following Ministries -

Foreign Affairs, Home Affairs, Security, and some representatives from Organizations having refugee problems in Zimbabwe. It is important to emphasize that it is the policy of the Republic of Zimbabwe to integrate refugees within the local population. In this way it becomes difficult for them to be bombed by the racist regime of South Africa. The centre will also act as a temporary holding station in case of large influx of refugees from South Africa. For the time being Zimbabwe has a total population of more than 200 refugees from South Africa and Namibia. A large number of these refugees are in educational institutions. It has, however, thousands of displaced persons from neighbouring countries. These are not regarded as refugees for the simple reason that they cross the border of the concerned countries for economic reasons or to escape from areas of conflict without going through border posts. They often go back to their original home once the situation improves. The delegation also visited the Rehabilitation Centre where the war victims are taught various types of skills aimed at making them self-reliant.

a) ACCESSION TO AND IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS
CONCERNING REFUGEES AND INTERNATIONAL SOLIDARITY

13. At the time of the visit of the OAU Commission of Fifteen Delegation, Zimbabwe had signed and acceded to the 1951 UN Convention, and the 1967 Protocol, but had not ratified the 1969 OAU Convention governing the Specific Aspects of Refugees in Africa. However, despite this lack of accession to the 1969 OAU Convention, the delegation was informed that Zimbabwe had all along been in the frontline for receiving and extending assistance to refugees, regardless of their countries of origin. It has, for example, opened its educational institutions for refugees from South Africa, Namibia and elsewhere to advance their education. This is a big sacrifice the country is making, especially taking into consideration that it acquired its Independence recently and needs all its institutions to train its own local manpower. The Zimbabwean authorities assured the delegation that Zimbabwean Government is going to ratify the Convention in the near future and will inform OAU accordingly.

b) ACCESSION TO AND IMPLEMENTATION OF THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS

14. This important instrument, if signed and ratified by all OAU Member States, is expected, among other things, to reduce the flow of refugees in Africa. At the time of the visit of the OAU Commission of Fifteen Delegation, Zimbabwe had not yet acceded to the African Charter on Human and Peoples' Rights. The delegation was informed by the relevant authorities that preparation was underway for accession to the text referred to above in the interest of African Unity as well as international solidarity. The authorities also made it clear to the delegation that despite the fact that Zimbabwe had not yet become a party to the text, it had spared no efforts in identifying itself with those OAU Member States who had already signed and ratified the Charter.

c) THE QUESTION OF WORK PERMITS

15. The delegation was informed that in Zimbabwe job opportunities are abundant and that therefore work permits are not among the pre-requisites for refugees who wish to procure jobs in Zimbabwe provided they are recognized refugees in that country.

d) THE ISSUE OF "RETURN CLAUSE"

16. The Zimbabwean Government is very liberal about incorporating the "Return Clause" in the travel document of any refugee who wishes to travel abroad and return to Zimbabwe. However, it is the policy of the Government to discourage refugees from making Zimbabwe as a second country of asylum.

e) ECONOMIC FEES

17. The Zimbabwean authorities informed the OAU Commission of Fifteen that Zimbabwe does not charge extra fees for refugees, but charges them the same fees as those charged to national students.

f) "BURDEN-SHARE"

18. The delegation held extensive discussions with the Zimbabwean officials regarding the principle of "Burden-sharing" as recommended by

the 1979 Arusha Conference on the situation of Refugees in Africa. These discussions were held within the general framework of the burden of refugees currently being borne by the three years old independent Zimbabwe. Though Zimbabwe has a population of more than 200 refugees, there is every possibility of a great influx of refugees from South Africa. Zimbabwe is therefore preparing itself in case of such an influx. It is for this reason that Zimbabwe discourages refugees making it as a second country of asylum. However, despite this burden, Zimbabwe has agreed to receive and resettle some South African Refugees from Lesotho. These refugees are among those that the fascist and racist apartheid regime of South Africa wanted removed from Lesotho on the allegations that they were cadres of African National Congress of South Africa (ANC).

19. In sum, the Zimbabwean government agreed in principle to fully participate in the principle of "burden-sharing". For instance, it agreed to open doors to refugees seeking admission into its educational institutions regardless of where the refugees originally came from. It, however, appealed through the OAU Commission of Fifteen on refugees, to persuade other countries with fewer numbers or no refugees at all to take and resettle some skilled refugees from the ever-burden countries.

g) NATIONAL REFUGEE MACHINERIES

20. Zimbabwe has a national refugee machinery. It consists of the following Ministries and Organizations dealing with refugees in the country:

Ministry of Labour and Social Welfare, Ministry of Manpower Planning, Ministry for Foreign Affairs; Ministry of Home Affairs, The Prime Minister's Office (State Security), United Nations High Commissioner for Refugees and Other Voluntary Organizations dealing with Refugees problems in Zimbabwe.

21. All these form a Committee known as the Zimbabwean Refugees Committee. The functions of the Committee are to receive and consider applications for refugees and to ensure the provision of adequate facilities and services for the reception and care of refugees within Zimbabwe.

22. Zimbabwe has an Act on refugees. The Act number is 13. The Act will enable Zimbabwe to accede to the Convention governing the Specific Aspects of Refugee Problems in Africa of 10th September 1969.

h) ENACTMENT OF AMNESTY LAWS

23. Soon after attaining independence, Zimbabwe declared general amnesty for all its citizens living abroad as refugees to go back and help in the reconstruction of the new Zimbabwe. Since then, thousands of refugees have gone back. The Government also enacted laws which protected the returning refugees from being penalized for any crime which might have led them to the refugee situations. This procedure is still being followed to date.

i) NATURALIZATION

24. At the time of the visit of the OAU Commission of Fifteen Delegation, Zimbabwe had a relatively small number of refugees who had stayed in the country for a period of less than three years. So far no refugee had applied for naturalization. However, it was the general view of the Government that if refugees applied for citizenship, due consideration would be given.

j) OBSERVANCE OF AFRICA REFUGEE DAY - 20TH JUNE

25. This refers to the commemoration every year of the coming into force on the 20th June 1974 of the OAU Convention governing the Specific Aspects of refugee problems in Africa. The Zimbabwean authorities promised to observe the Refugee Day by making public official statements, organizing meetings which will include refugees, dissemination of information through radio, television programmes, newspaper articles and collection of funds in favour of refugee programmes.

k) PREPARATION FOR THE SECOND INTERNATIONAL CONFERENCE ON ASSISTANCE TO REFUGEES IN AFRICA (ICARA II).

26. The Zimbabwean authorities expressed the hope that ICARA II will realize the additional funds needed for the refugee projects in Africa. It was the opinion of the Government that although ICARA I raised some 574 million US\$, it fell short of the expectations of African countries, in as far as the mobilization of additional assistance to strengthen the capacity of affected countries in carrying the burden imposed on their economies. Zimbabwe had already submitted well-prepared projects for

ICARA II and promised to send a high powered delegation to represent it at the meeting.

27. The authorities, however, made a suggestion that it could be a good idea if a special meeting was to be held to discuss about the security aspects of South African refugees for the purposes of coordinating and harmonizing approaches to refugee matters. Such an item could be discussed by the Defence Commission of Frontline States, or Southern Africa Development Coordinating Conference. (SADCC).

B O T S W A N A

28. In Botswana the OAU Commission of Fifteen delegation held discussions with H.E. A. Mogwe, Minister for Foreign Affairs and other highly placed officials from the President's office, UNHCR, and Botswana Council for Refugees. The Delegation was informed that the Republic of Botswana had a total population of 4,000 refugees and they came from the following countries: Zimbabwe, Angola, South Africa, Namibia, Lesotho, Uganda, Mozambique and Malawi. Out of the total 4,000 refugees, 3,500 were resettled at Dukwi refugee settlement. The rest were integrated with the local population.

29. Dukwi settlement covers an area of 264 square kilometres. It is located in the Central District of Botswana and is 133 kilometres from Francistown. It is the only refugee settlement existing in Botswana. The delegation was informed that throughout 1982 and 1983 there was a steady increase in refugee population at the settlement. The settlement also functions as a transit centre for those refugees who are waiting for education opportunities in other countries as arranged by their respective Liberation Movement or sponsors.

30. The Government of Botswana was seriously concerned that the problem of refugees in the country which was supposed to be on the decrease after the independence of Angola, Zimbabwe and Mozambique was now on the increase. The delegation was informed that Botswana government would be glad to see other OAU Member States with fewer numbers of refugees sharing the burden it is bearing. Many of the refugees for instance would like

to go to other countries where there are opportunities for education and employment. However, despite this the Botswana government pledged to continue receiving and rendering services to refugees who choose it as their country of asylum.

a) Accession to, and implementation of, International instruments concerning refugees and International Solidarity

31. At the time of the visit of the OAU Commission of Fifteen Delegation, Botswana had not yet acceded to the OAU Convention governing the Specific Aspects of Refugee Problems in Africa of 1969. However, the delegation was informed by the relevant Botswana authorities that preparation was underway for Botswana's accession to the text referred to above. It was also made clear to the delegation that despite the fact that Botswana had not yet signed and acceded to the Convention it had spared no effort in identifying itself with those countries who have already ratified the Convention in rendering services to refugees.

b) Accession to and implementation of the African Charter on Human and Peoples' Rights

32. The delegation was informed that Botswana had neither signed nor ratified the Charter. However, the Botswana authorities assured the OAU Commission of Fifteen delegation that preparation was in the final stage for signing and ratifying the said Charter.

c) Work Permits

33. On the question of work permits, the Botswana authorities informed the delegation that as far as skilled refugees were concerned, there were no problems for them to get work permits provided they procured jobs. The problem rested with the unskilled refugees who found it difficult to secure employment.

d) The issue of "Return Clause"

34. The delegation was informed by the Botswana authorities that Botswana was quite liberal about incorporating the "Return-Clauses" in the refugees travel documents. The authorities further informed the

delegation that Botswana gives a "Return-Clause" having validity of not less than six months even to those refugees who leave Botswana for resettlement elsewhere. The only occasion when the Botswana Government found it difficult to incorporate a "return clause" in a refugee's travel document was when the refugee concerned had criminal record.

e) The question of "Economic fees"

35. The Government authorities informed the delegation that Botswana did not discriminate refugees as far as education was concerned. It accepted students in its institutions of higher learning provided they had an Organization to sponsor them. It was also stated that the Botswana government does not charge extra fees for refugees.

f) "Burden-Sharing"

36. The delegation held extensive discussions with the relevant officials of the Botswana Government regarding the principle of burden-sharing as it related to the African refugee problem. These discussions were held within the general framework of the burden of refugees currently borne by the Botswana Government. The delegation was duly informed that the Botswana Government was, at the time of the delegation's visit, spending a lot of money to cater for the well being of those refugees. They admitted that in comparison with the refugee populations elsewhere in Africa the number of refugees in Botswana could appear to be almost negligible. But the problem was the intensity or complexity of the refugee situation obtaining in the country which posed a challenge to the Government. The authority informed the delegation that politically this complexity was due to the fact that South Africa interpretes the whole question of refugees differently. It was also compounded by such climatological handicaps such as drought, desertification as well as landlockedness. In the principle of African Unity and International solidarity, Botswana appealed to the delegation of the OAU Commission of Fifteen to persuade other countries who did not have common borders with the racist Republic of South Africa to accept and resettle some of these refugees especially those from South Africa. Alternatively the Botswana authorities were of the opinion that countries which because of geographical or linguistic reasons could not be in a position of

receiving refugees should offer material or financial assistance to Botswana. However, the Botswana authority agreed in principle to continue receiving and rendering services to refugees who chose Botswana as its first country of asylum.

37. The Botswana authorities were of the opinion that a delegation of the OAU Commission of Fifteen and the OAU Bureau for Refugees should pay regular visits to the countries in the Southern part of Africa in order to assist them in placing to other countries certain refugees from South Africa who for security reasons could not be accommodated in those countries. They also suggested that it could be a good idea if the refugee issue could be a subject of discussion with SADCC.

g) National Refugee Machinery

38. The OAU Commission of Fifteen delegation was informed by the Botswana authorities that in Botswana a national refugee machinery of various Government Ministries dealing with refugee matters together with various Organizations and Voluntary Organizations dealing with refugees existed. Some of these Organizations were UNHCR, Botswana Christian Council and Lutheran World Federation. Botswana Council for Refugees acts as a coordinator for the national refugee machinery.

h) The issue of Enactment of Amnesty Laws

39. This issue did not apply in the case of Botswana, since none of its citizens were refugees elsewhere.

i) Naturalization

40. Since naturalization was regarded as one of the permanent solutions to the refugee problem in Africa, the delegation was informed by the Botswana authorities that Botswana had already naturalized 2,000 former refugees from Angola. These citizens had been integrated into the host society and were enjoying full privileges and benefits as those accorded to Botswanians. The Government of Botswana promised the delegation of the OAU Commission of Fifteen that it would continue with the policy of naturalization as the situation arose.

j) Observance of African Refugee Day

41. The Government authorities informed the delegation that the observance of the African Refugee Day coincided with the commemoration of Soweto day of 16th June of every year. So the Botswana Government commemorated the two occasions together by delivering speeches by either the Head of State or the Minister responsible for refugees. Organizing games such as football etc, organizing meeting of various Organizations and diplomat missions based in Botswana to consider ways of finding lasting solutions to the refugee problem in Africa. The authorities promised to continue observing the African Refugee Day as they had been doing before. The Government requested the OAU to forward to the Botswana Government themes for the observation of Africa Refugee Day.

k) The Second International Conference on Assistance to Refugees in Africa (ICARA II)

42. The OAU Commission of Fifteen Delegation was informed that Botswana Government was not happy on the way the first ICARA funds were disbursed. The Botswana authorities were of the opinion that money pledged during ICARA II should go directly to the OAU Headquarters in Addis Ababa rather than going to the UNHCR Headquarters in Geneva. It was stated that OAU, through the OAU Commission of Fifteen on Refugees and the OAU Council of Ministers would be in a much better position to distribute the ICARA II funds to the OAU Member States. They informed the delegation that they had already submitted well prepared projects for ICARA II and that the ICARA Technical Team visited Botswana and agreed with the projects submitted by the Government. The Government promised to participate in the Conference of ICARA II from 9-11 July 1984 in Geneva.

L E S O T H O

43. In Lesotho the OAU Commission of Fifteen Delegation had discussions with Mr. T. Thabane, Permanent Secretary, Ministry of Foreign Affairs, Mr. S.M. Phamoitse, Permanent Secretary, Ministry of Interior, as well as officials from the Liberation Movements and UNHCR.

44. The delegation was informed by the Lesotho authorities that Lesotho had an estimated refugee population of 11,500. Of these, some 1,300 were registered with the Government. An overwhelming majority of

these refugees were South Africans. The exact number of refugees was not precisely known. A survey was made in 1981 and the conclusion was that there were some 26,000 non-registered refugees, many of them being ethnic Basotho coming from the Republic of South Africa to escape apartheid. Many of these refugees came to Lesotho seeking apartheid-free education. Others to settle into subsistence agriculture after their period of working in the mines in South Africa had come to an end. Out of this 26,000, it was estimated that only 11,500 qualify as de jure refugees under the refugees international Conventions. Many of the refugees were reluctant to register with the Government as refugees for fear of external reprisal. The refugees preferred to live integrated among Lesotho nationals and often with relatives as extended family members. The majority of them were either of school age or elderly. In Lesotho, the refugee students had access to educational facilities equal to that of the nationals.

45. The Lesotho authorities informed the delegation that the Government's policy was one of rapid integration of refugees into the economy as the most feasible way to avoid antagonism and a feeling of separation within Lesotho. In this way it becomes relatively difficult for South Africa to launch commando raids against refugees. Most of the refugees lived in or around Maseru. Others were scattered throughout the country.

46. On 9 December 1982, the Capital of the Kingdom, Maseru was attacked by armed forces from South Africa, killing 42 persons, of whom 23 were refugees. The authorities in Lesotho informed the OAU Commission of Fifteen Delegation that relations between the racist Republic of South Africa and the Kingdom of Lesotho were strained even before the December attack.

47. Historically, the Kingdom of Lesotho came into existence as a nation-state following the protracted war of independence fought between the Afrikaners and the Basotho under the charismatic leadership of King Moshoeshoe I. The Basotho State was founded on the principle of toleration of diverse people which began as an amalgam of refugees and other displaced groups who had sought protection under King Moshoeshoe I. Although no direct hostilities existed between South Africa and Lesotho at the advent

of Lesotho's independence in 1966, the residual tension between the two countries lingered and became more pronounced after 1976 following the June Soweto uprising which led to thousand of young South Africans fleeing their country of origin into Lesotho. Since 1976 Lesotho has by virtue of its own historical traditional and in keeping with its obligation under the international legal instruments for the protection of refugees, has continued to provide sanctuary to refugees.

48. The attack by units of the South African forces on refugees in December marked the beginning of a period of strained relations between the Kingdom of Lesotho and the racist regime of South Africa. This was followed by tightening of the borders with Lesotho bringing the traffic of Lesotho citizens to South Africa almost to a virtual standstill. Another measure was to embargo arms and military equipment destined for Lesotho at Jan Smuts Airport and Durban. The other was the intensifying economic warfare by delaying remittances of taxes to Lesotho emanating from the customs union. It is likely that the South African pressures will not stop and may even intensify. The crucial question is for how long will the Governments continue to withstand those pressures and at what cost.

49. During the discussions there was no doubt in the opinion of the Lesotho authorities that the South Africans were through the subversive activities and the tightening of the borders and the embargo of arms and military equipment planning a coup d'Etat against the Government of Lesotho. It is in this respect that Africa should demonstrate solidarity with the Kingdom of Lesotho. The Lesotho authorities through the OAU Commission of Fifteen on Refugees appealed very strongly for the OAU Member States to open as many diplomatic missions in Maseru as possible. A request was also made for the OAU to open an Office in Maseru as soon as possible. The authority felt that if all this was done the racist regime of South Africa would know that Lesotho was not alone but had friends.

a) Accession to, and implementation of, International Instruments concerning Refugees and International Solidarity

50. At the time of the visit of the delegation, the Kingdom of Lesotho had not yet acceded to the OAU 1969 Convention on the Specific Aspect of

of Refugees in Africa. However, despite this lack of accession, the delegation was informed that Lesotho had all along been a haven for refugees and had always been cooperating with international organizations in the field of assisting refugees. The authorities further informed the delegation that a lot of ground work had been done in the direction of acceding to the said text what was remaining was the final formal ratification of the text by the constitutional authorities of the Kingdom.

b) Accession to and implementation of the African Charter on Human and Peoples' Rights

51. Up to the time of the visit of the OAU Commission of Fifteen delegation, Lesotho had neither signed nor ratified the Charter. However, the delegation was informed by the relevant authorities that preparation was underway for Lesotho's accession to the text referred to above.

c) Work permits

52. In terms of procuring jobs, the delegation was informed that refugees in Lesotho did not need work permits. Refugees were treated the same way as the Lesotho nationals.

d) The issue of "Return Clause"

53. The delegation was informed by the Lesotho authorities that in order to facilitate the movement of refugees to various parts of the world for a variety of reasons, the Lesotho Government had been giving "return clause" to enable them to travel abroad and return to Lesotho. In short, the issue of offering travel documents to refugees had been approached in a practical manner, taking cognizance of the individual merit of each case of the refugee. Lesotho endorsed return clauses even for refugees who leave it for a second country of asylum.

e) Economic fees

54. As stated before Lesotho had a very liberal education policy. Out of the 11,500 refugees in Lesotho the majority of them were of school going age. Once admitted in schools they pay the same fees as nationals.

f) Burden-sharing

55. The Kingdom of Lesotho's humanitarian tradition in granting safe haven to asylum seekers is generous. Its treatment of refugees in accordance with the international legal instruments is internationally acknowledged. Taking into account the fact that the granting of asylum is a peaceful and humanitarian act Lesotho has despite the ever growing pressure by the racist regime of South Africa, continued to exercise a liberal policy in granting asylum to refugee seekers. The Lesotho Government has thus been strictly observing the fundamental principle of non-refoulement. The presence of refugees had cost Lesotho substantially in human, social and economic terms. It is in this regard that the Lesotho authorities appealed through the OAU Commission of Fifteen on Refugees to other OAU Member States to resettle a limited number of South African refugees.

g) National refugee machinery

56. The delegation was informed that with the assent to the refugee Bill of 1983 by His Majesty, a national refugee machinery would be established. It would consist of the following Ministries:

Interior, Justice, Foreign, and UNHCR as well as Voluntary Organizations having refugee programmes in Lesotho. The Committee would consider applications for refugee status, advise the Minister on general issues relating to the determination of refugee status and other policy matters concerning refugees.

h) Enactment of Amnesty Laws

57. Lesotho enacted Amnesty Laws in 1980. The Act provided for the granting of amnesty by the King to citizens living outside Lesotho. Notwithstanding any other law the decision of the King to grant amnesty to a citizen of Lesotho under the above Act is conclusive and binding upon the Director of Public Prosecutions and all persons and no criminal prosecution might be undertaken by any person or authorities for offences or crimes to which the King's grant of amnesty relates.

i) Naturalization

58. The delegation was informed that in order for a refugee to be a citizen of Lesotho he should have stayed in the country for not less than five years. However, the Minister responsible for refugees might in special circumstances of any particular case, grant citizenship to refugees who had stayed in the country less than five years. The authorities informed the delegation that many refugees had already been naturalized.

j) Observance of African Refugee Day

59. The delegation was made to understand that Lesotho had been observing the African Refugee Day since its inception. The Lesotho authorities requests the OAU Bureau for Refugees to inform the Government every year on the themes for the observance of African Refugee Day.

k) The second International Conference on Assistance to Refugees in Africa (ICARA II)

60. The Kingdom of Lesotho had submitted five projects for ICARA II namely construction of 93 class rooms in secondary schools, provision of ten laboratories and equipment for secondary schools, construction of two health centres around Maseru, assistance to expand a hospital in Maseru and training in horticulture production. The delegation was informed that the Kingdom was going to be represented in Geneva at the highest level.

61. The officials from the Liberation Movements appealed through the OAU Commission of Fifteen for the OAU to sponsor refugee students recommended by the Liberation movements and who could not secure scholarships from other organizations.

62. Finally it was suggested that an International Conference should be held to discuss all aspects of refugee problems in South Africa. In order to have a great impact it was proposed that the venue for such meeting should be in one of the countries neighbouring South Africa.

S W A Z I L A N D

63. In the Kingdom of Swaziland the OAU Commission of Fifteen on Refugees met and held discussions with H.E. B.M. Nsibandz, Deputy Prime Minister of the Kingdom, H.E. R.V. Dlamini, Minister of Foreign Affairs, Mr. A. Shabangu, Principal Secretary Deputy Prime Minister's Office and other highly placed officials of the Government as well as UNHCR and Lutheran World Federation.

64. The Delegation was informed that the Kingdom of Swaziland is in many ways unique in the African continent. It is entirely surrounded by powerful neighbours who strongly oppose the apartheid regime of South Africa. The middle road of independent neutrality has always required the Government of Swaziland to treat carefully along a political tightrope. In the difficult task of following its chosen route for national development without offending either the racist regime of South Africa in order to avoid the tactics used by South Africa security forces against refugees in Lesotho or to avoid offending OAU Member States, the international respect earned by His Majesty King Sobhuza II during his sixty one years rule, had always provided a secure safety net.

65. The OAU Commission of Fifteen delegation was made to understand that the Kingdom of Swaziland had a total population of 7,000 refugees. Out of this number 6,000 refugees were resettled at Ndzevane refugee settlement, the remaining number of refugees were integrated within the local population of Swaziland. In this way it becomes relatively difficult for the racist regime of South Africa to hit civilian targets housing both refugees and local population.

66. The OAU Commission of Fifteen delegation had an opportunity to visit Ndzevane refugee settlement. It had 6,000 refugees. The settlement had developed with financial assistance from the Swaziland Govt., UNHCR and L.W.F. and had put up a number of buildings including a community centre, a photo studio, radio repair shop, a market, barber shop and clinic. The primary school had 476 children with a staff of 15 teachers. The delegation was informed by the Swazi authorities that from the beginning, it had

been the intention of the Government that Ndzevane should be an integral part of the District (Lubombo) and not an isolated refugee settlement. There had been problems in achieving this goal. But steady progress had been made. Settlers initially resisted losing their group identity. This is an understandable legacy of their difficult years in South Africa.

67. The rural refugees in Swaziland thus consist of two major clans. The Mungomezulus and the Matseni who both originate from South Africa. Other refugees are from Namibia, Mozambique and Malawi.

a) Accession to, and implementation of, international instruments concerning refugees and international solidarity

68. Up to the time of the visit of the OAU Commission of Fifteen delegation, Swaziland had acceded to the 1951 UN Convention, the 1967 Protocol but had not yet acceded to the 1969 OAU Convention on Refugees. However, the delegation was informed that preparation was underway for Swaziland's accession to the Convention.

b) Accession to and implementation of the African Charter on Human and peoples' rights

69. Here also the delegation was informed that Swaziland had neither signed nor ratified the Charter but that steps were underway for signing and ratifying the Charter.

c) Work permits

70. In terms of procuring jobs, refugees in Swaziland do not need work permits. They are treated as Swazi nationals.

d) The issue of "Return Clause"

71. The delegation was informed that in general terms Swaziland acts as a corridor through which refugees from South Africa pass to seek permanent asylum to other OAU Member States which are not very close to South Africa. For such refugees the Swazi Government provides a one-way travel document. However, for those refugees whose country of asylum is Swaziland and who

for different reasons would like to travel to other countries, Swaziland always provides a "Return Clause" in their travel documents.

e) Economic fees

72. The delegation was informed that economic fees do not apply to Swaziland since refugees pay the same fees as nationals.

f) The question of Burden Sharing

73. The delegation was informed by the Swazi authorities that Swaziland had only 17,364 sq.kms. a population of about one million people and a refugee figure of about 7,000. This refugee problem poses a serious threat to the country's security and needs the attention of all the OAU Member States.

74. Swaziland is very much committed to the refugee cause, but being surrounded by South Africa where most of the refugees originate, it has at the same time a duty to safeguard the security of its own people and the country as a whole. It is in this regard that Swaziland would prefer to act as a corridor through which refugees from South Africa will pass to other OAU Member States. The Government of Swaziland appealed very strongly to the delegation to persuade other OAU Member States, especially those which are not close to South Africa, to accept the principle of burden-sharing. The Government also requested for the resettlement of skilled Portuguese speaking refugees to other OAU Member States.

75. The delegation's visit to Ndzevane refugee settlement enabled it to gain further insight into the magnitude of the refugee burden. However, despite this the Government of the Kingdom of Swaziland promised to extend its assistance to refugees who ran away from their original countries. The Swazi authorities also requested the OAU Commission of Fifteen on Refugees and the OAU Bureau for Refugees to visit countries in the Southern part of Africa as often as possible in order to assess the magnitude of refugee problems in those countries.

g) National Refugee Machinery

76. The delegation was informed by the Swazi authorities that a national refugee machinery existed. It consisted the Ministry of Foreign Affairs,

Ministry of Justice, Ministry of Interior, Ministry of Education, Deputy Prime Minister's Office, United Nations High Commissioner for Refugees and International and Local Voluntary Organizations having refugee programmes in Swaziland. The National Refugee Committee advises the Deputy Prime Minister on all matters concerning refugees in Swaziland.

h) Enactment of Amnesty Laws

77. This did not apply to the Kingdom of Swaziland since not many of its nationals are refugees elsewhere.

i) Naturalization

78. The delegation was informed by the Swaziland authorities that if a refugee wanted to become a citizen of Swaziland he had only to follow the normal procedure of applying for citizenship and that Swaziland had always been very liberal in granting citizenship to refugees.

j) Observance of African Refugee Day

79. On this issue the OAU Commission of Fifteen was informed that the Kingdom of Swaziland observed Refugee Day every year by making public statements aimed at enunciating the Swaziland refugee policy for the benefit of refugees and members of the International Committee. Swaziland has the refugee control order (King's Order-in-Council No.3 of 1978) which empowers the Deputy Prime Minister to exercise better control of refugees entering Swaziland. The humanitarian considerations feature prominently in the Swaziland Refugees Policy. On the occasions of the African Refugee Day, the Deputy Prime Minister takes the opportunity to explain to the refugees and the public at large about the Refugee Control Order of 1978. The Swaziland authorities, however, requested the OAU Bureau for Refugees to inform the Swaziland authority on the themes of African Refugee Day every year.

k) The International Conference on Assistance to Refugee in Africa (ICARA II)

80. The Swaziland authorities informed the OAU Commission of Fifteen delegation that Swaziland had submitted projects for ICARA II and would send a high powered delegation to the Conference in Geneva.

Z A M B I A

81. In Zambia the OAU Commission of Fifteen delegation met and exchanged views with H.E. Prof. L. Goma, Minister for Foreign Affairs of Zambia and other high ranking officials of the Government, Liberation Movements, UNHCR as well as other Organizations having refugee programmes in Zambia. The delegation was informed that since the attainment of her independence Zambia had given sanctuary to refugees.

82. The delegation was informed that the number of refugees was estimated at the figure of 90,000. Most of the refugees came from the following countries: South Africa, Namibia, Angola, Zaire and Malawi. The policy of the Zambian Government was to resettle refugees in the refugee settlements or integrate them within the local population with the aim of making them feel at home in terms of physical, technical and psychological necessities.

83. Prior to Soweto uprising of June 1976 the majority of refugees entering Zambia from South Africa were mostly adults whose problems were not at all that difficult to resolve. However, since the Soweto uprising influxes of young refugees from South Africa started arriving in Zambia. Their perception of their refugee status was quite different from that of the refugees who arrived prior to the 1976 Soweto uprising. Their demands were often too many, their expectations remote from reality, and their final destinations usually beyond the frontiers of Zambia. Although Zambia has always been regarded as a transit center where refugees from South Africa are expected to stay for a short while awaiting to be flown to other countries away from South Africa, in reality the majority of refugees end up by staying permanently in Zambia this is so because OAU Member States with fewer numbers of refugees and who are away from the South African borders are reluctant to resettle them. After reminding the delegation the OAU concept of Burden-sharing, the authorities appealed through the OAU Commission of Fifteen for other OAU Member States to absorb certain groups of refugees who for security reasons could not make Zambia as their country of asylum.

84. Out of the 90,000 refugees the majority of them were resettled in two refugee settlements namely: Maheba and Mayukwayukwa. Both Settlements

had reached the stage of self sufficiency and were handed over to the Zambian Government by UNHCR for formal integration into the local administration.

85. The delegation was informed that the Government resources together with those of international organizations dealing with refugees were directed to the North-Western region where the Government was trying to register and resettle the spontaneously settled refugees from Zaire and Angola. Because of their high mobility these people had no refugee status before, as such they were not receiving international assistance. The University was conducting census to find out the actual number of refugees involved.

a) Accession to and implementation of International Instruments concerning refugees and International Solidarity

86. Zambia had signed and acceded to all the Legal Instruments on Refugees.

b) Accession to, and Implementation of the African Charter on Human and Peoples' Rights

87. The Zambia authorities informed the OAU Commission of Fifteen delegation that Zambia had signed and ratified the Charter.

c) Work Permits

88. The delegation was informed that in case a refugees procured jobs, there were no problems in getting work permits. The Zambian Government informed the delegation that it encourages refugees to be employed in order to become self-reliant.

d) The issue of "Return Clause"

89. The Zambian authorities informed the delegation that in case a refugee wanted to travel abroad for job opportunities or for the purpose of continuing with his studies, he is at liberty to benefit from the UN Laissez-Passer and a return clause is always incorporated in the travel document for him to return to Zambia at a later stage. The only refugees

for whom the Zambian authorities would feel reluctant to provide return clauses are those who have been accepted elsewhere.

e) Economic Fees

90. The delegation was informed by the Zambian authorities that since refugees are not charged higher fees than the nationals, the question of Economic fees does not arise.

f) Enactment of Amnesty Laws

91. This did not apply to Zambia since none of its citizens are refugees elsewhere.

g) "Burden-Sharing"

92. The Zambian Government through the OAU Commission of Fifteen on Refugees appealed to other OAU Member States to take and resettle certain categories of refugees especially ex-members of the Liberation Movements who for security reasons could not be allowed to stay in Zambia. However, despite the big number of refugees, Zambia promised to receive more refugees in the event that there was an influx from South Africa.

h) National Refugee Machinery

93. The delegation was informed that Zambia had a national refugee machinery comprising of officials from the following Ministries: Ministry of Home Affairs, Ministry of Defence, and Ministry of Foreign Affairs as well as Christian Council of Zambia, Lutheran World Federation and United Nations High Commissioner for Refugees. The Commissioner for Refugees coordinates all matters concerning refugees.

i) Naturalization

94. The delegation was assured that although Zambia had not yet granted citizenship to refugees who had stayed in the country for a long time, steps were being taken to ensure that such refugees could acquire naturalization if they applied and fulfilled the normal procedure for citizenship.

j) Observance of African Refugees Day

95. Zambia had been observing African Refugee Day since it started by making statements through radio, news paper articles and television.

programmes. The authority promised to continue observing the Refugee Day in future by organizing other events like collecting funds through raffles, football matches etc.

k) The Second International Conference on Assistance to Refugees in Africa (ICARA II)

96. The Zambia authorities made it clear to the OAU Commission of Fifteen delegation that it was not happy about the way the ICARA I funds were utilized. The general advice which the Zambian Government made to the OAU was that Africa should be more careful this time, and it should make sure that all funds realized during ICARA II should be utilized for the benefit of African refugees. They also suggested that all money pledged for ICARA II should be deposited in the OAU account. Zambian authorities informed the delegation that it had presented its projects for ICARA II and would send a high powered delegation to participate at the meeting in Geneva from 9 - 11 July 1984.

RECOMMENDATIONS

In framing these recommendations about the OAU Commission of Fifteen mission to Zimbabwe, Botswana, Lesotho, Swaziland and Zambia the delegation had in mind the original mandate of the mission that of acquainting the OAU Member States to be visited with the magnitude of the current refugee problem in Africa and to make on-the-spot assessment of the gravity of the refugee problem in the countries visited with a view to promoting the principle of a Burden-Sharing. The mission had also to collect information concerning education and training and employment opportunities for refugees in Africa.

1. All the countries visited made it clear to the delegation that although they were over-burdened with the refugee problem they were willing to provide educational facilities to refugees from other asylum countries provided there were organizations to sponsor them. However, since employment opportunities were limited, such refugees should go back to their original countries of asylum as soon as they finish their studies. The countries promised to continue giving education and employment opportunities to refugees who are residing in these countries. It is

recommended that the offer on educational opportunities should be exploited by the OAU Commission of Fifteen on Refugees and the OAU Bureau for Refugees.

2. Following their visit to Southern Africa the delegation were of the opinion that since security is one of the aspect of the refugee problem in all the countries in Southern Africa, a Conference on the Security of Southern African refugees should be held for the purpose of co-ordinating and harmonizing approaches to refugee matters. The delegation therefore, Recommends that such a meeting should be held by the Frontline States, or Southern Africa Development Conference (SADCC) in co-operation with OAU to discuss such an issue.
3. The delegation noted that the geo-political location of the Kingdom of Lesotho has exposed it to all sorts of black mail by racist South Africa. The fate of its economy is linked to that of South Africa. However, Lesotho has always been a staunch opponent of the apartheid regime of South Africa and has always demonstrated solidarity with other OAU Member States against the apartheid regime of South Africa. In order to demonstrate SOLIDARITY with the Kingdom of Lesotho the delegation strongly Recommends to the Secretary-General of the Organization of African Unity to open an OAU Office in Maseru as soon as possible. The delegation also requests as many OAU Member States as possible to open Diplomatic Mission in Maseru, the Capital of the Kingdom.
4. All countries visited requested for the OAU to hold a Special International Conference on refugees from South Africa. The delegation Recommends for such an International Conference to be held under the sponsorship of the Organization of African Unity. Such a Conference could discuss all aspects of refugee problems in Southern Africa. The venue of the Conference should be in one of the countries bordering with the racist Republic of South Africa.

5. The delegation fully recognizes the magnitude and the intensity or complexity of the refugee situation obtained in the countries visited. The delegation appeals again to other OAU Member States in the principle of burden-sharing to absorb some of the skilled refugees from these countries, especially the skilled portugees speaking refugees who are residing in Swaziland and South African refugees from both Lesotho and Zambia.
6. It is the opinion of the OAU Commission of Fifteen delegation that the mission it undertook to the countries mentioned in this report yielded fruitful results in the sense that the purpose of the mission was fulfilled. It is therefore, Recommended that the OAU Commission of Fifteen on Refugees in Africa in co-operation with the OAU Bureau for Refugees should make missions to these countries more often in order to monitor the magnitude of refugees which these countries are assisting.
7. The delegation fully recognizes the excellent co-operation existing between the UNHCR, Voluntary Agencies and the OAU Bureau for Refugees and recommends the continuity of such relationship.

CM/1236 (XL)
Annex II
ORIGINAL: ENGLISH

REPORT OF MISSION TWO OF THE OAU COMMISSION OF FIFTEEN ON
REFUGEES TO RWANDA, TANZANIA, UGANDA, MOZAMBIQUE
AND ANGOLA
18 OCTOBER - 12 NOVEMBER 1983

REPORT OF MISSION TWO OF THE OAU COMMISSION OF FIFTEEN ON
REFUGEES TO RWANDA, TANZANIA, UGANDA, MOZAMBIQUE
AND ANGOLA

I. INTRODUCTION

1. In view of the alarming refugee situation in Africa, the OAU Council of Ministers during its Thirty-Fourth Ordinary Session held in Addis Ababa in February 1980 adopted Resolution CM/Res.774(XXXIV) requesting the OAU Commission of Fifteen on Refugees to undertake missions to selected OAU Member States with a view to promoting the principle of "burden-sharing" as enshrined in the recommendations of the 1979 Arusha Conference on the situation of refugees in Africa. The Commission of Fifteen undertook the missions at the turn of 1980. Following the successful conclusion of these missions, the OAU Council of Ministers meeting in its Thirty-Sixth Ordinary Session adopted Resolution CM/Res. 829(XXXVI) requesting the Commission of Fifteen to undertake similar missions to those OAU Member States which are affected by the refugee problem but were not visited by the Commission. Pursuant to this resolution, the Commission of Fifteen undertook two more missions to a total of ten Member States between October and November 1983. Mission Two, visited Rwanda, Tanzania, Uganda, Mozambique and Angola from 18 October to 12 November 1983.

Composition of Mission II

2. Mission II of the OAU Commission of Fifteen on Refugees was composed of:

H.E. Ambassador Tatu Nuru - Ambassador of the
United Republic of
Tanzania to Ethiopia,
Vice-Chairman, OAU
Commission of Fifteen

Mrs Seynabou Sarr - Education Co-ordinator
OAU Bureau for
Refugees

3. In all the countries visited the delegation met and discussed with various government and non-governmental officials concerned with the refugee problem.

II. COUNTRY BY COUNTRY ANALYSIS

4. Below are the details of the discussions and agreements reached as well as visits to and findings made at refugee camps and settlements.

RWANDA

5. The delegation visited Rwanda from 18 to 22 October 1983 and met the following people at different occasions.

Ministry of Foreign Affairs

Mr. Ngarukiyintwali Francois - Minister of Foreign Affairs
Mr. Semanywa Boniface - Director
Mr. Shyirambere Mathias - Official

Ministry of Social Affairs and Community Development

Mr. Nyabyenda Boniface - Director-General of Social Affairs

UNHCR

Mr. O. Fassassi
Mrs. Alphosine Pierard - Programme Officer

Kibondo Camp

Mr. Habiyaambere Noel
Lt. Bahazi Innocent
Mr. Bosomingera Augustin
Dr. Vivakien

Nasho Camp

Mr. Bonne Avenline Antihbose
Mr. Msoni Frahier
Mr. Mbarubukeye Caritas

Mahiga Camp

Mr. Nzabonaliba Alphonaine
Mr. Kazwara Gaspard

DISCUSSIONS HELD

6. Our first discussions were held on the same afternoon that the delegation arrived in Rwanda. The discussions took place in the Ministry of Social Affairs and Community Development. Mr. Nyabyenda Boniface, Director-General of Social Affairs and Community Development informed the delegation that refugees in Rwanda are from Burundi and Uganda.

Refugees from Burundi

7. There were two major influxes of refugees from Burundi, in 1965 and 1972. These refugees are estimated at 18,000 and they are all fully integrated in the Rwandese society. The majority of them about 8,000 are in the Northern part of the country, while about 6,000 are in the South and South West. In and around Kigali there are about 4,000.

Refugees from Uganda

8. According to the Government of Rwanda there were about 45,000 people that came from Uganda in the last quarter of 1982. As soon as there was this influx, the Government declared a state of emergency, and set up three camps with the assistance of UNHCR, some friendly countries and humanitarian organizations. These camps were set in Kibondo, Mahiga and Nasho, thanks to the joint efforts of the Government of Rwanda, the UNHCR and the WFP, as well as numerous voluntary organizations, the refugees and the returnees received a warm welcome.

Returnees

9. Among the influx of people from Uganda in 1982 were those of Rwandese origin or nationality, who finally joined their relatives in their respective villages. Others remained in the camps waiting to be identified before their final settlement. The identification process had been finalised while we were in Rwanda but the results had not yet been published.
10. The delegation was informed by the Rwanda authorities that those who will be identified as Rwandese will be provided with the necessary support to enable them to be re-integrated in the Rwanda society with respect to education, employment, housing etc. For the screening exercise, questionnaires were prepared by UNHCR and distributed to the refugees/returnees by the Rwanda Government for the purpose of identifying Rwandese nationals. A similar exercise was being carried out by the Ugandan Government to identify Ugandan citizens.
11. It should be noted that in addition to the assistance from UNHCR and other international and humanitarian organizations, the Rwandese Government continues to make substantial contribution from its meagre resources in favour of the refugees. Such an effort imposes a heavy burden on the Government of Rwanda since she is one of the 26 African "Least Developed Countries". Therefore, the projects submitted by the Government in the framework of ICARA II should be given due consideration.

12. After the Director of the Social Affairs made his expose the Head of the delegation of the OAU Commission of Fifteen on Refugees put to the Director-General the questions relating to the terms of reference of the mission and received the following response:

(i) Accession to the International Instruments

The OAU delegation was informed that Rwanda has already signed and ratified all the International Instruments pertaining to refugees that is the 1951 UN Convention and its 1967 Protocol, the 1969 OAU Convention and the Charter on Human and People's Rights;

(ii) Work Permit

The OAU delegation was informed that there is no specific law governing the employment of refugees. All refugees are treated as aliens and therefore they have to have a work permit. This measure is taken to protect Rwandese nationals because refugees are a source of cheap manpower for private firms;

(iii) Return Clause

The return clause is included in all travel documents of refugees since August 1983. This is also meant to encourage the UNHCR to award more scholarships to refugees who wish to study abroad but whose original country of asylum is Rwanda;

(iv) Education Fees

All refugees pay the same fees for their education as the nationals, but they are not allowed to live on the campus;

(v) National Refugee Machinery

In Rwanda it is the Ministry of Social Affairs and Community Development which takes charge of refugees. In cases of emergency such as large influxes of refugees as it happened in 1982, other Ministries, specially the Ministries of Justice, Health, and Communication go in to help in collaboration with the UNHCR and other humanitarian organizations. The Government of Rwanda, however, would like OAU to suggest the kind of appropriate machinery that the OAU has in mind, that can be adopted by the Member States;

(vi) Refugee Day

In 1983 the Rwanda Government did observe Refugee Day by having a special radio programme on refugees and showed films about refugees to the public and the Diplomatic Community in Kigali;

(vii) General Amnesty

The Rwandese Government is very clear on the question of general amnesty. The OAU delegation was informed by no other than the Ministry of Foreign Affairs that the question of general amnesty had been clearly defined in decree No.21/01 of 26 February 1966, and more recently, in the President's speech during the National Day celebrations in July 1983. In 1962 and 1964, Rwanda had declared general amnesties to all its nationals living outside the country. Almost 24 years after this declaration, most of those Rwandese still living outside their country have totally integrated in their countries of asylum.

The Rwandese Government, has the view that further declaration of general amnesty for Rwandese living outside Rwanda might exacerbate the over population problem Rwanda is facing now. Rwanda has a population of 5m. (five million) for an area of 26,332 sq. kms. with population growth rate of more than 3.7%. In fact the Government of Rwanda would rather encourage any Rwandese who can permanently resettle elsewhere to do so. However, refugees who want to return home are welcome to do so, but they will have to apply on an individual basis;

(viii) ICARA II

Rwanda seems to be well prepared for ICARA II. Its projects have already been submitted to the UN, UNHCR and the OAU. It is therefore, recommended that Rwanda should be given all support for their projects in ICARA II;

(ix) Naturalization

Taking into account the problems being faced now by Rwanda, that is, shortage of land and over-population to ask Rwanda to naturalise refugees would be asking for too much. In fact the Rwanda authorities are seeking for countries which can accept to take some of its nationals.

VISITS TO CAMPS

13. The first camp visited was in Kibondo in the Northern part of the country. The camp has about 25,000 people most of them are agriculturists and include 4,000 children of primary school age. Within the camp there are basic services provided by officials of the Ministry of Social Affairs and Community Development, working in collaboration with the Red Cross, UNHCR and WFP. In this way it is possible to assist the refugees more efficiently. Among the services provided are a hospital, clinic and a social centre for women's activities, with a special programme for malnourished children.

14. This camp at Kibondo is divided into 104 blocks of 50 tents each, with about 6 persons per tent. The camp is headed by a Director assisted by two deputies and one refugee representative for every two blocks. All these meet twice a week to discuss the problems of the camp.

Mahiga Camp

15. At Mahiga Camp there are about 454 families most of whom are pastoralists. Due to lack of enough grazing land heads of families had moved with their cattle to look for better grazing land. The Government was planning to move the rest of their families as soon as the arrangements to have new settlements have been completed. The administration at Mahiga Camp is similar to that of Kibondo.

Nasho Camp

16. Nasho Camp has a population of about 5,230 refugees, the camp is divided into 5 Zones each consisting of 12 blocks. Each Zone has a leader who is himself or herself a refugee. There are about 70 families in each block. The children go to school under the trees. Their main problem at Nasho is lack of water but the Government of Rwanda was making all the efforts to provide underground water. The refugees in this Camp have settled more or less on permanent basis and therefore they have built themselves huts like those occupied by the nationals in all the 3 camps. In addition to the Director and his deputies there are local assistants and volunteers from the Red Cross who help in food distribution.

Rukomo Camp

17. Rukomo has a population of about 15,000 Burundi refugees and have been completely integrated with the local population with whom they share all the facilities such as education, health and social services. Each family is provided with 2 hectares of land by the Government and seem to be quite settled.

TANZANIA

18. The delegation visited Tanzania from 22 to 28 October 1983. During the visit the delegation met the following officials:-

Ministry of Home Affairs

Mr S Amour	- Minister for Home Affairs
Mr H R Mohamed	- Deputy Minister for Home Affairs

Mr Mongella
Mr Stephen Mung'ong'o
Mr Willbroad Mponzi

Ministry of Justice

Mr J Warioba	- Minister for Justice and Attorney-General
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UNHCR

Mr A Saied - Representative
Mrs Warioba - Counsellor
Mr B Temba - Counsellor
Mr Tadesse Abeba -
Mr Job Van Der Veen - Associate Protection Officer

Voluntary Agencies

Mr Egil S Nilsen - Tanzania Christian Refugee
Services (TCRS)
Mr Clement Rweramira - CARITAS
Mr Eugene Kiliwa - CARITAS

Solomon Mahlangu Mazimbu Centre

Mr J Motapanyane - Deputy Chief Representative
(ANC)
Mr Mohamed Tickcy - Director
Mr Don Ngakane - Political Commissar
Mr Jimmy Panbo
Mr Reddy Mazimba
Mr Oswald Donniss - Project Manager

DISCUSSIONS HELD

19. The first meeting took place in the Ministry of Home Affairs the Government body responsible for refugee matters, first with the Minister and latter with Deputy Minister and other Government officials and UNHCR Representative. The OAU delegation was informed that the refugee problem in Tanzania started in the early sixties, following political and ethnic upheavals in both Rwanda and Burundi. In addition to the Rwandese and Burundese refugees, there were other refugees from Mozambique and Zimbabwe. The total population of refugees in Tanzania at the time of the visit in October 1983 was estimated at 170,000, the majority being of Burundi nationality and have settled in rural areas. The main settlements are (a) Katumba, 74,000 (b) Ulyankulu, 27,000 and (c) Mishamo, a new settlement 32,282. Other refugees have been settled in various villages in Kigoma region the majority of whom are Zaireans. South African refugees are settled in Pangale and Morogoro. Among the urban refugees who are found mainly in Dar es Salaam, most of them are students and workers, from South Africa or Zaire.
20. The majority of the refugees in Tanzania are living in organised rural settlements, where they have been given land by the Tanzanian Government to begin a new life of farming and animal husbandry. Funds from UNHCR and other donor agencies have been made available to construct the settlements' infrastructure such as, roads, water supply, education and health facilities, as well as, to develop projects in

community development, agricultural extension services and livestock development. The refugees themselves, assisted by the project personnel, are responsible for land clearance and for building their own houses. The Tanganyika Council for Refugee Services acts as the implementing agency for these projects, on behalf of the Government, the UNHCR and the Lutheran World Federation.

21. Having been given the above information the OAU delegation wanted to discuss the following points.

(i) Accession to International Instruments

The Government of Tanzania acceded to the international conventions namely the 1951 UN Convention, the 1957 Protocol and the 1969 OAU Convention on Refugees. Also Tanzania has signed the African Charter of Human and People's Rights but has not yet ratified it. The ratification of International Instruments take time as this requires the approval of either the Cabinet or the Government. However, all the provisions of the Charter are adhereto in Tanzania;

(ii) Work Permit

As far as employment is concerned the Government of Tanzania do give refugees equal opportunity as nationals in as far as jobs are concerned. The refugees, however, have to be cleared as bonafide refugees. On completion of their university studies, refugees are treated like nationals for job opportunities. No work permits are required;

(iii) Return Clause

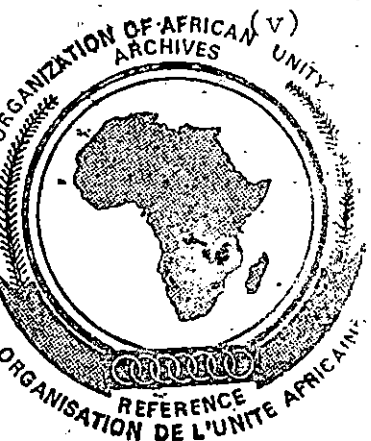
A return clause is included in all refugee travel documents;

(iv) Economic Fees

The Tanzania educational system is free right to the University level and the refugees are allowed to benefit from it;

National Refugee Machinery

The Ministry of Home Affairs is assisted by the UNHCR and other refugee programmes implementing agencies such as the LWF, WFP, TCRS etc. For the purpose of determining refugee status, the Government has established the eligibility Committee comprising 5 relevant Ministeries. The UNHCR Representative attends the meetings of this Committee as an observer in case he is required to provide essential information on refugees. Recently, an Advisory Committee on refugee matters was established and this consists of representatives of Ministry of Home Affairs, UNHCR and implementing agencies such as Red Cross, TCRS.



(vi) Refugee Day

It has been customary in Tanzania to observe Africa Refugee Day. In 1983, the main highlight of the Refugee Day was a visit by Representatives of ten Embassies of Donor countries to a new refugee settlement in Mishamo to sensitize them with the problems faced by refugees and their needs;

(vii) Voluntary Repatriation

Tanzania tries to encourage refugees to go to their country of origin provided they are assured of security and their well being;

(viii) Naturalization

Tanzania is a pioneer in as far as solving refugee problems is concerned. It has naturalized 36,000 Rwandese refugees and is planning to do the same for about 10,000 other refugees;

VISIT TO THE SETTLEMENTS

Mazimbu Settlement

22. Mazimbu complex is located about 120 miles from Dar es Salaam in Morogoro region. This complex has been established on 4,000 h.a of land offered by the Tanzanian Government to the ANC in 1976 just after the Soweto events. The complex has now a total population of 18,000. The complex started operating in 1977 and has several departments:

(a) agriculture department - which covers 30% of the needs of the refugees and the workers

(b) socio-educational department - this is the main part of the complex and comprises:

- 48 classes from 1st to 7th grade
- dormitory unit with 198 students
- dining unit
- a nursery, maternity and medical centre

23. The main source of assistance is from the Scandinavian countries and the UNHCR. But there are still some problems the complex is facing especially relating to sewage. Although there is a lot to be done to make Mazimbu self-reliant, the delegation was very impressed by the work undertaken so far by the ANC people. We therefore recommend that the OAU Secretariat establish diplomatic contacts with both African countries and traditional donors for the purpose of sensitizing them with the assistance requirements of Mazimbu complex.

Kigwa Settlement

24. Kigwa settlement is about 38 kms from Tabora with an area of 225 sq kms. This settlement started operating in 1973 for Ugandan refugees who fled from their country after Amin's take over. When Uganda was liberated in early 1979 most of the refugees went back home and the settlement became vacant. The settlement was opened later in the year, as a transit camp for urban refugees awaiting resettlement in other countries. At the time of the visit, Kigwa settlement had 212 refugees of different nationalities:

109 South Africans
46 Burundese
37 Zaireans
7 Malawians
5 Kenyans
1 Ethiopian
7 Rwandese

25. This settlement, which is basically meant to be a transit centre for asylum seekers, could not be developed like other refugee settlements, for the simple reason that refugees settled there are only settled on temporary basis. It has not been possible to motivate the settlers to undertake any developmental projects, for, they live with a hope of being moved elsewhere. However, it has not been possible to resettle them because other African countries have been unwilling to absorb any of these refugees into their countries. Most of these refugees prefer to be resettled in Africa and it is a pity that they have not yet been able to find countries that are prepared to receive them. As a consequence, these young and talented people are found wasted, frustrated, and demoralised. Therefore, we appeal very strongly to all Member States to consider accepting some of these young and talented refugees to settle in their countries.

Ulyankulu Settlement

26. This settlement was established in 1972 with a population of 50,000 refugees from Burundi. The rate of population growth is rather alarming 5% to 6%. Due to over-population it became necessary to transfer some of the refugees to another settlement. So a new settlement was established in Mishamo in 1978/79. Ulyankulu settlement which was under the administration of UNHCR and other agencies, was handed over to the Tanzania Government in 1980. A high degree of self-reliance has been achieved and therefore assistance from all the agencies was withdrawn, leaving only assistance for maintenance of essential services by Government. The present population is about 25,000 people spread in 10 villages. Each village is run by an elected local government of 25 members for two years. The local government is in charge of all matters in the village regarding development

and the maintenance of law and order, to facilitate the smooth and effective running of all the activities in the village.

27. Each village has an agriculture field assistant to help peasants follow modern methods of agriculture. Each village has a primary school, and there are plans to convert one of the primary schools into a technical secondary school. Adult education classes are also conducted in all the villages. Each family has 3.5 h.a. of land, where they grow food crops and cash crops.

Other facilities in the settlement include a 20-bed clinic and 5 dispensaries in addition to the posting of a health auxilliary in each village.

28. All the ten villages are members of the Ulyankulu Co-operative Society Ltd. They own a bus, hotel, shop, bar and lodging, as well as poultry, cattle, carpentry, tractors and a co-operative shop. Although the settlement is self-sufficient as far as food is concerned it needs some more assistance in the field of transport for the administrators, and medicines and equipment for the health centres and dispensaries. They also need fertilizers, seeds and insecticides for agricultural activities.

Dakawa Settlement

29. The Tanzanian Government has offered 7,500 h.a. of land to refugees in Dakawa settlement but the refugees are waiting for the assistance promised by the UNHCR of some tents and other essential goods.

UGANDA

30. The delegation visited Uganda from 28 to 31 October 1983. In Uganda the delegation met the following officials:-

Mr. P. Muwanga	-	Vice President of the Republic of Uganda
Dr. J. Rwanyarare	-	Minister for Culture and Community Development
Hon. Olanya Olenge	-	Deputy Minister for Culture and Community Development
Mr. S.A. Angura	-	Permanent Secretary, Ministry of Culture and Community Development
Mr. S.U. Lukika	-	UNHCR Resident Representative in Uganda
Mr. Manzi Makara	-	Assistant Secretary (OAU Section) Ministry of Foreign Affairs
Mr. George Kasya	-	Senior Settlement Commandant in charge of Nakiyale and Lukinga Settlements (South Zone).

Mr Collins Kalanya - An official of the Ministry of Foreign Affairs

Mr Niels Harils - UNHCR, Mbarara, South/West

Mr Samuel M Byaruhanga - Office of the District Commissioner, Kabarole District

Mr Peter C Matovu - UNHCR Senior Counsellor

Mr James Bahindi - Country Chief, Kyaka II

Mr David Sembage - Senior Settlement Commandant (Northern Zone)

31. On arrival we had preliminary discussions at the Entebbe International Air port with the Government delegation led by the Permanent Secretary of the Ministry of Culture and Community Development which is the government body responsible for refugee matters.

VISITS TO SETTLEMENTS

32. The same afternoon we proceeded to Mbarara, South of the country. The delegation was taken to Orichinga and Nakivale refugee settlements. At Nakivale, the delegation witnessed transfer exercise of some 15,000 refugees to a new settlement at a rate of 100 people plus 700 cattle at a time. The main reason for this transfer was again over-population by both human beings and animals. The settlement was overgrazed and therefore the cattle were starving to death. Nakivale settlement was supporting about 70,000 cattle on land that was only good enough for 18,000 cattle and this is why it was necessary to move some refugees with their cattle to a new settlement on the Western part of the country, this is Kyaka II. Kyaka I settlement which is not very far from Kyaka II has a refugee population of 15,000 to 20,000 Zaireans and about the same number of Rwandese.
33. Kyaka II settlement which is about 200 kms. from Kampala was established in May 1983. The Northern part of the settlement is covered with forest, and the Southern part which is very fertile land is used for cattle grazing. It is on the 26 September 1983 that the first group of refugees consisting of men and young boys arrived at the settlement with their cattle. Since then 13 other groups have joined them. By the end of October 1983 about 5,000 people had been moved from Nakivale to Kyaka II settlement. Each group of about 100 people and 700 cattle took about 3 weeks to move on foot from Nakivale to Kyaka II. It was necessary to move them on foot so that the cattle could graze on the way. For all these special arrangements were made to ensure security and the provision of medical and veterinary services by the UNHCR.

DISCUSSIONS HELD

34. Having left Kyaka II before returning to Kampala the delegation had discussions with the Minister and his officials on the following:

(i) Accession to International Instruments

Uganda has not yet ratified the OAU Convention on Refugees as well as the African Charter on Human and People's Rights because the Government is preoccupied with the emergency situation in the country and it is well known that during the era of Amin none of these could have been accomplished. However, Uganda has adhered to most of the provisions of the Conventions.

(ii) Work Permit

In Uganda all skilled refugees are given the same chances as the nationals, but they cannot be given key posts in the administration and police force or in the army. They cannot belong to a political party.

(iii) Economic Fees

Refugees in Uganda pay the same school fees in secondary school and primary education is free for all. At the University level refugees pay the same fees as other aliens.

(iv) Return Clause

This is included in all travel documents issued to the refugees.

(v) General Amnesty

The Ugandan Government has already given a general amnesty to all Ugandans living abroad, far and near. In response to this amnesty, many Ugandans in exile have already returned home and arrangements have already been made to reintegrate them in the Ugandan Society. This is an ongoing process.

(vi) National Refugee Machinery

In Uganda it is the Ministry of Culture and Community Development that deals with all matters pertaining to refugees. The Ministry works in close collaboration with the UNHCR, Voluntary Agencies and other humanitarian organizations. However, Uganda does not consider it necessary to have a special National Machinery for refugees. Uganda does not wish to 'Palestinise' or 'Institutionalise' the refugee situation. The present arrangement works out well and is adequate.

(vii) Naturalization

Uganda is ready and willing to naturalize any refugee that wishes to do so. Unfortunately, most of the refugees in Uganda most of whom are from Rwanda and of Tutsi origin do not wish to be naturalized. Uganda does not wish to force these refugees to acquire Ugandan citizenship. It should be born in mind that the Government of Uganda looks at the refugee problem very sympathetically, as quite a number of the Government officials were themselves refugees during Amin's time.

35. In general Uganda has a very good relationship with all agencies dealing with refugee matters e.g. UNICEF, OXFAM, LWF, WFP, UNHCR. In Uganda there are no refugee camps, all refugees are settled in villages which become self-supporting very quickly. Uganda now has 8 refugee settlements with a total population of about 130,000. These settlements are not without problems. Transport facilities, medical supply, and other services are all found wanting.
36. In conclusion the Minister expressed appreciation and the gratitude of the Government of Uganda to the Commission of Fifteen for having sent a delegation to make on-the-spot assessment and to see what the Government is doing for the refugees.

MOZAMBIQUE

37. The delegation visited Mozambique from 1 to 4 November 1983. While in the country the delegation met the following Government and non-governmental officials:

Mr Joaquim Alberto Chissano	- Minister For Foreign Affairs
Mr A Sumbane	- Secretary of State for International Co-operation
Mr A Sithole	- Ambassador designate of Mozambique to Socialist Ethiopia
Mr A Tembe	- Director, Department of NARML
Mr Lubisse	- Official in the Ministry of Foreign Affairs
Mr Sosairio	- Official in the Ministry Security
Mr Bob Thati	- ANC Representative
Mr Jackson Dube	- ANC Member

DISCUSSIONS HELD

38. The delegation had its first meeting with Mr Sumbane, Secretary of State for International Co-operation. During the discussions, the Secretary of State for International Co-operation informed the delegation of the situation prevailing in Mozambique at the time.

39. The Secretary of State told the delegation that Mozambique had given asylum to more than 200,000 Rhodesian refugees during the war of liberation of their country, inspite of constant attacks by the Rhodesian government. The same situation is being repeated now with the South African regime attacking South African refugees in Mozambique. He said that Mozambique does not want to disclose the exact number of refugees living in Mozambique in order to avoid South African attacks and he further affirmed that they are not engaged in military activity as South Africa thinks. The South African refugees are scattered all over the country "to settle them in the same place would be an easy target for South Africa" said the Secretary of State.

40. The UNHCR has proposed to build a transit camp in the South near the border with South Africa to facilitate the transit of refugees. It was mentioned that with a flag of the United Nations South Africa would not attack the refugees, but UNHCR forgets that South Africa has no respect whatsoever for the United Nations.

41. Inspite of economic problems facing the country due to draught and continued South African aggression, Mozambique continued to support South African refugees. The aggressions have hampered refugee settlement to the extent that the refugees have requested to be resettled in other countries. The refugees who have been scattered all over Mozambique for their own security are given an opportunity of deciding to seek asylum in country of their choice. In the past they were kept together in special residences but due to repeated attacks by the South-African racist regime the refugees had to be dispursed for their own safety.

42. There was an occasion when diplomats were taken round to see for themselves that there were no military bases as claimed by South Africa. All they saw were wounded refugees. This gives justification to resettle refugees in countries of their choice, because of professional killing by booby traps, bombing by planes and artilleries. In this kind of situation not only refugees suffer but also defenceless Mozambican civilians.

43. The delegation visited Matola, and saw houses of refugees who were victims of the South African commando attacks which claimed several lives in 1981. The delegation also visited the fruit juice/jam factory which was bombed by the South

African air force under the pretext that it was a military base. That attack killed 3 people including a pregnant woman. The latest attack by South Africa was on the ANC office in Maputo where bombs were placed on the roof of 3 rooms where refugees in transit were accommodated - fortunately nobody was killed.

44. The refugee camp at Nampula is still under construction. The Government will need assistance to run the camp in addition to construction materials, food, medicaments and school materials etc. Although the Government of South Africa uses the pretext that the camps are training ANC cadres, the Mozambican Government insists that there are no military training camps by ANC in the country. It will not be wise on the part of the Mozambican Government to support such activities.

45. After the discussion on the situation of refugees in the country the OAU delegation proceeded to discuss the following points:

(i) Accession to International Instruments

Mozambique has signed and ratified the 1951 UN Convention, but has not yet ratified the 1969 OAU Convention on Refugees. Concerning the Charter on Human and People's Rights, the Secretary of State said that Mozambique did not agree with all the clauses of the Charter and that it will take time for them to sign and ratify the said Charter. However, he said, Mozambique adheres to all the Conventions on refugees. When the delegation met the Minister for Foreign Affairs, he assured the delegation that even though Mozambique has not ratified these Conventions it adheres to most of the requirements of the Conventions and the Charter. Mozambique being a young nation, will have to study all the instruments before going into the process of signing and ratifying them.

(ii) Work Permit

In Mozambique refugees do not need work permit in order to secure employment.

(iii) Economic Fees

In Mozambique refugees are treated like nationals. Education is free.

(iv) Return Clause

This is included on all travel documents of refugees.

(v) National Refugee Machinery

In Mozambique refugee matters are conducted by National Centres for Refugees and Liberation Movements. This body deals with all the matters that have to do with refugees and liberation movements in collaboration with UNHCR and the Branch office of the OAU Liberation Committee.

(vi) General Amnesty

Mozambique declared general amnesty to all Mozambican nationals living abroad, including those who were anti-FRELIMO during the liberation struggle. A number of Mozambicans have gone back to their country, but there are still those who have decided to remain abroad, some of whom do not wish to go back because of their criminal activities during the war of independence.

ANGOLA

46. The delegation visited Angola from 7 to 10 November 1983 and while in the country met the following officials:

Mr. Jose Antonio Serreira Martins	- Director of Planning in the Secretariat of State for Social Affairs
Mr. Selisbela Esperito Santo	- Chief of Communications Department, Secretariat of State for Social Affairs
Mr. Josefu Codho d Cruz	- Principal Technician in the Ministry of Foreign Affairs
Mr. Jean Claude Buchet	- Programme Officer, UNHCR
Mr. Joad Hailonda	- Representative of OAU Liberation Committee
Mr. Sam Nujoma	- President of SWAPO
Mr. Rundja Kaakunga	- Member of Political Bureau (SWAPO)
Mr. Uriah Mokeba	- Chief Representative of ANC
Mr. Patric Lellaro	- Director of Printing Shop (ANC)

47. Unfortunately the delegation was not expected on arrival in Luanda. In spite of that we held one day fruitful discussions on the 10 November with Mr. Martins, the Director of Planning in the Ministry of Social Affairs, the Chief Representative of ANC, Mr. Uriah Mokeba and Mr. Sam Nujoma the President of SWAPO.

DISCUSSIONS HELD

48. During that one day meeting Mr Martins told the delegation that Angola has been since its independence, and continues to be in a state of permanent war especially in the Southern Provinces as a result of South Africa's persistent armed aggression. Parallel to armed aggression by South Africa, Angola faces the increased armed attacks from UNITA.

49. Mr Martins further said that in addition attending to the plight of refugees, the Angolan Government was taking care of a big number of displaced persons. There was constant move of the rural populations to seek for relative security in the big cities.

50. According to the UNHCR Representative, UNHCR sometimes found it difficult to implement its programmes, or distribute assistance to the refugees. He said that often, planned missions for the distribution of assistance are cancelled or delayed because of security. But the policy of Angolan Government is to maintain assistance protection, and prepare the return of those refugees back home.

Refugee Population

51. Angola which has a population of 7,000,000 people has a total refugee population of 96,000. These refugees can be grouped into the following groups:

Namibians
South Africans
Zaireans

52. Namibian refugees

52. The number of these refugees is officially estimated at some 70,000 people. The refugees are mainly concentrated in Kuanza-Sul Province, where 40,000 refugees are living in different settlement units around Casula 300 kms. east of Luanda.

53. In 1982 the UNHCR assistance projects were only meant to cover basic needs of the Namibian refugees in fields such as health, education, transport. But during the 1983 Executive Committee of the UNHCR, a total amount of US \$4 million was approved for different projects for Namibian refugees to allow them to become self-reliant. Besides the assistance the UNHCR was giving, additional assistance in the form of experts came from some European countries including West Germany and Sweden, to assist Namibians to be conversant with some modern agricultural methods.

54. The situation as far as food is concerned is normal. The Namibian refugees in the South are 40% self-sufficient, the remaining 60% of food requirements is provided by WFP, SIDA, UNHCR and the Government of Finland.
55. Regarding education, Scandinavian countries have built a school comprising 11 classrooms of 45 students each, a day care centre, a kindergarden, a hospital and a dispensary.
56. In order to prepare the Namibians for their repatriation to their future independent country, some vocational training schools are needed, that is why SWAPO is planning to open two centres: one in Brazaville and one in Lusaka.

South African refugees

57. The number of South African refugees is estimated at 6,000. At the beginning of 1983 there was a slight increase of 200 refugees due to the situation prevailing in South Africa. The social composition of these refugees is varied, some of them are students who are usually sent to Morogoro at Solomon Mahlangu College or abroad for degree courses. But most of them already have some professional qualifications, especially in the field of administration, mechanics and other technical skills, which have enabled them to be integrated in the social life of cities such as Luanda and Benguela. Some 100 refugees are engaged in agriculture production. The assistance programme for the South African refugees is the same as that for the Namibians. The Angolan Government has provided 15,000 h.a. of land at about 300 kms. from Luanda to the ANC to undertake some agricultural projects. By the time of the visit to Angola, there were only 100 refugees living on that land, but the delegation was told that some South African refugees will soon be moved from the South to join the 100 refugees already settled there.

58. The delegation had the opportunity to visit a printing press offered by a Finland Association to the ANC Liberation Movement. The delegation was particularly impressed with the performance of the young refugees who have been trained on the spot to run the press. The ANC is planning to have a garage to train refugees, the first intake will be for 40 refugees who will be trained at a complex similar to the one in Morogoro with the assistance of UNHCR, some socialist countries, SIDA and Norway.

Zairean refugees

59. The number of Zaireans refugees is estimated at 20,000 people. They are in the Provinces of Malanje, Kwanza Norte, Moxico and

Luanda. Those who were living in the eastern provinces of Angola near the Zaire border have been transferred to the new settlements in the centre and the north-east of the country.

60. According to the officials, the Government of Angola does not have many problems with the rural refugees because they benefit from regular assistance from the UNHCR programmes. But the refugees living in large cities create a lot of problems. They are often without jobs and are reluctant to engage in any rural integration project. That is why the UNHCR in collaboration with the Government has planned projects for the urban refugees, especially in fields of professional training to enable them to integrate in the urban communities. It should be noted that the Zairean Government has declared general amnesty to Zairean refugees living in Angola but none of them has yet returned to Zaire.

Displaced persons are also a great concern to the Angolan Government. They have been estimated at 250,000. The problem of displaced persons is due to two causes, namely, the constant armed attacks by South Africa against Southern Angola and the terrorist acts by UNITA, armed and trained by the racist regime in Pretoria. The delegation could not visit refugee settlements like in the other countries visited due to the fact that the delegation was not expected, therefore, no prior arrangements to visit settlements were made by the Government. In addition to the refugee situation in Angola the delegation also discussed the following issues:

(1) Accession to International Instruments

Angola has acceded to the 1951 UN Convention and its 1967 Protocol. In regard to the OAU Convention and the Charter on Human and People's Rights, Angola is in the process of studying them with a view to taking the necessary steps to ratifying them.

It is in this connexion that the Government, in collaboration with the UNHCR has scheduled a seminar to be held in December 1983 to familiarize Angolan officials with the procedures for the determination of refugee status, issuance of travel documents, and with all matters pertaining to protection of refugees. The agenda for this seminar was to include all the terms of reference of the mission of the Commission of Fifteen which had been discussed during the mission. The working documents for the seminar were to be documents issued by the Government itself and the UNHCR. The Liberation Movements were to participate as observers. The OAU and other international organizations were to be invited to participate in the seminar.

(ii) National Refugee Machinery

Angola does not have a national refugee machinery of the type the OAU is recommending. It is the Secretariat of State dealing with social affairs which is the government body responsible for refugee matters. Angola does not have specific laws in as far as granting asylum is concerned - the determination of refugee status is made on an ad hoc basis. To date all asylum seekers who have come to Angola have been granted asylum.

III. CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

61. These missions were the first to be undertaken by the OAU Commission of Fifteen on Refugees to the five countries. It was very evident to the delegation of the Commission of Fifteen that the refugee problem was acute in these countries. It was very important, therefore, that the delegation was able to acquaint itself with the specific problems faced by refugees in these countries and to see the efforts of the governments concerned and of organizations assisting refugees in finding solutions to the problems. In spite of the commendable efforts by the governments and the organizations a lot remains to be done to improve the living conditions of refugees. It is in this light that all the countries visited expressed the hope that the results of ICARA II will be more beneficial to the concerned countries than those of ICARA I.
62. In all the countries visited, voluntary repatriation was singled out as the best and lasting solution to the refugee problem. The OAU was in this regard urged to encourage and support all initiatives at repatriation by the concerned countries and to play the role of mediator if need be between the refugees and their countries of origin on one hand and between the countries of origin and of asylum on the other hand. It was, however, very encouraging to note that all the countries visited were, in spite of the enormous problems they face, willing to integrate the refugees among their nationals in the absence of voluntary repatriation.
63. The delegation was greatly concerned with the attacks by South Africa on refugee camps and its constant attempts at destabilization of the frontline states. In this regard the delegation was of the view that other OAU Member States should work closely together to help the frontline states repel the attacks and forestall the attempts at destabilization.

RECOMMENDATIONS

64. The following recommendations have been drawn in light of the observations made by the delegation and the results of the discussions held with government officials and officials of organizations involved in assisting refugees in the countries visited. The delegation also took into account its terms of reference in drawing the recommendations, which in general were to acquaint the Member States visited with the magnitude of the current refugee problem in Africa and to make an on-the-spot assessment of the gravity of the problem in the countries visited, with a view to promoting the principle of "burden-sharing".

(i) All the countries visited are over-burdened by the refugee problem and require every support in their efforts to ameliorate the living conditions of refugees. It is therefore recommended that OAU Member States with-

out serious refugee problems should come to the assistance of the over-burdened countries especially those in the frontline by providing financial and material assistance to them in favour of refugees. It is further recommended that the international community be urged to increase their assistance to these countries which should be aimed at improving and reinforcing the capacity of these countries to assist refugees.

(ii) It was evident that all the countries visited were not satisfied with the results of ICARA I and expressed the hope that ICARA II would produce better results. It is, therefore, recommended that the OAU should ensure that funds realised from the Conference are earmarked for the projects that OAU Member States have submitted to the Conference.

(iii) The situation of urban refugees is a very difficult one due to the fact that the majority of them cannot find employment. It is thus recommended that the OAU, UNHCR, other intergovernmental organizations and voluntary agencies increase their assistance to this category of refugees which will enable them find gainful employment. In this connection, it is further recommended that such organizations and voluntary agencies be encouraged to help qualified and deserving refugees establish income generating projects aimed at making them become self-reliant.

(iv) Although all the five countries visited by the delegation expressed their continued willingness to provide asylum to refugees, it was clear that the presence of large numbers of refugees was causing enormous strains on their socio-economic infrastructure.

- In view of this situation it is recommended that OAU Member States without serious refugee problems offer to absorb some of the qualified and skilled refugees from the countries with too many refugees, thereby implementing the principle of "burden-sharing" as enshrined in the Recommendations of the 1979 Arusha Conference on the Situation of Refugees in Africa.
- (v) In particular reference to refugees from South Africa and Namibia the delegation observed that apart from the assistance that the liberation movements obtain through the OAU Liberation Committee, there was very little assistance directly rendered to the refugees by the OAU. The liberation movements have had to divert some of the assistance meant for the liberation struggle to cater for needy refugees. It is, therefore, recommended that the OAU should plan and raise funds for the implementation of programmes of assistance in favour of the needy refugees under the care of liberation movements. Such programmes could include income-generating activities, vocational and technical training.
- (vi) Some of the countries visited had not yet acceded to the international instruments relating to refugee matters: the 1951 UN Convention relating to the Status of refugees and its 1967 Protocol and the 1969 OAU Convention governing the Specific Aspects of refugee problems in Africa. It is thus recommended that the OAU urge such countries to accede as soon as possible to the international instruments relating to refugee matters.
- (vii) It is the view of the delegation that all the countries visited want to see that the refugee problem comes to an end. In this connection it is recommended that the OAU and UNHCR work closely together to encourage and support initiatives at voluntary repatriation. It is also recommended that countries of origin of refugees should be encouraged by the OAU to make deliberate efforts to declare general amnesty and create conditions conducive to voluntary repatriation.
- (viii) It was clear to the delegation during the missions that for the refugee problem to be permanently solved, political decisions have to be taken at the highest level. It is in this regard that the delegation recommends that the OAU should seriously consider addressing itself to the root causes of the refugee problem with a view to encouraging Member States to take decisions that will help bring about permanent solutions to the problem.



- (ix) The delegation strongly believes that the missions it undertook to the five OAU Member States achieved their objectives and expresses gratitude to the governments of the five countries for their kind co-operation and the UNHCR for its assistance which made the missions possible. It is, therefore, recommended that the OAU Commission of Fifteen on Refugees should consider undertaking such missions from time to time in order to enable it keep abreast with the refugee situation on the continent.

1984-02

Report of Missions of the Commission of Fifteen on Refugees to the Fortieth Ordinary Session of the Council of Ministers

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