

RECEIVED 8 AUG 1984

REPORT GIT THE SECOND INTERNATIONAL CCNEERMCE PIT ASL'
ISTASCE TC REFUGEES
IN JLFRICa (ICARA II) HELD1 IN GENEVA ERCI, qth - 11 tli JULY., 1gg
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Opening statement by the High Commissioner for Refugees

In his opening statement, the High Commissioner for Refugees remarked

about the success been made at Refugee Settlements he has visited in Africa* He emphasized the point that the International community must thank refugees; after the initial trauma of flight, refugees have recovered and wanted to work hard. The High Commissioner has seen refugees resolutely farming new land, moving into new areas unfamiliar to them in order to lead a useful and productive existence, refugees are courageous, energetic and determined to do what they can: given the chance, said the High Commissioner.

In accordance to the theme of this conference, the "Time for solutions", more than 55% of UNHCR projected programming expenditures in Africa of some US\$160 million for this year, 1984, will be towards durable solutions.

The High Commissioner further remarked that it must be ensured that countries can provide asylum without being overwhelmed by its effect. This new aspect of assistance, goes beyond the traditional mandate of his office for relief and for durable solutions.

In closing his statement, the High Commissioner put forward the following tasks before the Conference

- To recognise the link between the humanitarian and development aspects of care for refugees and support for host countries.
- To support programmes that give refugees the relief assistance that they urgently need as well as additional chances for durable solutions.
- To provide the countries of asylum with the infrastructural support that they require.
- To engage ourselves in an expanded process, a process that we cannot complete in any Conference but on which we must here make a solid and significant start.

Introductions

The following distinguished guests were invited for the openings

1. Mr Peres de Cuellar - United Nations Secretary General.

2. Tr Bradford Horse - Administrator of the UNDP.

3. Cde Eirke-Selassie Â¥ogderess - Secretary General of the PI "AC, De
puty

Chairman of the Council of Ministers and COPWE Txecutive Committee
Member of Socialist Ethiopia.

The abovementioned guests left the presidium after the' opening state-

ment was made.

The session was opened by L. Tindemans, Minister "or Foreign Affairs of Belgium, President of the International Conference on Assistance to Refugees in Africa, in relation to causes of refugees, he referred in particular to a feeble rate of development after the turn of independent internal troubles which are so often the work of men or political design. Among the latter, not least is the system of apartheid in South Africa and the illegal occupation of Namibia, for those policies stigmatised and condemned by the entire International Community., affect all of southern Africa and, what is more,, pose a threat to the refugee victims of those policies even in neighbouring

countries of asylum. On the question of assistance, he stressed that

the purpose of this Conference was to broaden, to include the host countries in the assistance hitherto granted to refugees. ICABA II must translate into action this new concept, which of linking aid for refugees and aid for development.

A steering committee, composed of representatives of the TIN Secretary General of C5AU, of the United Nations High Commissioner for Refugees

and of the Administrator of the UNDP, was established with responsibility for the overall direction of preparatory work for the conference.

The Governments of 86 states were represented as participants.

The Sponsoring organisations were represented by 4 bodies i.e. TJN'

OAU, UNDP, and office of the UNHCR -

The United Nations System was represented by 23 U?T agencies.

Non Governmental organisations were represented by 10 bodies.

The African National Congress of South Africa (ANC) was represented and

SftAPO was invited but did not turn up. lie had observer status.

SUMMARY OF NEEDS

Introductions

Many countries in Africa today face critical economic and social

problems arising from underdevelopment, from weak- and inadequate infrastructure and an increasingly difficult economic environment.

It was noted, at the Conference that the host countries are among the least developed in the world and are scarcely capable of providing

adequately for their own population. Despite their economic condition, they have accepted the refugees in their midst and continue to share with them their scant resources and facilities.

Direct assistance to refugees has been provided, by IJERHCR. In some instances such assistance has included emergency relief and assistance to refugees for the promotion of longer term solutions. Such solutions include local settlement in countries of asylum or resettlement in other countries.

Current programmes, however do not provide assistance to offset the burden placed on the infrastructure of host countries by the presence of refugees. It is not only that there is a need for adequate assistance to allay refugee distress, but there is a further requirement for infrastructural assistance to help governments to settle refugees in their society.

ICAR* II provided the international community with an assessment of the direct needs of African Refugees, as well as the infrastructural needs of the countries concerned, related to the presence of refugees. More specifically, the Conference identified and developed support for portfolio

of projects which hold the promise of long term solutions to the refugee crisis. These solutions must enable refugees gradually to cease being dependent upon outside resources and assist them to be better integrated into the economic activities of the countries of asylum.

Problem of refugees in Africa;

According to the current estimates of host governments, the number of African refugees, on the basis of which the infrastructural burden was assessed, is in the order of 4 million.

The -AFC delegate supported by other delegates drew the attention of the Conference on that another area of concentration of refugees is in Southern Africa, where problems related to the process of decolonisation and the policy of apartheid have in recent years involved the international community.

It was generally mentioned that the policies towards refugees of an overwhelming majority of African Governments are based on tenets and objectives of international and regional instruments relating to refugees. Some of the main tenets of these instruments hold that granting asylum to refugees

should be seen as a peaceful and humanitarian act and refugees should be assisted to settle at reasonable distances from frontiers of countries of origin and attain the level of well-being of neighbouring nationals as rapidly as possible, most governments in Africa have traditionally allowed refugees access to existing social services, health and educational facilities, and in a good number of instances, to land. The degree of access has varied, inter alia, because these countries lack

adequate infrastructure.

Policies of local settlement designed to make refugees economically productive and socially active exist in some countries of asylum.

Some speakers drew the attention to the fact that host governments often have to mobilise and utilise their own resources to meet emergency needs, including shelter and security, during the initial flow of refugees. Usually, UNHCR and other humanitarian agencies, including non governmental organisations, are called in to provide assistance.

Although host Governments, with the help of the international community, contribute to meeting emergency humanitarian needs, they generally can do little to assist refugees to move beyond "care and maintenance" and subsistence levels to effective participation in production. Additional resources are therefore needed for the impetus to trigger and sustain the settlement and integration of refugees in the development process.

The need for additional resources for Refugees in the ...

1. Emphasis was placed by many speakers on the objective of ICARA II, that is, ICARA II is to maintain support for those essential needs while concentrating further efforts on two particular areas: First, to expand the implementation of programmes for solutions, especially through settlement in countries of asylum; and second, to provide assistance to strengthen the infrastructure of countries affected.

2. For 1949 total UNHCR expenditure in Africa is projected at US\$155 million, which includes both general and special programmes. With particular reference to the ICARA II resolutions, the UNHCR general programmes approved for Africa for 1974 will rise to US\$125 million, an increase over the \$113 million authorised for 1983.

3. UNHCR programme levels for 1985 and 1986 cannot be precisely determined since they will depend upon developments that might require emergency programmes as well as upon the pace at which solutions are achieved.

4. Refugees have placed a considerable burden on the social and economic infrastructure of affected countries, said a number of delegates.

Therefore additional facilities must be built and those components

that have deteriorated because of increased demands must be rehabilitated.

Some speakers noted the refugees need to be incorporated into the development process in these countries. Current level3 of humanitarian and development assistance are not sufficient to meet these den aids. Therefore; additional funding is required.

5. Twenty two African Countries facing refugee probleias were invited to submit project proposals following guidelines prepared by the Secretary General. These projects were tp be refugee related and were to conform with development plans and prioritieess and be 00: rplercantary

to current and planned UNHCR assistance to refugees'. In addition, projects were to be technically feasible and convincing enough to obtain the attention and support of the donor community.

6. Fourteen countries submitted their projects to ICX.H4. II. The projects listed in this report are designed to strengthen anc; expand the countries infrastructures to benefit refugees and the local population ir. the areas concerned.

6. is can be seen fro;; the attached table, 126 infrastructural projects related to the presence of refugee? were identified. Their imp],Ã©mentati on would require external development assistance in th.. crdei of US2 million .

The amin thrust of the projects are threefold, as noted ft the conferences

a) to., develop human rrsources through basic education, skills training and provision of health and sanitation facilities?

b) to strengthen the physical and technical base for improving agri-culture and related fields in order to increase productivity;

c) to improve the transport infrastructure.

All three objectives will assist the transformation of refugees into more productive members of their societies.

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Conclusions

project proposed at ICiJLi II may not be able to meet all needs <nd aspirations of refugees in Africa and of the comma ities af ectcd by by their presence. It is hoped, however, that ICiJL, II -ill be the beginning approc. ch. to be used in dec.ling with dealing with refugee

situations | this .should open the way for the many governmental inter*-national and non governmental organisations to use their er-pertise for the benefit of refugees in search for lasting solutions.

Jacob Chilwane.

Office of the Treasurer General,
projects Department*

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DECLARATION AND PROGRAMME OF ACTION OF THE SECOND
INTERNATIONAL
CONFERENCE ON ASSISTANCE TO REFUGEES IN AFRICA

I. DECLARATION

A. Global responsibility

1. The task of caring for refugees and finding solutions to their problems is a matter of international concern in keeping with the Charter of the United Nations and other international instruments, in particular the 1951 United Nations Convention on the Status of Refugees and its 1967 Protocol. The Conference recognizes that the condition of refugees is a global responsibility of the international community and emphasizes the need for equitable burden-sharing by all its members, taking into consideration particularly the case of the least developed countries.

2. In dealing with the refugee situation in Africa, special account must be taken of the regional situation and of the regionally relevant legal instruments, such as the Charter of the Organization of African Unity (OAU), conventions as well as principles mentioned in resolutions adopted under the auspices of OAU.

3. The 1969 OAU Convention on the Specific Aspects of the Refugee Problems in

Africa constitutes a basic instrument for the plight of refugees in that continent;
according to Article VIII, paragraph 2, the OAU Convention shall be the effective
regional complement in Africa of the 1951 United Nations Convention on the Status
of Refugees. Accession to the OAU Convention by African States that have not yet
done so, respect for the principles contained therein the most rigorous care in their

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B. Continental responsibility

C. 1969 OAU Convention

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daily implementation must remain the foundation for protecting and assisting refugees in Africa. The principle enshrined in the 1969 Convention that "the granting of asylum is a peaceful and humanitarian act and shall not be regarded, as an unfriendly act by any member State" must continue to guide the approach of States to the refugee problem in Africa.

D. Arusha. Conference

4. The recommendations of the 1979 Arusha Conference on the African Refugee Problem, endorsed by the OAU Council of Ministers through its

resolution A/RES/727 (XXXIII) and reaffirmed by the General Assembly of the United Nations in its resolutions 34/61 and 35/41, remain fundamental for action on behalf of refugees in Africa. The recommendations deal with the causes for asylum seeking in Africa and the situation of rural and urban refugees, their employment, education and training, and arrangements for refugee counselling services.

5. The Arusha Conference also adopted a number of recommendations relating to the legal situation of refugees, notably as regards asylum, the definition of the refugee concept and the determination of refugee status, illegal entry and expulsion, rights and obligations of refugees and voluntary repatriation. The standards defined in these recommendations, together with those figuring in the 1969 OAU Convention, represent an important component for the protection of and assistance to refugees on the African continent. The Organization of African Unity and the Office of the United Nations High Commissioner for Refugees (UNHCR) are urged, in accordance with a decision of that Conference, to continue monitoring the implementation of the relevant recommendations and report thereon through the appropriate channels.

E. Meeting between the OAU secretariat and voluntary agencies

6. The 92 recommendations adopted in March 1963 at the meeting between the OAU secretariat and voluntary agencies, dealt with the following issues: International Conference on Assistance to Refugees in Africa II, protection, voluntary repatriation, awareness-building and public information, co-operation in refugee assistance at the national, regional and international levels, root causes of refugee situations, education, counselling, settlement and resettlement, and the role of voluntary agencies during emergencies, which should constitute

a realistic approach to the refugee problem in Africa.

F. OAU Charter on Human and People's Rights

7. Respect for human and people's rights, and benefit from economic and social progress and development in conformity with Article 55 of the Charter of the

United Nations must be a corollary in the protection of and assistance to refugees.

The Conference takes full note of the adoption by the OAU Heads of State and Government of the Charter on Human and People's Rights* the entry into force of which will constitute a positive contribution in reducing the number of refugees in Africa.

G. Approaches to solutions

8. International co-operation to avert new flows of refugees must be strengthened.

Everything possible must be done to prevent the causes of refugee flows and to

reduce and resolve the problem of refugees in Africa. States must refrain from

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taking measures that would create or aggravate refugee problem. Essential

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conditions should be established for the voluntary repatriation of refugees, which has been recognized as the best means of promoting permanent and durable solutions. This could be done by the promulgation of amnesty laws and respect for the principle of non-refoulement. Where voluntary return is not

immediately feasible or possible, conditions should be created within the country of asylum for a temporary settlement or the integration of refugees into the community and their full participation in its social and economic life. For solutions to last, assistance to refugees and returnees must aim at their participation, productivity and durable self-reliance; it should be developed

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oriented as soon as possible and, in least developed countries, it should
take
into account the needs of the local people as tell.

II. PROGRAMME CF ACTION

A. Voluntary repatriation

1. Voluntary repatriation remains, when conditions allow, the ideal solution to a refugee problem. Governments are responsible for creating the necessary legal and practical conditions conducive to the return of refugees. The Office of the

United Nations High Commissioner for Refugees (UNHCR) is, by its mandate, required

to facilitate the return of refugees and safeguard its voluntary nature; it should

take all measures deemed appropriate and feasible to promote such voluntary return.

Whenever appropriate, tripartite commissions composed of representatives of the

country of origin, the country of asylum and UNHCR should be established; in this

process, care must be taken to respect the voluntary nature of the repatriation

process and the entirely non-political character of the work of UNHCR.

2. For the ultimate aim of successful reintegration of returnees into their society, rehabilitation assistance will often be required well beyond the initial

period during which UNHCR can provide it. In such cases, the United Nations

Development Programme (UNDP) and other relevant development organizations and

non-governmental organizations should be involved as soon as possible in the

planning and implementation of further rehabilitation assistance which may benefit

not only returnees but also their compatriots in the areas concerned.

B. Local Settlement

3. Where voluntary repatriation is not immediately feasible or possible, conditions should be created within the country of asylum so that the refugees can

temporarily settle or integrate into the community, i.e., participate on an equal footing

in its social and economic life and contribute to its development. For

this purpose, settlement programmes should be development-oriented and, wherever

possible, be linked to existing or planned economic and social development schemes

for the area or region.

4. When large numbers of refugees need land or other work opportunities, there is

a need for development-oriented projects which would generate work opportunities

and - where local integration of the refugees is feasible - long-term livelihoods

for refugees and local people in a comparable situation, through activities which

create assets of a continuing economic value with a good rate of return, so that

they contribute to the over-all development of the area. t

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C. Infrastructure assistance

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5. As a result of the adverse impact of the national economies of the African countries concerned, most of which belong to the group of the least developed countries, there is need to provide these countries with the required assistance to strengthen their social and economic infrastructure so as to enable them to

cope with the burden of dealing with large numbers of refugees and returnees.

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This assistance, to achieve the desired objective, should be additional to , and

not at the expense of, concerned countries' other development programmes.

D. The process

6. The international community, through the Second International Conference on Assistance to Refugees in Africa, will endeavour to provide assistance at three

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levels:

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(a) The necessary relief and care and Maintenance must be provided to refugees in the face of an emergency; *it must be adjusted to the immediate needs of refugees, be directly linked to those needs and be commensurate with reliable estimates of their numbers. â€ &

(b) Long-term solutions, though voluntary repatriation of Refugees or their settlement in countries of asylum, must be continued and, as necessary, expanded; additional resources should be made available for expanded durable solutions efforts.

(c) Technical and capital assistance to countries that offer asylum to refugees

and to countries that welcome back returnees should be recognized as an important new

element of international assistance; such assistance should be additional to ongoing

development programmes. The Conference expresses the hope that the commitments at

undertaken at the Conference will be fulfilled as soon as possible.

E. Structures for assistance to refugees, including returnees and for co-ordination of such aid and development assistance

7. The complementarity between refugee-related aid and development assistance

should be reflected in the structures addressing these issues.

3. In aid to refugees, both for relief, care and maintenance and towards durable solutions through local settlement and voluntary repatriation, UNHCR should remain the focal point and should closely co-operate with other relevant bodies within and outside the United Nations system.

9. Closer co-ordination between refugee and returnee services and development

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services within the administrative framework of countries receiving refugees or returnees would contribute to the development-orientation of refugee projects from the earliest possible stage.

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10. Likewise, closer co-operation "between the refugee and development services in the financial donor countries would be conducive to addressing the refugee problem in its development context.

11. Governing councils of development agencies should seriously consider the refugee and returnee element in their programme planning with a view to alleviating the

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plight of refugees and returnees. Among such agencies UNDP, in view of its central

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co-ordinating role within the United NationsÂ°system for development and its close

linkages with donor communities, could be asked to take as soon as possible a

leading part in the co-ordination, implementation and monitoring of refugee-related

infrastructural projects of a developmental nature in close association"with its ^

partners and other donors; the expertise of non-governmental organizations, in the

assessment, planning and execution of projects should also be utilized.

F. Follow-up of the Second International Conference on Assistance to Refugees in Africa Â«

12. The Second International Conference on Assistance to Refugees in Africa is another important step of a long-term process on the road towards lasting solutions to the problems of refugees and returnees in Africa. Further fact-finding m

issions,

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accurate data collection activities and feasibility studies may be necessary in many cases in furthering this process.

13. The Secretary-General of the United Nations, in consultation and close

co-operation with the Organization of African Unity, is requested to monitor through

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the existing channels the follow-up of the Conference and to recommend the appropriate action needed for this purpose.

14. Governments are requested to keep the Secretary-General of the United Nations informed of any action taken or being taken relating to the projects submitted to

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the Conference, through UNHCR in the case of projects submitted or which may be submitted in response to paragraph 5 (b) of General Assembly resolution 37/197 and through the office of the Secretary-General and/or UNDP in the case of projects submitted in response to paragraph 5 (c) of that resolution.

15. The Secretary-General is requested to submit to the General Assembly

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at its thirty-ninth session a first report on the results of the Conference as well as action taken or planned to follow up on the process initiated at the Conference.