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Refugees. Returnees and Displaced Persons

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DRAFT OSLO DECLARATION AND PLAN OF ACTION

ON THE PLIGHT OF REFUGEES, RETURNEES AND

DISPLACED PERSONS IN SOUTHERN AFRICA

(SARRED)

Conference Secretariat - ' Room 8-3031 - United Nations 0 New York. NY 10017

The International Conference on the Plight of Refugees,
Returnees and Displaced Persons in Southern Africa, (SARRED)
meeting from 22 to 24 August 1988 at Oslo, Norway,
Having gngidegeg the seriously deteriorating situation of
millions of refugees, returnees and displaced persons in southern
Africa,
99mmending the initiative taken by the Organization of African
Unity to convene the Conference in pursuance of resolutions
CM/939 (XL) of 5 March 1984 and CM/1040 (XLIV) of 26 July 1986 of
the Council of Ministers, subsequently endorsed by the Assembly of
Heads of State and Government of the Organization of African Unity
at its twenty-second ordinary session, in July 1986,
gmmengigg_gu;theg the Secretary-General of the United Nations
for the valuable assistance he has extended, in close co-operation
with the United Nations High Commissioner for Refugees and the
Administrator of the United Nations Development Programme, to the
Organization of African Unity in the convening and preparation of
the Conference,
Expressing it: wgrm aggregigtign to the Government of Norway
for hosting the Conference as well as for the steps it has taken to
ensure its success,
yRegalling the provisions of resolution 42/106 of the General
Assembly of the United Nations of 7 December 1987, by which the .
Assembly appealed to all Member States, the specialized agencies c
the United Nations system and regional, intergovernmental and

non-governmental organizations to provide all the necessary support and resources needed for the convening and success of the Conference,

Recognizing the need to take necessary measures, individually or collectively, in order to find durable solutions to the problems of refugees, returnees and displaced persons in southern Africa,

1. Approves the Oslo Declaration and Plan of Action on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa, the text of which is annexed to the present resolution;

2. Requests the Secretary-General of the United Nations and the Secretary-General of the Organization of African Unity to take all appropriate measures, in particular those defined in the paragraphs of the Plan of Action relating to the follow-up process, to ensure the full implementation and realization of the objectives contained in the Declaration and the actions recommended in the Plan of action.

ANNEX

OSLO DECLARATION AND PLAN OF ACTION ON THE PLIGHT
OF REFUGEES, RETURNEES AND DISPLACED PERSONS
IN SOUTHERN AFRICA

(SARRED)

DECLARATION

A. B k n

1. The human tragedy of uprootment and displacement of persons in the southern African region has reached unprecedented proportions.

There are at present some 5.4 million persons in southern Africa who are identified as refugees, returnees or displaced persons.

2. The situation has, thus, become alarming as the very survival of thousands of these persons becomes increasingly threatened. The adverse effects arising from the continued presence of refugees and persistent movements of displaced persons on the development process in the affected countries are equally alarming and a source of grave concern. The achievement of sustained economic and social development measures for the entire national populations concerned as a result of this crisis is seriously jeopardized in the entire region.

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3. South Africa's apartheid policy, its illegal occupation of Namibia, the policies it pursues in the region of direct and

'indirect acts of aggression, intimidation and destabilization are root causes of the tragic humanitarian crisis unfolding in the region. In addition, the acts of banditry perpetrated by externally supported surrogate movements contribute to the creation and perpetuation of large movements of refugees and displaced persons in the Southern African region.

4. While the various assistance measures contemplated in the Plan of action seek to alleviate the plight of the affected populations in the short and medium term, it is nevertheless underscored that the fundamental and lasting solutions to the problems of refugees, returnees and displaced persons in Southern Africa lie in the adoption of political and other actions aimed at bringing about the total abolition of apartheid, racial equality, national independence and improved economic and social conditions.

5. The sustained promotion of these objectives in support of the just struggles of the peoples of South Africa and Namibia for freedom and equality remain the responsibility of the international community. The international community while calling upon South Africa to end its policy of apartheid should undertake such appropriate measures conducive to the speedy elimination of apartheid, the attainment of independence by Namibia and the prevention of acts of aggression and destabilization against the independent African countries in the region, in conformity with the Charter of the United Nations.

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6. The Conference notes that there are humanitarian programmes financed and delivered by various United Nations, non4governmental

and intergovernmental organizations and Governments for the benefit of refugees, returnees and displaced persons in Southern Africa.

.Yet there are needs that remain unmet and more are bound to arise as the situation continues to deteriorate. Additional material resources are therefore now required to provide urgent relief assistance, in particular to a large number of displaced persons whose very survival is in danger. It is particularly important that in addition to food aid, donors should respond to other basic needs, such as in the fields of health, education, water, sanitation, re-forestation and other logistic support which have so far not attracted adequate support.

K sustained flow of contributions to programmes of the United Nations on behalf of refugees, returnees and displaced persons and for projects for the reinforcement of socio economic structures of the asylum countries or countries of origin is also called for.

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7. It is now universally recognized that, in order to minimize the risk of creating dependency on food and other emergency aid, it is necessary to link the provision of such assistance to rehabilitation and recovery activities as early as possible in order to promote self reliance and eventually self sufficiency.

8. The linking of humanitarian assistance for refugees and returnees with development assistance with a view to reducing the burden imposed on host countries or countries of origin, as endorsed by the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984, is thus further reiterated.

9. The implementation of the Declaration and Plan of Action of the Second International Conference on Assistance to Refugees in Africa must be reactivated and intensified.

10. The Action for Resisting Invasion, Colonialism and Apartheid (AFRICA) Fund established at the Harare Summit by the Movement of the Non Aligned countries and supported by contributions from the International Community is a significant step for strengthening the economic and financial capabilities of the Frontline States and the 'National Liberation Movements of South Africa and Namibia. One of the objectives of the Fund is the rehabilitation of migrant labourers who have returned from South Africa. The Conference therefore recommends further support by the International Community and Non Governmental Organisations to this cause.

11. In addition, it is recommended that, in countries where the magnitude of the problems caused by refugees, returnees or displaced persons has severely impaired the performance of the economy, additional financial resources should be channelled in order to support ongoing adjustment measures taken within the framework of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 and the African Priority Programme for its Economic Recovery or other contexts.

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12. The principle of solidarity and burden-sharing has been given formal expression in the Declaration and Plan of Action of the second International Conference on Assistance to Refugees in Africa and also in the 1969 OAU Convention Relating to the Specific Aspects of Refugee Problems in Africa as further developed in the recommendations of the 1979 Arusha Pan-African Conference. The

Conference reCognises that the conditions of refugees, returnees and displaced persons is a global responsibility of the _International Community and it emphasises the need for equitable burden sharing by all its Members taking into consideration particularly the case of the least developed countries. The implementation of the principle of burden sharing at the regional level requires all African States to contribute generously thrOugh the adoption of concrete measures with which to alleviate the plight of countries hosting refugees in Southern Africa.

13. States members of the OAU are called upon to expand the scope of implementation of the principle of burden-sharing by admitting refugees from Southern Africa into their countries and into national educational and employment systems, enabling them to have access wherever feasible to financial and land resources. Strategies to this effect should be developed within the parameters of the durable solutions referred to in the Plan of Action.

14. The humanitarian character of granting refuge is reaffirmed. The relevant countries in southern Africa generously nesting refugee populations are encouraged to continue to grant asylum to assist refugees in line with the 1951 United Nations Convention Relating to the Status of Refugees and the 1967 Protocol to that Convention, the 1969 OAU Convention Relating to the Specific aspects of the Refugee Problems in Africa and the recommendations of the 1979 Arusha Pan African Conference on the sithation of Refugees in Africa. Furthermore, attention is drawn to the fact that the granting of asylum should not be seen as an unfriendly or

hostile act, but rather as the carrying out by asylum countries of their obligations under international humanitarian law.

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15. The Conference strongly condemns the systematic and continued wanton military or armed attacks on refugees and innocent civilians in Southern Africa.

II. PLAN OF ACTION

A. H ' ri n n r h il' ' n i an

1. The States participating in the present Conference do-solemnly commit themselves to undertake in accordance with their capabilities at the bilateral, sub-regional, regional and international levels the necessary activities in the following areas which are identified as best suited to deal positively with the problems of refugees, returnees and displaced persons in Southern Africa:

- (a) Emergency preparedness;
- (b) Needs assessment and delivery of assistance;
- (c) Recovery and development;
- (d) Mobilization of resources.

The participating States also request all the organizations and programmes of the United Nations system and all governmental and non-governmental organizations to intensify their respective activities in the fields indicated above. Particular attention should be accorded to the needs of displaced and refugee women and children since they constitute the majority and the most vulnerable group.

1. Em n r a n

2. The countries of Southern Africa are encouraged with the necessary assistance of the International community, to prepare and/or adopt early-warning systems and formulate contingency plans and emergency programmes on the movement of and assistance to I refugees, returnees and displaced persons. The Governments should, in the formulation of these plans, whenever necessary avail

themselves of the sectoral expertise of relevant sub-regional, regional and international organizations.

3. The development of human resources in the asylum countries is of crucial and indisputable importance. To begin with, the training of the managers of relief assistance programmes also appears to be urgent and should be given priority attention to enable better use of financial and material resources provided by the international community. The Conference therefore calls upon the United Nations system, the Organization of African Unity, Inter-Governmental and Non Governmental Organizations to make the necessary efforts to take appropriate measures to implement, as soon as possible, concrete training programmes intended for relief assistance officials in the asylum countries

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4. It is recognized that the responsibility for assessing the needs of refugees and returnees as well as for the delivery of assistance to them is vested in the Governments of the host countries or countries of origin, as the case may be. In view of the immensity and complexity of performing these tasks, collecting and extrapolating the necessary data as well as providing assistance for the immediate and long-term needs of the affected populations, the assistance and co-operation of organizations such as the United Nations High Commissioner for Refugees, the World ' Food Programme, United Nations Development Programme, the United Nations Children's Fund and intergovernmental and non-governmental organizations involved in humanitarian work should be continued and intensified.

5. In view of the absence of a United Nations operational body specifically charged to deal with the problems of and assistance to internally displaced persons, the Secretary General of the United Nations is requested to undertake studies and consultations in order to ensure the timely implementation and overall co-ordination of relief programmes for these people.

6. To ensure the effective implementation of relief programmes for internally displaced persons, the international community is called upon to co-operate in efforts designed to ensure the safe transportation of relief and emergency goods.

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7. The conference recommends that the ICARA II process be given new impetus and be reinforced and that the possibility and feasibility of new projects adapted to the developing situation be examined. In this regard, the efforts of UNHCR should be encouraged and supported to ensure constant cooperation with the development institutions and organizations so that the latter may undertake development projects for the benefit of refugees or refugee settlement areas.

United Nations Programme of Action for African Economic Recovery and Development 1986-1990

8. In the framework of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, the host countries and countries of origin should re-affirm their commitment to adopt development policies in their respective economic and social sectors that will benefit, on a long-term basis, nationals, internally displaced persons, refugees and returnees. These measures should especially be geared to facilitate the rehabilitation of the persons concerned in the fields of agriculture, food production, employment, access to credit facilities, marketing systems, health, shelter and education.

9. The Conference urges full co-operation and assistance to the Governments concerned by the existing sub-regional, regional and international bodies, such as the Southern African Development Co-ordination Conference, the Organization of African Unity, the United Nations Development Programme, the World Bank and by Non Governmental Organisations in the articulation of the above strategies and the necessary recovery and development programmes benefitting refugees, returnees and displaced persons.

4. Mission of the Conference

10. While commending the resolve and efforts of countries in southern Africa in embarking upon a coherent set of measures to respond to both the immediate and long-term needs of refugees, returnees and displaced persons in the region, the successful implementation of those domestic actions will require the mobilization of additional external resources. In this respect,

the Conference urges all States to make every effort to provide sufficient resources to support not only emergency but also recovery and development programmes on behalf of the above-mentioned groups of persons.

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11. The relevant host countries and the countries of origin should, in close co-operation with the Secretary-General of the Organization of African Unity and the United Nations High Commissioner for Refugees, endeavour to promote and to expedite voluntary repatriation of refugees and the return of displaced persons wherever circumstances are conducive to permit such a return. The safe and successful reintegration of returnees into their society should be supported by the mobilization and flow of the necessary resources as provided for in the above paragraphs.

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12. It is recognized that the situation prevailing at the present time inside South Africa and Namibia is not favourable for effectively promoting or facilitating voluntary repatriation. Under these circumstances, programmes for the local integration of refugees in the respective host countries should be established and pursued. The Conference urges all States to do their utmost to ' secure the required resources within the framework of refugee-related development assistance.

3. Resettlement in third countries

13. As a result of the sensitivity of the southern African region, situations often occur where refugees cannot, for security reasons, enjoy, or continue to enjoy, asylum in the country where they first sought or obtained asylum. In line with the principle of burden-sharing, a number of countries in southern Africa and elsewhere on the African continent have offered resettlement opportunities to South African and Namibian refugees who have found themselves in such situations. The Conference urges the member States of the Organisation of African Unity and other members of the international community to pursue further this course of action and to do their utmost to increase, at the request of the host countries, the Organization of African Unity or the United Nations High Commissioner for Refugees, the rate of admission of refugees from southern Africa.

C. Public information and dissemination

14. It is recognized that the mobilization of public opinion at the national, regional and international levels is of paramount importance to the successful implementation of the present Declaration and Plan of Action. To this end, the public information networks of host Governments, the Southern Africa Development Co-ordination Conference, the Organization of African Unity, the United Nations system and relevant non-governmental organizations are urged to take concrete steps in obtaining and disseminating accurate data and information on the prevailing situation of refugees, returnees and displaced persons in southern Africa. The co-operation and support of religious organizations' and non-governmental organizations, writers, intellectuals, artists and other persons or agencies committed to human dignity and freedom is appealed for in this effort.

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_15. The effective implementation of the present Plan of Action should be based on the full utilization of existing machinery and bodies. Furthermore, in light of the development of new approaches and strategies which might be required by specific situations, it is imperative that evaluation of progress be made pursuant to the implementation of the Plan of Action. To this end, the follow-up process is articulated as set forth below.

1. At the national and sub-national levels

16. Governments in Southern Africa are urged to direct their respective national refugee mechanisms as well as those handling the problems of displaced persons to implement fully the provisions of this Declaration and Plan of Action.

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17. The Organization of African Unity is requested to take appropriate measures within the framework of its relevant organs, including the Commission of Fifteen on Refugees, for a sustained monitoring process of the Plan of Action. .

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18. For a continuous and coherent review of the progress made pursuant to the adoption of the Oslo Declaration and Plan of ' Action, the Secretary-General of the United Nations is requested to consider ways and means of strengthening or expanding existing

mechanisms within the Secretariat, including the follow-up machinery set up pursuant to the Plan of Action of the Second International Conference on Assistance to Refugees in Africa, in order to secure the inclusion of the present follow-up measures among areas of priority within the United Nations system.

19. Close co-ordination of relevant organizations and programmes of the United Nations system, in particular the United Nations High Commissioner for Refugees, the World Food Programme, the United Nations Children's Fund, the United Nations Development Programme, the Food and Agriculture Organisation and the World Health Organization is also a vital element for the achievement of multisectoral actions envisaged by the SARRED Conference. The Secretary-General of the United Nations is thus called upon to consider, in close co-operation with the Executive Heads of the above-mentioned organizations and programmes, appropriate measures within co-ordination mechanisms in the United Nations system for a regular appraisal of the Oslo Declaration and Plan of Action. Appropriate steps should also be taken to involve the non-governmental organizations in this process.

20. The Conference requests the Secretary-General of the United Nations to submit the Oslo Declaration and Plan of Action to the General Assembly of the United Nations at its forty-third session. It also requests the Secretary-General of the Organization of African Unity to submit the Oslo Declaration and Plan of Action to the Council of Ministers of the Organization of African Unity at its forty-ninth ordinary session.