

---

# United Nations General Assembly

## Declaration and Programme of Action of The Second International Conference on Assistance to Refugees in Africa

July 10, 1984

### 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.

#### B. Continental responsibility

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.

#### C. 1969 OAU Convention

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 in the most rigorous care in their 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 CM/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 counseling 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, represents 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 the 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 1983 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, cooperation 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 cornerstone 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 cooperation 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 taking measures that would create or aggravate refugee problems. Essential conditions should be established to facilitate 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 *nonrefoulement*. 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, assis-

tance to refugees and returnees must aim at their participation, productivity and durable self-reliance; it should be development-oriented as soon as possible and, in least developed countries, it should take into account the needs of the local people as well.

## **PROGRAMME OF 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 nonpolitical 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 program-

mes 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 overall development of the area.

### **C. Infrastructural assistance**

5. As a result of the adverse impact on 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. 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 levels:

(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.

(b) Long-term solutions, through 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 re-

turnees 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 as undertaken at the conference will be fulfilled as soon as possible.

### **E. Structures for assistance to refugees, including returnees, and for coordination 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.

8. 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 cooperate with other relevant bodies within and outside the United Nations system.

9. Closer coordination between refugee and returnee services and development 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.

10. Likewise, closer cooperation 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 plight of refugees and returnees. Among such agencies UNDP, in view of its central coordinating role within the United Nations system for development and its close linkages with donor communities, could be asked to take as soon as possible a leading part in the coordination, implementation and monitoring of refugee-related infrastructural projects of a developmental nature in close association with its partners and other donors; the expertise of nongovernmental 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**

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 missions, 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 cooperation with the Organization of African Unity, is requested to monitor through 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 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 at its 39th 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.

**SUMMARY OF  
REFUGEE-RELATED DEVELOPMENT PROJECTS  
PRESENTED TO ICARA II**

Country	Number of Projects	Total amount of financial assistance required (thousands of US\$)
Angola	4	8,450
Botswana	5	4,140
Burundi	5	10,100
Ethiopia	14	40,090
Kenya	3	840
Lesotho	5	2,500
Rwanda	10	8,690
Somalia	14	79,900
Sudan	30	92,600
Swaziland	2	1,420
Uganda	12	35,850
United Rep. of Tanzania	8	28,140
Zaire	11	38,800
Zambia	5	10,740
Total	128	362,260