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Bern, 20. Dezember 1991

Informelle Konsultationen über Asyl-, Flüchtlings-  
und Migrationspolitik in Europa, Nordamerika und Australien

TREFFEN DER TEILNEHMERSTAATEN DER INFORMELLEN KONSULTATIONEN  
GENF, 19. DEZEMBER 1991

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1. Allgemeines

Auf Wunsch der Vertreter der nordischen Staaten fand vor Weihnachten noch eine Sitzung statt, welche sich schwerpunktmässig mit Jugoslawien und Somalia befasste. Das Treffen stand unter der Leitung von Frau Christina ROGESTAM, Norwegen. Die Schweiz wurde vertreten durch die Herren Kurt Rohner (BIGA), Hans Baumgartner (BFF) und Markus-Alexander Antonietti (EDA).

2. Tagesprogramm

- Information über die Rumänienmission vom 26. - 28. November
- Entwicklungen in Somalia, Möglichkeiten der Rückschiebung
- Ueberblick über die Lage in Jugoslawien und die verschiedenen Zulassungspraktiken
- Agenda der nächsten Sitzung vom 20./21. Januar 1992

3. Information über die Rumänienmission

Den Sitzungsteilnehmern lag der Bericht des Sekretariates (Beilage 1) vor. Es handelte sich um die zweite Mission dieser Art im Rahmen der Informellen Konsultationen. Die erste hatte vor einem Jahr stattgefunden. Eines der Hauptprobleme sind die Wider-

stände rumänischer Behörden bei der Rücknahme rumänischer Staatsbürger. Aussenminister Nastase und Staatssekretär Ursu erklärten sich bereit, mit westeuropäischen Staaten Verhandlungen über den Abschluss von Rückübernahmeabkommen aufzunehmen. Australien, Deutschland und Frankreich wiesen auf die Wünschbarkeit solcher bi- oder multilateraler Rücknahmeabkommen hin. Als Modell könnte das im Europarat vorgestellte französische Papier (Beilage 2) dienen. Ergänzend wurde ein Bericht der schwedischen Einwanderungsbehörde über die Lage im Justizbereich mit Bemerkungen zum Minderheitenproblem (Beilage 3) abgegeben.

Im Rahmen des Rumänienprojektes wurde die Finanzierung eines IOM-Büros in Bukarest durch die Schweiz in Erinnerung gerufen. Durch realistische Informationen wird dieses Büro versuchen, den Migrationsfluss zu dämpfen. Die Schweiz (BFF/EJPD) stellt ca. 815.000 US-Dollars pro Jahr für das Projekt zur Verfügung.

#### 4. Entwicklungen in Somalia

Die Teilnehmer sind sich ohne Ausnahmen einig, dass Somalier im gegenwärtigen Zeitpunkt schwer zurückgeschafft werden können. Dies gilt a fortiori für den Süden des Landes, d.h. die Region von Mogadischu. Das Land sei de facto geteilt und ausser dem IKRK niemand im Landesinnern tätig. In der Schweiz wurden im Jahre 1991 (bis 30.11.) 822 Asylgesuche von Somalis eingereicht. Eine Auswertung des BFF zu Asylgesuchen aus Somalia (Beilage 4) und eine aktuelle Studie aus Norwegen (Beilage 5) liefern aufschlussreiche Hintergrundinformationen.

Die USA betonten, dass Kenya somalische Flüchtlinge deportiert habe und halten Kenya demzufolge nicht für ein sicheres Erstasyland. Der UNHCR ist am Vorbereiten einer Studie zu Somalia. Die Zahl der Asylgesuche in den Staaten der Informellen Konsultationen oszilliert um die 11.000 Personen; mit 2.500 Gesuchen ist Grossbritannien am stärksten betroffen.

## 5. Ueberblick über die Lage in Jugoslawien

Die Entwicklung im jugoslawischen Bürgerkrieg führt zu **Migrations- und Flüchtlingsbewegungen, die den Rahmen alles bisherigen sprengen**. Im Jahre 1991 sind bei den Teilnahmestaaten über 100.000 Gesuche für die Gewährung von politischem Asyl (1990 waren es 33.200) eingegangen (BRD: 65.500, Schweden: 10.000, Oesterreich: 5.600, Italien: 2.300, Frankreich: 818). Dazu halten sich rund 50.000 Jugoslawen im benachbarten Ungarn auf und über 1.200.000 in verschiedenen Staaten Europas. Die Schweiz folgt mit geschätzten 350.000 faktisch anwesenden Jugoslawen der Bundesrepublik Deutschland (610.000), weit vor Oesterreich und Frankreich. Das UNHCR verteilte eine Zusammenstellung der Flüchtlinge und Vertriebenen (Beilage 6).

Vor diesem Hintergrund erläuterte die Schweiz die vom Bundesrat am 18. Dezember 1991 getroffenen Massnahmen (Beilage 7). Die gruppenweise Aufnahme fand Zustimmung und wurde vom UNHCR als Beispiel für andere Staaten erwähnt. Die Massnahme sei "well adapted and extremely useful". Die USA sahen in unserem Vorgehen einen eventuellen Lösungsansatz für ihre Flüchtlinge aus Zentralamerika.

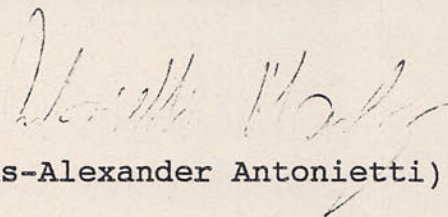
Flüchtlinge aus Kosovo sind, gemäss den Voten der Teilnehmer, in allen Ländern an der Spitze der Asylgesuchssteller. Das Sekretariat der Informellen Konsultationen regte an, dass im Hinblick auf die kommenden Veränderungen die Statistiken der Gesuche neu nach Regionen aufgegliedert werden sollten. In Zukunft würde sich ein solches Vorgehen wahrscheinlich auch in Bezug auf die Sowjetunion als sinnvoll erweisen.

Die Einführung der Visumpflicht für alle Jugoslawen wird in einigen Ländern diskutiert (Deutschland, Norwegen). Aus Gründen der Aussenpolitik wird aber die Einführung nicht als opportun erachtet. Generell sei ein solches Vorgehen mehr eine Alibiaktion, da die Kontrollmöglichkeiten doch limitiert seien.

## 6. Diverses

Die Tagesordnung der Januarsitzung (Beilage 8) wurde verteilt. Australien regte an, dass zusätzlich über gemeinsame Prinzipien der Rückführung diskutiert werden sollte. Der UNHCR wird demnächst eine "Antenne" in Tirana eröffnen; die Aktion erfolgt in Absprache mit der IOM. Die Aussichten für den kommenden Winter seien düster und ein Migrationsdruck mit zusätzlichen Belastungen für Jugoslawien nicht auszuschliessen.

KOORDINATOR FUER INTER-  
NATIONALE FLUECHTLINGSPOLITIK  
i.A.



(Markus-Alexander Antonietti)

## Beilagen

1. Report on mission to Bucharest on 26-28 November 1991
2. Readmission Agreements (Vienna Group, Council of Europe)
3. The Romania Report by the Swedish Immigration Board
4. Note by Switzerland on Somali Asylum Seekers
5. Norwegian Report on Somalia
6. Yugoslavia: Information Note for Donors by UNHCR
7. Information on Yugoslavia by Switzerland
8. Provisional agenda for the meeting on January 20/21, 1992

Report on mission to Bucharest on 26-28 November 1991  
in the context of the informal consultations

I. General background

1. This mission took place in the framework of the Rumania-project, initiated in September 1990 in connection with the discussions on long-term strategies ("Nyon II") in the context of the informal consultations. The idea was to select a specific emigration country for reinforced multilateral dialogue and support, so as to study to what extent the operational targets incorporated in the strategy platform, aiming at reducing migration pressures, could be implemented in practical action. Rumania was selected because the country was a flagrant example of a society in sudden transition from dictatorship to democracy and from command to market economy, and since more than 100,000 persons left the country after the revolution in December 1989, many of whom appearing as asylum-seekers in States participating in the informal consultations.

2. A first mission to Rumania took place on 18-22 November 1990, by a team consisting of Government representatives of Switzerland and Sweden, assisted by the Secretariat. The main purpose of the mission was (i) to establish an initial dialogue with the Rumanian Government on the project, (ii) to examine and evaluate the human rights situation so as to lay the basis for proper processing of asylum cases and (iii) to discuss the elaboration of concrete small-scale projects with a view to a) help reinforcing the process towards democracy and the rule of law, b) seek to contribute to economic reform and job creation, c) provide information in Rumania on labour market conditions and immigration rules in Western Europe so as to minimize irregular flows and d) facilitate organized return to Rumania. The findings of this first mission, as presented in a mission report of 6 December 1991 (by Mr. C. Aktar) and submitted to all participating States at a consultative meeting held in Geneva on 14 December 1991, were of a positive nature. Although the situation in the

country still was marked by political uncertainty, in particular after the 1990 June-events in Bucharest (the first "invasion" of miners), there were clear signs of progress and of a Government determination to reinforce the process towards the rule of law, democracy and market economy. Persecution in the sense of the Geneva-convention, if at all existing, was found to be limited to very special situations and cases.. The desire of all partners in Rumania to enter into constructive dialogue, on the way to international recognition, was manifest.

3. On this basis, the Rumania-project of the informal consultations was further developed through a meeting held in Bonn on 7-8 February 1991, organized at the initiative of Germany, and at which Austria, the Netherlands, Sweden, Switzerland as well as Rumania participated. At this meeting, Sweden declared its willingness to sponsor minor but concrete training and support programmes aiming at upgrading the standards of the judicial system (area a), Germany undertook to launch vocational training projects in Rumania for returnees as well as for the local population (area b), Switzerland outlined plans to initiate an information campaign in Rumania so as to minimize irregular movements (area c) and Austria informed about intentions to reinforce bilateral dialogue with Rumania in the field of return policies (area d).

4. Concrete preparations as regards all of these projects were later initiated. Germany hired a consultancy firm to plan the vocational training projects, and based on a mission to Rumania on 30 June-6 July 1991, during which a preliminary protocol was signed between the German and the Rumanian Governments, a substantial report on the planned vocational training projects was issued in August 1991. Detailed discussions on implementation and financing are now taking place and are at an advanced stage. The signature of the final agreement between Germany and Rumania is expected to take place soon in Bonn, whereupon training activities can start in the spring of 1992 at three modernized premises, prepared for that purpose by Germany (in Arad, Timis and Sibiu).

5. The project of Sweden was initiated by way of a visit on 21-24 May 1991 to Bucharest by the then Swedish Under-Secretary of State for Justice. This has resulted in an exchange of letters with the Minister of Justice of Rumania on a number of training projects for Rumanian law professionals. The new Government of Sweden has approved of the project and the financing of these training activities for Rumanian law professionals is now secured.

6. As regards Switzerland, a film on immigration conditions for Rumanians has been produced, and in the autumn of 1991 discussions were initiated between the Swiss authorities, IOM, UNHCR and the Secretariat for the consultations on the establishment of an information programme in Rumania. Switzerland has recently decided to provide a substantial financial contribution to IOM for the hiring of certain UNHCR information expertise and for the establishment of an IOM information office in Bucharest to serve all interested States. A Steering Group composed of Switzerland, IOM, UNHCR and the Co-ordinator will be established. An exploratory IOM-UNHCR mission visited Bucharest on 28-31 October 1991. Concrete discussions on implementation are now taking place between Switzerland and IOM. Finally, as regards Austria, the authorities (the Ministry of Interior) have created the post of a special immigration attaché to the Austrian Embassy in Bucharest, to act as a focal point for the negotiation and preparation of return measures and policies.

7. Parallely, at the macro-level, Rumania was granted status as eligible for G-24 aid in January 1991, having fulfilled the G-24 conditions in terms of progress as regards respect of the rule of law and human rights, and as regards measures towards transition to market economy. The G-24 aid was frozen for a short period following the events in Bucharest in late September 1991 (the second "invasion" of miners), but has now resumed. A total of nearly US\$ 3 billion have been committed to Rumania by G-24 States and international financial institutions, whereof US\$ billion 1,7 already have been allocated. In the course of the dialogue with foreign partners, the Rumanian Government has come to understand the linkages between various approaches by Western States at the macro- and micro-level, and has duly noted that all States in the informal consultations also form part of the G-24 group. This is evident, among others, from previous and recent conversations with the Foreign Minister of Rumania (see below).

8. Our mission on 26-28 November was originally scheduled for late September 1991, but was postponed due to the above-mentioned events in Bucharest which took place at that juncture. As known, these events led to the formation of a coalition Government, with a new Prime Minister (Mr. Stolojan replacing Mr. Roman) and the inclusion of five members of the classical opposition parties (such as the National Liberal Party and the Democratic Agrarian Party) in the previously National Salvation Front (NSF) dominated Government. The new Government had deliberately expressed its wish to receive our delegation one year after the previous mission, so as to jointly take stock of developments. The team having discussions in Bucharest on 24-26 November 1991 consisted of Switzerland (acting spokesman for the group), Austria, Sweden and the Co-ordinator. It was, of course, made perfectly clear at all discussions that this team had no mandate to speak on behalf of other or all States participating in the consultations, and that this grouping was of a very informal character. We met with three Cabinet members (the Foreign Minister and the Ministers of Justice and Interior), five Secretaries of State (Foreign Affairs, Justice, Interior and two responsible for Labour and Social Affairs), the Chief Prosecutor, the Vice President of the biggest opposition party not included in the coalition Government (Civic Alliance), and with Embassy heads in Bucharest. The list of interlocutors is appended. It does not need to be underlined that this report is written at the full responsibility of the Co-ordinator, and that it does not commit any State.

## II. The findings of the mission

### Strong political commitment to democracy, rule of law and international obligations - no persecution in the sense of the Geneva Convention

9. It was evident that the appointment of the new coalition Government in October 1991, and the decision to hold a series of general elections in the coming months, have contributed to a stabilization of the general political situation. Even if the Government considers itself to be of a transitional character, the work on modernizing and changing the old structures continue unabated. The major claim of the opposition forces (i.e. forces opposed to the NSF, considering NSF to be too much associated to the heritage of the past) relate to the widening and deepening of the democratic process, and no longer to the establishment of full democratic governance as such, safeguarded as this is in the new draft Constitution. The draft Constitution, elaborated with



French legal assistance, is submitted to the people at a referendum on 8 December 1991. It is expected to gain the acceptance of the majority. The critical voices are raised by the UDMR (Hungarian Democratic Union, representing about 7 per cent of the political spectrum), and relates to the allegedly weak minority rights' clauses of the draft (providing only individual but not collective minority rights), and by the Civic Alliance. The Vice President of the latter, with whom we met, also underlined that the division of power, as enshrined in the draft, between the President and the Parliament was too much in favour of the former.

10. However, it is obvious that the process towards full democratization continues. Following the referendum in December, local elections will be held on 9 February 1992, parliamentary elections in April 1992, and later also public elections of the President. It seems as though NSF (dominating the present Government) is on its way of losing its support by the electorate from earlier some 50 to presently about 30 per cent, at the same time as (which happened during our visit to Bucharest) the traditional democratic opposition has joined forces with the Civic Alliance (young centre-conservative market economy reformists) for the local elections, under the coalition label "The Democratic Convention". Parallely, the work to "purify the judicial system" continues systematically, but not easily. The quotation in the previous sentence derives from the conversation which we had with the new Minister of Justice, Mr. Quintus of the old National Liberal Party, having deep personal experience of persecution under the dictatorship. He described to us the Government's efforts to overcome the biggest stumbling block hindering a fully democratic system, namely the incorporation of all the State prosecutors (still forming a State in the State, with powers emanating from the old communist party system) into a new system of magistrates (based on the French model), and under the budgetary control of the Government and not as previously and presently by the President. The wages of judges and prosecutors had been raised, so as to overcome "nomenklatura-resistance", and the Chief State prosecutor as well as the Chief Military Prosecutor, with whom we met, seemed to be prepared for this change, and did also state their commitment to reform, to the new Constitution and to the respect of international law (incl. the 1951 Geneva Convention, to which the Chief State Prosecutor made explicit reference). However, it still remains a fact that whereas all substantive staff within the structures of the Ministries of Justice and the Interior has

been replaced (as stated to us by the two responsible Ministers Mr. Quintus and Mr. Babiuc, previously Minister of Justice and by everyone considered as a sincere NSF reformist), some 90 per cent of the old staff in the prosecutors' structure still remain.

11. It should be noted that Rumania signed the Geneva Convention without any geographical reservation in August 1991. At all of our discussions, Switzerland informed our interlocutors of the decision taken by the Swiss Government on 25 November 1991 to declare Rumania as a "safe country" from the point of view of Swiss asylum legislation. None of our interlocutors raised any questions in this regard, and the Justice Minister (having had decades of personal experience of mistreatment) declared his full satisfaction with this decision by way of underlining: "I know what I talk about in this respect, I have my experience from being in opposition to Ceacescu".

Main reasons for emigration are of an economic nature

12. It was thus evident from all conversations that our counterparts considered the main factor behind the present emigration from Rumania to be economic, in combination with an understandable curiosity of travel-willing Rumanians to see the world outside. The GDP per capita is about US\$ 800 (compared to 17,000 in France and 26,000 in Switzerland), the monthly retirement money for farmers amounts to about one dollar (200 lei), the monthly state unemployment grant to 25 dollars (6,000 lei), a monthly salary for a well educated civil servant to 60 dollars (15,000 lei) and, as Foreign Minister Nastase told us, his monthly state salary is 120 dollars (30,000 lei). Inflation at an annual basis was up at 200 per cent in 1991. The economic transition programme is ambitious, but real reform seem to be slow, and how could it be, given the little time which has passed since the revolution and the huge task ahead. The main acute problem is the restructuring of the old-fashioned, energy-consuming and polluting big industry, and also the supply of energy, since Rumania this winter only has the capacity to produce 30 per cent of its energy needs. Coal and gas production is sharply down as a result of general economic contraction, and USSR now asks for hard currency and not goods in exchange of electricity; hence, electricity import from FRG (among others) has to increase. If winter is ruthless, people will freeze much (and maybe dream of the warm homes in Western Europe). With presently 250,000 registered as unemployed, and with 300,000 new young entrants from the

education system to the labour market each year, in combination with bad economy, unemployment is expected to rise to one million in about one year, out of a total workforce of 11 million. Theoretically, then, everyone with whom we talked considered emigration pressures to be considerable.

Clear consciousness of need to frame anti-emigration policies

13. But, at the same time, all with whom we met were very much aware of the emigration issue as an important component of domestic and international policies, which not at all was the case one year ago. Then, the attitude was more one of laissez-faire and of a considerable neglect of the political ramifications of migration as such, whether of Rumanians moving abroad, or of migrants moving to or through Rumania. Leaders still seemed to be acting on the basis of a post-Ceacescu shock mentality. However, this time the emigration from Rumania, all through the Ceacescu-period, was referred to as being one of the factors actually contributing to the low level of intellectual preparedness for the transition: many of the about one million who had left in the period of 1950-1970 (about 300,000 Jews, 200,000 Germans and 500,000 other Rumanians) were very well educated and would be needed now to rebuild the country. All persons of the political establishment with whom we met said that the overall goal for new democratic Rumania should be to create conditions so as not to favour emigration, and that "confidence in the development of your own country is a major goal and hence something which disfavors emigration" (cabinet member). Further, "we need to keep the active people here, because we need their votes to reinforce democracy" (opposition leader).

14. In compliance with this firmly declared basic stance, namely that emigration is no solution to the country, which thus has developed during the last year, and which sharply deviates from the one of Greece, Spain and Yugoslavia when they were entering the road of transition in the 1960's, quite a governmental migration machinery has been established. It is obvious that, in addition to the domestic policy development process, the bilateral contacts with a number of Western States on migration issues, in particular with Germany and the other States of the Rumania-project, as well as all the meetings of the "Vienna-process" during 1991, and recently, the Berlin Ministerial meeting, have contributed to this. With Germany, Rumania has since long a bilateral committee trying to find remedies to the outflow of "Volkdeutsche" Rumanians.

What also has contributed is the sudden experience of Rumania (not imagined at all by the authorities when we were there last time) of becoming an immigration and a transit country. Hence, a migration policy unit has been established in the Ministry of Interior. Moreover, an inter-ministerial Committee on migration has been appointed by the Government, with the participation of all six concerned Ministries. We met with the whole Committee, and were impressed by the inter-disciplinary approach taken. The task of the Committee is to :

- facilitate repatriation of Rumanian citizens;
- prevent new emigration waves from Rumania; and
- provide a new legal framework and social aid programmes to cope with the recent influx of foreign migrants to Rumania.

15. As regards statistics relating to migratory trends, the Ministry of Interior informed us of the following. Since the revolution, a total of nearly 6 million foreigners had made a total of 20 million visits to Rumania. At the same time, more than 6 million Rumanians had obtained passports, and a total of 40 million border-crossings of Rumanian citizens to and from Rumania had taken place. Of all the 6 million Rumanians having obtained passports, 164,000 had asked various Western countries for permission to immigrate, out of which 120,000 had obtained such permits. Out of these 120,000, a total of about 100,000 had already left. The trend was, however, towards a diminishing demand of entry visas (and similar): whereas 130,000 visa requests had been lodged at Embassies in Bucharest by Rumanians in 1990, only 30,000-40,000 applications had so far been filed this year. The Ministry experts interpreted this as a good sign, namely that expectations in relation to emigration were very high after the revolution, but that people were more realistic now, in spite of the bad economic situation in Rumania. We were informed that there is even a new tendency to return: more and more Rumanians were said to be returning, having acquired a car or necessary capital to set up small business in Rumania.

#### Rumania has problems with illegal immigration

16. On the other hand, our interlocutors said, illegal and irregular immigration to Rumania is increasing. There is a total of only 1,300 border guards for all the borders of the country, which after the revolution are highly penetrable. A total of 6,000 foreigners from a number of African and Asian countries (Bangladesh, Philippines, Somalia etc.) have registered with

the authorities "and we have to feed them until they get a visa from the States they want to go to" (border control official). Recently, Albanians have started to arrive on Tarom flights (the Rumanian air company), but "we cannot introduce visa sanctions against Tarom which anyhow is close to collapse". Traffickers make big business in Bucharest, since the fine for people-smuggling to Rumania according to the existing law is 200 lei (about one dollar). Therefore, Rumania has recently introduced visas for citizens of Philippines and Bangladesh, and prepares visa obligations for Indians, Sri Lankese and Iraqis.

Preparedness to conclude readmission arrangements

17. From all what now has been reported it is obvious that the Rumanian authorities have made progress in terms of developing and implementing policies aiming at (i) providing conditions not conducive to emigration, and (ii) developing asylum and aliens legislation and practices which are compatible with those of Western States (and soon also other Central/Eastern European States), and that the Rumanian authorities should be further advised on this. However, there is one major problem, confronting a number of States in Europe (e.g. Switzerland, Sweden, Finland and Hungary), and that is the considerable difficulties created by the Rumanian authorities at the practical level in terms of readmitting Rumanian citizens who are returned to Rumania. Generally, Rumania only accepts returns made within three days and only if the person in question has valid Rumanian documents and has signed his acceptance of being returned. In all our talks, Switzerland said that a logical consequence of the Swiss Government decision to declare Rumania a safe country will be the return to Rumania of quite a number of rejected asylum-seekers. However, so far the Rumanian authorities had not been very co-operative, the Swiss representative said. Sweden verified similar problems. It was underlined that it was to be considered as an international obligation for a State to accept the return of its own citizens.

18. In response to this, all representatives of the Rumanian authorities generally said that they understood this reasoning and that they were prepared to develop practices so as to be able to accept any return of their own citizens. The Minister of Justice declared that the authorities really had to adjust to this, and at the Ministry of the Interior reference was made to a

recent bilateral arrangement with Austria relating to procedures for the removal of Rumanian citizens to their country of citizenship. The issue was also discussed at length with Foreign Minister Nastase (with whom we met during one hour, in the presence of Secretary of State Ursu, previously Minister of Interior). The Foreign Minister described the general desire of Rumanians to travel and see the world as quite natural, given the previous dictatorship. Rules of Western States relating to the travel of bona fide Rumanian businessmen and tourists should therefore be liberalized (it should be noted that Mr. Nastase also raised this visa issue at the recent G-24 Ministerial meeting). The reasons why the Rumanian authorities were not as co-operative as could be expected in the case of returns of non-bona fide visitors abroad (over-stayers) had to do with the sensitive political situation in the country. If the Government was seen as co-operating in utilizing measures of force, then there were immediately the accusations that the Government as a matter of fact was acting on behalf of "Securitate" and as during the Ceacescu dictatorship. The risk of a right-wing take-over was always there, and recent events in USSR (August) and Rumania (September) provided evidence. Economic progress and democracy went hand in hand, and the West had to understand this. If economic aid is not quick and sufficient enough, democracy is threatened. For instance, the travel of Rumanian businessmen was hindered by the visa blockade vis-à-vis Rumania by EC and other countries. Readmission would be facilitated, however, if the Government could explain to the media and to the general public that it was part of a general bilateral or multilateral deal, aimed at making some order in the movements of people. Rumania is against this background quite willing to immediately and seriously enter into discussions on bilateral or multilateral readmission agreements, Mr. Nastase said. Recently, for instance, an issue relating to the return of some 200 Rumanians, arriving via USSR to Finland, had been resolved after Finnish intervention. This was the gist of the message of the Foreign Minister.

19. In the dialogue which followed, reference was made, on both sides, of the G-24 aid to Rumania, as well as of progress made in the Rumania project of the consultations, of which Mr. Nastase was very well informed. Ample reference was also made to the recent readmission agreement between Poland and the Schengen-states, which could be used as a model for further talks. However, the Foreign Minister was also fully prepared to enter into direct discussion on bilateral readmission agreements, together with other Ministries concerned. He agreed with us that this message as soon as possible could be conveyed to all States in the informal consultations.

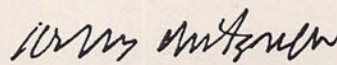
Rumania wants organized transfer of labour to the West

20. Another issue which was taken up by the Foreign Minister, as well as at the discussions at the Ministries of Interior and Labour, was the possibility of concluding labour agreements for the organized employment of Rumanians abroad, for a limited time. Such agreements have been concluded with Germany (covering some 7,000 Rumanian experts), and France (2,000-5,000), and discussions are under way with Belgium, Israel, Greece as well as with some other European countries. All partners asked us to convey to interested States the wishes of the Rumanian Government to conclude such labour agreements.

The Rumania project as such

21. As regards the Rumania project as such, progress made in various respects were much welcomed, and were seen as small but additional efforts adding to general economic aid through G-24 as well as ongoing projects relating to small enterprise etc. of IMF, the World Bank and ILO, and bilateral aid (e.g. from USA and France) to upgrade the judicial system and the control of human rights. The idea to, by way of the Swiss initiative, open up an IOM office in Rumania for the spreading of realistic information so as to deter irregular outflows was much welcomed, and reference was made to similar activities recently undertaken by the US Embassy.

22. It seems now vital that work on each project continues so as to provide even more concrete results. A joint gathering of the project States (Germany, Austria, Switzerland and Sweden) should take place soon so as to evaluate progress, and plan further action. Other countries should be invited to participate with similar efforts. This mission to Bucharest clearly gave the result that the launching of the project, and the general dialogue with Rumania on migration issues during the year, have had very beneficial effects in the desirable direction: the formulation and implementation of joint policies conducive to a reduction of emigration pressures and of emigration. The joint dialogue with Rumania must therefore continue, coupled with further concrete assistance measures and evaluation efforts at regular intervals.



Jonas Widgren

9 December 1991

AnnexVisit to Bucharest 26-28 November 1991List of names

## 1. Our delegation consisted of:

Ambassador Rudolf Weiersmüller, Ministry of Foreign Affairs, Switzerland  
 Mr. Gottfried Zürcher, Vice-Director, Federal Refugee Office, Switzerland  
 Ambassador Bo Kålfors, Ministry of Labour, Sweden  
 Ms. Ulrike Stadler, Immigration attaché, Embassy of Austria, Bucharest  
 Mr. Jonas Widgren, Co-ordinator, Informal Consultations, Geneva

## 2. We met with:

A. Government of RumaniaMinistry of Foreign Affairs

Mr. Adrian Nastase, Minister of Foreign Affairs  
 Mr. Doru Viorel Ursu, Secretary of State (former Minister of Interior)  
 Mr. Tudor Mircae, Counsellor, Ministry of Foreign Affairs

Ministry of Interior

Mr. Victor Babiuc, Minister of the Interior (former Minister of Justice)  
 Mr. Dumitru Penciu, Secretary of State (and Lieutenant General)  
 Mr. Joarza Samoilu, Director of Passport Division  
 Mr. Teodor Andrita, Director of Border Control Division  
 Mr. Arcan Hicolae, Head of Section

Ministry of Justice

Mr. Mircea Ionescu Quintus, Minister of Justice  
 Mr. Lucian Stangu, Secretary of State  
 Mr. Olimpiu Graciuc, Chief Legal Adviser  
 Mr. Constantin Parascho, Chief Legal Adviser

Ministry of Labour

Mr. Gheorghe Brehoi, Secretary of State (Labour law and social protection)  
 Mr. Constantin Alecu, Secretary of State (Unemployment and job creation)  
 Mr. Nisterescu, Director of social policy  
 Mr. Tudor Marius, Director of international affairs  
 Mr. Livio Pravu, Director of local administration  
 Mr. Jon Drumer, Director of Bucharest employment agency  
 Mr. Tudor Modran, Head of Section, International Affairs



Prime Ministers Office

Mr. Constantin Banu, Chief adviser to the Prime Minister on the adaptation of industry to market economy

State Prosecutors Office

Mr. Traian Ulpin Popa Cherecheanu, Chief State Prosecutor  
General Florescu, Chief Military Prosecutor

B. Civic alliance (main opposition party not in Government)

Mr. Tanase, Vice President

C. Embassies

Ambassador Sven Meili, Embassy of Switzerland  
Ambassador Nils Rosenberg, Embassy of Sweden  
Ambassador Parisini, Embassy of Austria



10 October 1991

Doc. 13

GROUP OF SENIOR OFFICIALS  
RESPONSIBLE FOR THE FOLLOW-UP TO THE  
CONFERENCE OF MINISTERS ON THE MOVEMENT OF PERSONS  
FROM CENTRAL AND EASTERN EUROPEAN COUNTRIES  
(VIENNA GROUP)

READMISSION AGREEMENTS

Document prepared by Mr. J.-P. GUARDIOLA (France)  
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The recommendations in the Final Communiqué of the Conference of Ministers on the movement of persons from Central and Eastern European countries, which was held in Vienna on 24 and 25 January 1991, include "examination of the possibilities for closer co-operation" among participating states "to promote ... the possible conclusion of agreements on readmission of illegal migrants by the States of origin or transit" (cf. paragraph 3, xii of the Final Communiqué).

When the senior officials responsible for the follow-up to the Vienna Conference met in Stockholm on 24 and 25 June 1991, they decided to set up a working party headed on behalf of the French delegation by Mr J.-P. GUARDIOLA, to include the Polish, Spanish and American delegations (others being welcome), which would draft a working paper on the question of readmission agreements.

Such is the purpose of this document, which will be discussed at the next meeting of the senior officials forming the "Vienna group", on 7 and 8 November next in Strasbourg.

The working paper looks at some existing bilateral and multilateral instruments on readmission (1), and goes on to outline the main ideas to which they give practical expression (2).

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1. Several European States have concluded bilateral or multilateral readmission agreements (1.1) which establish a reciprocal obligation for the contracting States to readmit to their territory, on certain conditions relating to proof and time limits, persons who, from their territory, have unlawfully gone to the territory of another contracting State or who, having lawfully entered this territory, have remained there unlawfully.

The readmission agreements also require the contracting states to readmit to their territory their nationals and aliens who have been lawfully admitted to it for residence.

Under some multilateral instruments procedures also exist for the readmission of refugees or asylum seekers (1.2).

### 1.1 Bilateral or multilateral readmission agreements.

1.1.1 It is impossible to analyse all the existing bilateral agreements on readmission in this document, which accordingly refers to the following only:

Mention will therefore just be made of:

- the Agreement of 22 January 1960 between the Federal Republic of Germany and France;
- the Agreement of 30 November 1962 between Austria and France;
- the Agreement of 16 April 1964 between the Benelux States and France;
- the Agreement of 30 June 1965 between France and Switzerland;
- the Agreement of 17 May 1966 between the Benelux states and the Federal Republic of Germany;
- the Agreement of 8 January 1988 between France and Spain;
- the Agreement of 6 December 1990 between France and Italy;
- the Agreement of 14 February 1991 between France and Sweden, etc.

Several of these are old agreements which were concluded at a time when migratory flows presented less of a problem.

The procedures they introduce are generally deemed to be too cumbersome to meet the present need to combat unlawful immigration.

1.1.2 A multilateral agreement on the readmission of persons in an irregular situation was signed on 29 March 1991 in Brussels between Belgium, Germany, France, Italy, Luxembourg, the Netherlands and Poland.

It provides for the readmission without formalities by each contracting State of its nationals, or persons presumed to be its nationals, who are in an irregular situation on the territory of another contracting State.

It also requires each contracting State to readmit to its territory Polish nationals or the nationals of third countries who have entered territory covered by the Schengen Agreement and Poland via the external border of that State.

One noteworthy feature of the agreement is that it has been signed by a European country (Poland) which to date is still a country of emigration.

The signing of the agreement was a quid pro quo on the part of Poland in return for the ending by the Schengen States of the visa requirement for short stays by its nationals.

The multilateral agreement away the Schengen States and Poland is a perfect illustration of the idea that if the movement of persons in Europe is to be made easier, States wishing to ensure that their nationals enjoy this freedom must at the same time accept certain responsibilities. By agreeing to sign the agreement, Poland demonstrated emphatically that it accepted this principle.

At a meeting held on 19 September last in Brussels, the Schengen signatory States and the representatives of Poland emphasised that, after some teething problems, the agreement was working in a generally satisfactory manner and was valuable effective in regulating the flow of migrants between Poland and the Federal Republic of Germany.

1.2 A number of multilateral instruments contain clauses on the readmission of certain categories of person.

1.2.1 Article 5 of the European Agreement on the Abolition of Visas for Refugees, of 20 April 1959<sup>1</sup>, states that:

"Refugees who have entered the territory of a Contracting Party by virtue of the present Agreement shall be readmitted at any time to the territory of the Contracting Party by whose authorities the travel document was issued, at the simple request of the first mentioned Party, except where this Party has authorised the persons concerned to settle in its territory."

1.2.2 This Agreement is open to the signature of Council of Europe member States and the Committee of Ministers of the Council of Europe may, by unanimous vote, invite any State not a member of the Council, which is party either to the Geneva Convention on the Status of Refugees of 28 July 1951 or to the Agreement relating to the issue of a travel document to refugees of 15 October 1946, to accede thereto.

1.2.2 The Convention implementing the Schengen Agreement of 19 June 1990 comprises 11 articles concerning the readmission of asylum seekers (cf Section 7 "Responsibility for the processing of applications for asylum").

Its provisions deal with the repercussions of abolishing controls at common borders on possible movements of asylum-seekers within the single area.

The purpose is to assure any alien applying for asylum on their territory that the application will be examined by a member State, making it impossible for all the States concerned to refuse to examine it with each laying the responsibility on the others. At the same time, it becomes impossible for the same alien to lodge multiple applications for asylum in several States.

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<sup>1</sup> This agreement, signed in Strasbourg on 20 April 1959, is in force between Germany, Belgium, Denmark, Spain, France, Ireland, Iceland, Italy, Liechtenstein, Luxembourg, Portugal, Norway, the Netherlands, the United Kingdom, Sweden and Switzerland.

The Convention defines the criteria for designating the State responsible for processing the application for asylum. The criteria take into consideration the family connections which an asylum seeker may have in one of the States and the conditions governing the entry or residence of that alien on the territory of the contracting parties.

a. If an application for asylum is made to a State which is not so responsible by an alien residing on its territory, that State may request the State designated as being responsible to assume responsibility for the application and duly process it.

The responsible State assume responsibilities for the asylum seeker if it has been requested to do so within 6 months of the lodging of the application for asylum. If the request has not been made within this time, the State with which the application for asylum has been lodged is responsible for processing it.

b. When the asylum seeker is unlawfully present on the territory of a State which is not responsible during the asylum procedure, the responsible State is required to readmit him, unless the other State has issued him with a residence permit which is valid for one year or more.

c. The responsible State must readmit an alien whose application for asylum has been finally rejected and who has gone to the territory of another State which has signed the Convention, without being authorised to reside there.

In addition to these provisions on asylum seekers, the Convention applying the Schengen Agreement contains provisions on the removal from the common territory of the contracting States of aliens not meeting or no longer meeting the conditions for a short stay applicable on the territory of one of the contracting States.

The Convention accordingly refers expressly to the application of the relevant provisions of the readmission agreements concluded by the contracting parties to ensure the effective removal of these aliens from the common territory.

1.2.3 The Convention of 15 June 1990 determining the State responsible for examining applications for asylum lodged in one of the member States of the European Communities ("Dublin Convention") signed by all the member states of the European Community (and at present in the process of ratification) establishes the principle that a single member State is responsible for the examination of an asylum application, precisely define the various criteria for designating the State responsible and establishes a hierarchy among these criteria: first comes the presence in one of the States of a member of the applicant's family who is legally resident there and who has refugee status; the second criterion concerns cases where the external border of a member State, has been crossed in an irregular manner, and the last relates to responsibility for controlling the entry of an alien into the territory of the member States.

Where none of these criteria can be applied, the first member State to which the application for asylum has been presented is responsible for examining it.

The State designated as responsible by virtue of these criteria (or the State which on its own initiative decides to process the request for asylum) must "take charge", that is to say receive on its own territory the alien who has presented an application for asylum in a member State which is not responsible, provided that the latter State requests that charge be taken of the applicant within a maximum of 6 months and that the request that charge be taken contains indications enabling the requested State to ascertain whether it is responsible.

The State designated as responsible must also readmit on its territory:

- an applicant whose application is under examination and who is unlawfully present in another member State;
- an applicant who has withdrawn the application under examination and lodged an application in another member State;
- an alien whose application it has rejected and who is unlawfully present in another member State.

Lastly, a member State with which a first application for asylum has been lodged must readmit an applicant who has subsequently submitted a second application to another member State before the process of determining the State responsible has been completed.

In the various above-mentioned cases, the requested State must answer the request within 8 days of the matter being referred to it and, should it acknowledge responsibility, it must then effectively assume responsibility for the asylum-seeker within one month at the latest.

The responsible State's obligation to readmit an applicant ceases:

- if another member State allows the applicant to take up residence there;
- if the alien concerned has left the territory of the member States for a period of at least three months;
- if the responsible State has taken and actually enforce the necessary measures to ensure that an alien whose application has been rejected leaves the territory of the Communities.

The Dublin Convention is the first legal instrument implementing Article 8A of the Treaty of Rome (as it results from the Single European Act of 28 February 1986) on the establishment of an area without internal frontiers in which the free movement of persons is ensured.

It foreshadows the co-operation which will have to be introduced in the future among member States and is the most detailed instrument on the readmission of applicants for asylum.

The Dublin Convention can therefore serve as a model for the conclusion of bilateral or multilateral agreements on the readmission of asylum-seekers. For example, the Franco-Swedish agreement on readmission of 14 February 1991 comprises an article which echoes, in simplified form, the main provisions of the Dublin Convention.

Moreover, in a joint declaration, the signatory States contemplated the possibility of giving to States which were not members of the European Community undertakings identical to those established by the Convention, but separate insofar as the Convention is open to accession only by States which become members of the European Community.

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2. Despite differences in their wording, existing readmission agreements put certain common ideas into practice.

They oblige contracting States to readmit to their territory, within certain deadlines and subject to conditions of proof:

- their own nationals,
- the nationals of third countries whom they have lawfully admitted to their territory;
- the nationals of third countries who have unlawfully passed through their territory in transit.

#### 2.1 Readmission of nationals.

It is held that every State must readmit to its territory, in accordance with the general principles of international law, its own nationals when they are sent back to it by another State.

Of course, this expulsion must comply with legal rules and must not constitute a collective measure which would conflict with Article 4 of the 4th Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Under most readmission agreements this obligation exists even when the nationality of the person in question is merely presumed.

This provision is designed to prevent the destruction by illegal immigrants from destroying their identity or travel documents.

In addition, these agreements establish that the readmission of nationals is carried out without the involvement of diplomatic or consular authorities, which makes it possible to speed up the procedure by obviating the need to detain the person in question pending the issue of a pass.

#### 2.2 Readmission of nationals of third States who have been lawfully admitted to the territory of the requested State.

Several existing agreements make it incumbent on a State which has admitted an alien to its territory without a visa, or through the issue of a visa or residence permit, to readmit this alien if he or she has unlawfully gone to the territory of another State.

Under the different agreements, this obligation ends on the expiry of the validity of the visa, of the period for which no visa is required, of the validity of the residence permit issued or on the expiry of a period of three months from the end of the validity of the visa, of the period for which no visa is required or of the residence permit.

The agreement may establish that some categories of residence permit (especially temporary residence permits issued while an application for asylum or for a residence permit is being examined) are exceptions to this rule.

In order to request a State which has admitted a national of a third State for residence purposes, that it readmit that person, it is not necessary for him to have arrived on the territory of the requesting State directly from the requested State.

Readmission of nationals of third States having unlawfully entered the territory of the requested State via the common border with the requesting State.

In this case, the responsibility of the requested state rests on the fact that the alien in question found himself on its territory (lawfully or unlawfully) and was able to leave it to enter the territory of the requesting State unlawfully.

The aim is therefore to make contracting States take responsibility for checking persons leaving their country so as to prevent them from becoming "springboard" countries for illegal immigration and yielding in to the temptation to "shut their eyes" to the transiting through their territory of aliens seeking to enter another country unlawfully.

The readmission of an alien in pursuance of this provision is subject to several conditions.

First, and in contrast to the previous cases, the alien must come directly from the requested country.

It must also be possible to establish with a maximum level of probability that the alien whose readmission is requested has entered the territory of the requesting State via the joint border with the requested state.

This proof must be furnished by means of the record of questioning drawn up by the border police or customs authorities.

Under the Italo-Yugoslavian agreement of May 1989 the nationals of third countries are readmitted without formalities when they are found in an area within 15 kilometres of the border within five days of their entry of the country, if this period of time can be proved.

Likewise, the Franco-Italian agreement of 6 December 1990 provides for the readmission without formalities by the frontier authorities of the requested State of nationals



of third countries who have unlawfully crossed the common border and:

- who are presented to them within 24 hours of this crossing,
- or who are checked within 10 kilometres of the common border after crossing that border.

Lastly, existing bilateral agreements establish that readmission is carried out without formalities, through direct contacts between the border authorities of both States, when the request is made rapidly (from a few hours to 14 days, depending on the agreement) after the common border has been illegally crossed by the alien concerned.

After this period, readmission is decided by the central authorities.

These various arrangements give practical expression to the idea that a State is responsible for an alien who has clandestinely left its territory to go to a neighbouring State, only if that alien is arrested shortly after crossing the border. After a certain time lapse of the responsibility of the State of departure is diminished as it is up to the State of arrival to prevent, by appropriate measures, illegal immigrants from entering its territory.

It goes without saying that when checks on the internal borders of the Schengen States are abolished, those States can no longer be held responsible for border checks, which is why no arrangements of this kind appear in the multilateral agreement between the Schengen States and Poland. On the other hand, the Schengen Agreement reaffirms the responsibility of the Schengen States for checks on external borders, as it lays down that the State through whose external border an alien has entered the "Schengen area" must readmit that alien immediately and without formalities.

#### 2.4 Cases in which there is no obligation to readmit.

The readmission agreements set out a number of cases in which there is no obligation on the requested State to readmit an alien who has lawfully or unlawfully entered the territory of the requesting State.

In these cases, responsibility for the person concerned is transferred, as it were, from the State from where he comes (the requested State) to the State to which he has gone (the requesting State).

These cases (which are not included in all agreements) are as follows:

- a. The alien has unlawfully stayed in the requested State for less than a specified period (10 days, 15 days, one month, etc, depending on the agreement).
- b. The idea is that the responsibility of the requested State vanishes if the alien has only briefly passed through its territory in transit.

Nevertheless, provisions of this kind make the application of an agreement more difficult because in principle it is hard to prove that someone has unlawfully stayed on a State's territory for a specified period.

- b. The alien has been issued with a residence permit by the requesting State.
- c. The alien has been granted the status of refugee or stateless person by the requesting State.
- // d. The alien comes from a country which has a common border with the requesting State.

On the other hand, the fact that the requested State has taken an enforceable decision to expel an alien or refuse his application for residence does not mean that its responsibility comes to an end. The idea is that a State cannot rid itself of aliens that it does not admit to its territory for residence purposes by off-loading them on to a neighbouring State.

#### 2.5 Practical rules for applying readmission procedures.

Agreements may lay down fairly precise practical rules for the implementation of readmission or they may make the definition of these rules the subject of an exchange of letters between the contracting States.

The main practical details which have to be defined are as follows:

- a. Designation of the authorities responsible for requesting and accepting the readmission of a person.

According to the circumstances, these authorities may be the diplomatic or consular services, the central services of the ministers responsible for immigration or local officials of the immigration authorities or border police.

Experience shows that agreements function better when the competent authority is decentralised and can communicate directly with its counterpart in the other State concerned. This guarantees speed and therefore the efficient application of the agreement.

The local authority designated must of course have a sufficient level of responsibility to ensure that the agreement is properly applied.

In the event of local difficulties with their application, agreements must provide for recourse to a higher authority.

- b. Details concerning the request

Generally speaking, the request must be presented in writing and signed by the competent authority. It must include all the information making it possible to establish the responsibility of the requested State. A copy of the identity or travel documents in the possession of the person concerned must be enclosed with the request.

In general, the conditions for lodging a request for the admission and the procedure for responding to such a request must be free from red tape.

c. Deadline for responding to a request for readmission

When this is established by an agreement, the time available to a requested State for replying to a request for readmission is generally fairly short (8 days under the Schengen-Poland Agreement).

It is essential that it shall not be incompatible with the period during which the requesting State may detain the person whose readmission it has requested.

d. The time during which the requested State may effectively take charge of the person whose readmission it has accepted

Under the Schengen-Poland agreement this time has been set at one month and it may be extended on application by the requesting State.

e. The list of border points at which readmission must be carried out.

When it is provided for by the agreement, the list is generally determined in an exchange of letters so as to simplify its possible amendment.

f. Costs of readmission

Generally speaking, it is the requesting State which bears the cost of transporting the person whose readmission it has requested to the border of the requested State and, possibly, the cost of the return journey if, after the readmission, it transpires that the conditions were not met.

When the multilateral agreement on readmission between the Schengen countries and Poland was signed, the States which are parties to the Schengen Agreement declared that when applying the Agreement they would endeavour to effect immediate return representing the lowest cost to the contracting parties, that is to say that of the diverse possible solutions for readmission of an alien (readmission via a country of transit or direct readmission via the country of origin), the parties would seek the least expensive answer.

2.6 Readmission agreements must not affect the application by the contracting parties of bilateral or multilateral instruments which take precedence over them, to wit:

- the Geneva Convention of 28 July 1951 on the status of refugees,
- the United Nations Convention of 28 September 1954 relating to the status of stateless persons,
- bilateral conventions on mutual legal assistance and extradition,
- the Schengen Agreement of 14 June 1985, its implementing convention of 19 June 1990 and the Dublin Convention of 15 June 1990 for States which are parties to these instruments.

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Readmission agreements are a highly suitable instrument for making States responsible for controlling migratory flows.

They are based on the simple idea that every State is responsible vis-à-vis other States for:

- its nationals;
- aliens whom it has authorised to enter its territory;
- aliens who have unlawfully entered its territory because its border controls have been ineffective.

When readmission agreements are applied flexibly, in a co-operative spirit and on a basis of reciprocity, they are a powerful means of combating illegal immigration.

Several existing bilateral or multilateral agreements have already demonstrated their effectiveness.

Given the increasing migratory pressure on Europe, however, there is a perceptible need for closer, more efficient co-operation among as many of the States concerned as possible.

It might be possible to consider the conclusion of a European multilateral agreement on the readmission of nationals and nationals of third countries not seeking asylum, in place of existing bilateral agreements, which would improve on their machinery in the light of experience.

The working party which has drafted this document is ready to prepare up a preliminary draft which could serve as a basis for the negotiation of an instrument of this kind, should the countries which attended the Vienna Conference in January 1991 so wish.

THE ROMANIA REPORT

The Swedish Immigration Board

THE SWEDISH IMMIGRATION BOARD

REPORT  
112-91-575

14th January 1991

## CONCLUSIONS

- Romanians who have left their country - be it before or after the revolution of December 1989 - can return/be repatriated there without, other than in exceptional cases, risking persecution of the kind referred to in Chap. 3, Section 2 of the Aliens Act.
- Romania, although it has not yet ratified the Geneva Convention, can be deemed a safe first asylum country.

1. INTRODUCTION

## 1.1 THE DELEGATION

A delegation consisting of Deputy Director General Per-Erik Nilsson, Head of Division Pia Sellers, Principal Administrative Officers Eva Årestad-Rosberg and Kenneth Fluor, all of the Swedish Immigration Board (SIV) and Assistant Under-Secretary Ursula Grundel of the Ministry of Labour visited Romania between 17th and 22nd November 1990. The visit had been prepared and planned by Ambassador Nils Rosenberg and his assistants at the Embassy in Bucharest. The programme for the visit will be found in App. 1 of this report.

## 1.2 BACKGROUND AND PURPOSE OF THE VISIT

On 22nd December the Romanian people rebelled against the dictator Nicolae Ceausescu. Ceausescu and his wife were tried a few days later by a specially appointed tribunal, sentenced to death and executed. Leadership of the country was taken over by the National Salvation Front, whose foremost representative was Ion Iliescu. The course of events in Romania during the year which has passed since the revolution is familiar - at least outwardly - partly as a result of news media reporting and will not be re-stated here. Due mainly to the fact of growing numbers of Romanian citizens having left their country in 1990 and for the most part sought asylum in Western Europe, it was judged essential for the Ministry and SIV to get behind the headlines, so to speak, and to try and form, on the spot, as correct and balanced a picture as possible of conditions in Romania. Thus the overriding purpose of the delegation's visit was to gather the knowledge needed in order to arrive at a correct analysis and assessment of individual cases which SIV/the Ministry has to decide.

A list of the persons/organisations with whom the delegation had meetings will be found in App. 2. Off the programme,

one of the delegation's members met a representative of the German, Protestant Church.

## 2. THE CURRENT SITUATION

### 2.1 THE POLITICAL SITUATION

General elections to parliament were held on 20th May 1990. There were violent incidents during the election campaign and technical shortcomings in the election procedure, but the general view is that the election outcome in any case would have been an overwhelming victory for the National Salvation Front. Iliescu polled 85% of the votes in the Presidential election. The Front candidates polled 67% of the votes in the Senate election and 66% in the election to the Chamber of Deputies.

The political opposition was and remains greatly divided. The parties which managed to get into parliament are weak. None of them gained more than 7% of the votes and seats. The largest opposition party, the Hungarian Democratic Union, has not yet shown any splinter tendencies. The Liberal Party, on the other hand, is now divided into two parties. The presidential candidate, Radu Campeanu, was unable to prevent the secession of a younger phalanx. The Young Liberal Party is a conceivable future coalition partner for the reformists in the governing party, the National Salvation Front. The National Agrarian Party-Christian Democrats is in great difficulty and younger politicians are awaiting a shift of generation. The Social Democratic Party is still intact. True, it is weak, but it has a great deal of moral capital. It is exposed to allurement to co-operation from the Front, but its party leader emphatically rejects all such overtures.

Apart from the political parties there are various civic combinations of political dissidents. In the past few days a civil alliance has been formed, with the anti-régime Group for Social Dialogue as one of its founders. Another rallying tendency can be found in the democratic anti-totalitarian fora which have sprung up in various parts of the country and which recently came together at a national meeting. This may eventually be the embryo of new political parties, formed on different lines from those which were resurrected after the revolution.

The strongest opposition to the government's policy today comes from within the Front itself. It seems uncertain whether the Front will be able to hold together under the strain which will be involved in fundamentally transforming Romanian society into a true democracy and a viable market economy. The congress planned by the Front for January 1991 will decide its future.

Initiated observers find that the parliament is working surprisingly well, considering that it only assembled last

June. There is a vigorous political debate in progress in the country, with clashes of opinion not only between the elected representatives but also in the abundant variety of newspapers and periodicals which have emerged. The number of publications now exceeds 1,000. The shortage of printing presses and newsprint is rated the principal obstacle to this debate. It says a great deal concerning developments that, for example, the former Central Committee journal *Scinteia*, which changed its name to *Adevarul* after the revolution, has switched from a pro-Front position to independence. The television and radio monopoly remains with much the same officials (only the top management has been replaced), but it is a subject of vigorous debate. The opposition parties have regular access to broadcasting media. The government is said not to be overly interested in controlling television.

The electoral law which, for lack of a constitution, governs the allocation of power, does not give much power to the President. President Iliescu, however, can be taken to exert a good deal of influence on national policy, even if this is not very apparent from the outside. Clearly, though, he has lost prestige as a result of his actions during the June disturbances.<sup>1</sup> The loss of prestige, however, is probably greater internationally than among the Romanians. If the parliamentary commission of inquiry were to conclude that the President was actively involved in the miners' actions, this could have political consequences for him. The commission's report has not yet been published.

At the same time it is clear that, since the election, the political initiative has passed from President Ion Iliescu to the head of government, Petre Roman. The political legitimacy conferred by the election outcome enables Petre Roman to actively pursue his reforming policy. In the government declaration of policy in June, Prime Minister Roman advocated the introduction of a market economy. Early in the autumn a more detailed programme was presented, setting up various steps towards a market economy, which is due to be implemented within about two or three years, by which time some 50% of the economy is to be privatised. Roman's government and other associates were for the most part previously active in the university community.

There is still a great deal of unrest and uneasiness in the country, though not of the same intensity and extent as earlier during the year. The unrest has several courses-

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<sup>1</sup> On 13th June 1990 the police intervened against demonstrators' attacks on the Government, police and television buildings. On 14th June a large number of miners were conveyed to Bucharest and, apparently well-informed, launched violent assaults on dissident groups of demonstrators. Their action has yet to be officially disclaimed.



political, economic and ethnic. Expectations of the "new" situation were pitched high, unrealistically high in some respects. But many people feel that too much of "the old" has survived: commodity shortages, bad housing, a corrupt bureaucracy and a security service which has not come under public scrutiny. There are also many things which are still waiting to be cleared up and therefore impair the social climate. What really happened during the days when the revolution took place? Who were the authors of the demonstrations in Bucharest last spring, including the violent events of 13th-15th June? Why has not the report on the ethnic clashes between Romanians and Hungarians in Tirgu Mures in Transylvania last March been made public? These are just a few of the questions waiting to be answered. Above all there is a pressing demand for clear information about the June disturbances.

Underlying the uneasiness and unrest is a strong sense of insecurity. The political opposition not only doubts the sincerity of the régime about settling accounts with the past, it also points out that there have not been any genuine, thoroughgoing changes. Perhaps an even greater danger to social stability, however, is the unrest at workplaces all over the country. The situation today is quite chaotic, with strikes, go-slows and protests at low rates of pay, bad organisation and a shortage of raw materials for production. Then again, faced with the switch for market economy, many people are afraid of losing their job security. As a result of all this, industrial output has fallen by 30%.

## 2.2 THE ECONOMIC SITUATION

As has already been intimated, Romania is in a difficult economic situation. Exports have been halved and foreign trade is showing a deficit of more than 700 million US dollars. The shortage of raw materials and foodstuffs has necessitated costly imports. Romania is in desperate need, not only of financial and technological support from the West but also of help in the form of economic and commercial expertise and support for the modernisation of its education in a number of fields, so that necessary economic reforms can be implemented. We may add that Romania was recently visited by a delegation from the World Bank and that the Romanians were hoping very much for a positive outcome from the discussions which were held. Contacts had been resumed with the ILO and several joint labour market projects devised. But there is no money to finance the desirable projects and initiatives.

The first phase of economic reform began on 1st November with a reform of prices. At the same time Romania devalued its currency. Further prices were de-restricted at the New Year 1991, and the lei is gradually being adjusted to a realistic exchange rate. Economic life will in future be governed by new laws, enabling companies to deploy their

earnings freely and removing restrictions on wage formation. Corporate autonomy is being guaranteed and the plan is for large parts of the economy to be privatised.

In its plan the government has opted for the Czechoslovakian model of distributing parts of the aggregate capitalist society to the individual citizens. During the first quarter of 1991 it is planned to distribute 30% to the citizens in the form of vouchers or bonds which, later during the year, will be exchangeable for shares.

Not unexpectedly, the price reform has triggered massive protests among the population and also in parliament. The debate concerns not only the critical timing, on the brink of the economic shortages of winter, but also the sequence in which economic changes are to be introduced - whether prices, privatisation or devaluation should come first. Economic developments in Romania have clearly forced the Prime Minister to take vigorous action to administer shock treatment, but without the treatment being supported by a political majority.

The transition from a totalitarian to a democratic system has proved difficult not least in the economic field. In the former centrally controlled command economy, people were forced to do certain particular things. Personal initiative was counteracted or punished. Today people are free to do whatever and however much they like. Faced with this situation they feel unsure of themselves and confused, at the same time as they find there is no point in working more than necessary because there is nothing to buy. Bucharest today is a city of shops and department stores with bare, empty shelves and of interminable queues outside the few places where there are things to buy. The low level of morale among the working population is hardly surprising.

Land reforms have been introduced or are being prepared to speed up food production. Today just under 30% of the national population is employed in agriculture. Evacuation of the villages/towns which the dictator had built<sup>2</sup> and to which the population were forcibly transferred while their old houses were torn down, has now begun and new, replacement farm houses are being built.

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These new communities have low-quality housing and, for example, lack water and sewerage. Their atmosphere is one of gloom and apathy.

3. LEGISLATION AND JUSTICE IN THE NEW ROMANIA - A SITUATION REPORT

3.1 LEGISLATION

1. A new constitution is now being framed, partly with the assistance of French expertise. Principles have been devised for the division of power between President and parliament and also for safeguarding the fundamental rights of the individual and preventing excesses and abuses of power by the authorities. The introduction of an ombudsman office is being considered. The plan is for the principles of the new constitution to be put before parliament and for legislation then to be drafted. This is expected to take place during 1991. The liberties of expression, press, assembly and association are already being observed. For example, there are now more than 100 political parties and, as stated earlier, about 1,000 independent newspapers.
2. After the Revolution, Romania's frontiers were opened and all Romanians became entitled to passports. The Romanians have made extensive use of their liberty to travel abroad, and it is estimated that half the population now have passports.
3. Legislation for a new police organisation is being drafted.
4. Romania has acceded to the majority of conventions on human rights. Preparations are in progress for signing the Refugee Convention and its Protocol, and it is said that the principles of both are already being fully complied with.
5. An amnesty has been granted for political offences committed during the dictatorship. Some compensation is being awarded to the persons convicted.

3.2 ADMINISTRATION OF JUSTICE/THE POLICE

Extensive reforms are in progress or are being prepared in the judicial sector. A new penal law is being drafted, and pending its entry into force, there are many criminal offences to which abolition is being applied.

- A law defining the powers of courts etc. is expected to be passed in January 1991.
- The civilian and military systems of justice are being segregated.
- Entitlement to a defending counsel/legal adviser from the first day of detention has been confirmed by

statute: the rule used to be that the prosecutor could refuse this kind of help to a detainee for 60 days. Detention may not exceed five days. After this a court must decide whether the detainee is to be remanded or released. Nobody may be remanded for more than six months. Within that period, accordingly, the court must have tried and concluded the case. Conditional discharges have been introduced. New prison and probation legislation has been put before the parliament.

- The powers of the prosecutors have, generally speaking, been heavily reduced. Formerly the prosecutors were exempt from all supervision and insight. Proposals now before the parliament would make the prosecutors responsible to the Ministry of Justice and place them under the personal supervision of the Minister.

Both at the Ministry of Justice and in the courts, the majority of the dictator's appointees have been replaced. The 41 justices of the Supreme Court include only six or seven from the Ceausescu régime. Practically all judges in the District Courts (38 out of 41) and two-thirds of the local justices have been replaced. A total of 120 judges have been dismissed. There are general difficulties involved, however, in recruiting lawyers because the students previously attracted to law studies were neither numerous nor competent: "The dictator didn't like lawyers."

Securitate (the secret police) was dissolved after the revolution and a new security organisation with new duties, known as the Romania Information Service was set up. ("No country can be without a security service.") The exact duties of the new organisation have not been specified, nor is it clear exactly how Securitate was organised and what its real duties were. The present whereabouts of Securitate's records are a topic of discussion. Nobody seems willing or able to supply information on this point.

The new organisation, which comes under the Ministry of Defence, is headed by new men and its senior official reports directly to the President. At intermediate and junior levels the organisation retains quite a few Securitate men. Several more high-ranking officers have been tried and convicted. At the same time the opposition claims that the scrutiny and investigation of Securitate is proceeding too slowly. It has been said that some of the former Securitate men are doing destabilisation work, aimed at impeding the democratisation process. The harassments and violence occurring during demonstrations and in other connections are not infrequently attributed to the old Securitate. In several cases, though, the question has been one of personal conflicts between individuals, not of organised actions.

There are powerful forces in favour of putting the new security organisation under stronger political control. The solution apparently most widely advocated resembles, it has been said, the one now existing in Sweden.

#### 4. BRIEF REMARKS ON THE MINORITY SITUATION

Romania has two large ethnic minorities: Hungarians and gipsies. There used to be a large German community, but most of its members have migrated to Germany; West Germany "purchased" emigration rights for them from the dictator.

The Romanian minorities have the same constitutional and legal rights as other Romanians, but tensions exist between the different ethnic groups. To begin with the situation of the Hungarians, the following observations can be made. The aim of the former régime was to "make everybody Romanian". To this end a large number of people were forcibly re-settled in Transylvania, where most of the Hungarians lived. Romanians only were selected for senior appointments in the administration. Meanwhile, there have for a long time been local tensions between the groups, tensions which erupted into violence when the grip of the former régime on people and the social apparatus was relaxed. The main route of conflict today is the Hungarian demand for separate education programmes - based on linguistic identity - at all levels. The Romanians want to have integrated university education. They feel that the Hungarians harass them in those parts of Transylvania where the Hungarians constitute a majority and where political power is in their hands. Thus it is said that Romanians have been denied opportunities of purchasing land. Basically many Romanians are afraid of Hungary "taking over" Transylvania (which, indisputably for a few years during the 1940s, formed part of Hungary). The local and regional elections due in 1991 will doubtless give the Hungarians a majority in several of the political assemblies of Transylvania.

Romania has many gipsies or inhabitants who, ethnically speaking, can be classed as gipsies. One estimate is 300,000, another is 2.3 million. Bucharest, for example, is believed to have about 60,000 gipsies living in ghetto-like outlying districts, very often in poor conditions. This, however, is not due to any decree or policy on the part of the country's rulers. In the majority of cases the residents have followed their own preference, as a means of preserving their ethnic identity. Nor do gipsies suffer discriminatory treatment in other respects at the hands of the authorities. In some parts of the country, however, there are tensions between gipsies and other sectors of the population, and children and young adults of gipsy origin are not infrequently victimised by others at schools and universities, with the result that many of them drop out of school and very few apply for higher education. The gipsies have now gathered their intellectual élite into fourteen political and non-political groups. The task of these groups is to

draw the attention of the government and general public to the situation of the gipsies and to interest people in their cause.

It is worth noting in this connection that the parliament has a special committee for minority affairs, and also that its members, for example, include 22 deputies of gipsy extraction.

It should be added in this connection that Romania today has about 500 alien residents, most of them from the Third World. They have the same right of residence as the Romanians and compete on equal terms with the majority population for jobs and housing. There is no talk of forcibly repatriating them. An alien coming to Romania and requesting leave to settle there would be allowed to do so. But on the other hand, nothing is done to assist aliens or in any way to facilitate their adjustment to life in Romania.

#### 5. SUMMARY AND CONCLUSIONS

During the first 10 months of 1990, more than 2,500 Romanian citizens came to Sweden and requested asylum. Under the Aliens Act, as applied since 13th December 1989, asylum is the right of a refugee, i.e. a person who

- is outside the country of his nationality owing to a well-founded fear of being persecuted for reasons of race, nationality, membership of a particular social group, or religious or political opinion, or who otherwise is in "very strong need of protection".

The purpose of the delegation's visit to Romania was to broaden our knowledge of the country and shed further light on the situation there (one year after the revolution), and in this way to try to answer the question as to whether Romanian citizens in general can justifiably lay claim to asylum.

First of all, it should be recalled that the situation for the ordinary citizen in Romania must feel and be exceedingly irksome (to say the least of it!). Unemployment and overcrowding are palpable realities to many Romanians. A pronounced shortage of basic foodstuffs such as bread and a distinct shortage of other foodstuffs, as well as other necessary articles, makes interminable queuing a recurrent element of everyday life in the towns and cities (and probably in the countryside as well), and for the most part the results of this queuing are uncertain. In a macro-economic perspective, Romania is entering the market of the nineties with the technology and methods of the fifties, as regards everything from steel production to maize growing. So it's hardly surprising that such large numbers of Romanians have left their country or wish to do so, at least for a time. This pressure of emigration is all the more

understandable considering that, after more than 40 years' paralysing top-down government, the new order of things was expected to make such a lot of things happen so quickly, which it failed to do.

If material living standards in Romania are meagre, political life in the broad sense is all the more luxuriant. The number of more or less permanently organised parties exceeds 100, added to which there are a number of groups/organisations for the general formation of public opinion. Apart from the political opposition - represented not least by various factions within the governing party (the National Salvation Front) - it is these groups/organisations which provide most criticism of the state of affairs in Romania. They use traditional methods such as meetings, symposia and printed publications. It should be noted, on this subject, that political opposition and opinion formation are to a great extent conducted through newspapers. The only impediment to these activities is the shortage of newsprint, which has necessitated a rationing system. It has been hinted from one or two quarters that the government is using newsprint quotas as a means of controlling or at least influencing the formation of opinion, but all such insinuations have been vigorously denied by representatives not only of the government but also of various opposition groupings. It must also be observed that the right of demonstration is assiduously exercised. Demonstrations are held not only in support of government policy but also against it. The demonstrations witnessed by the delegation were very discreetly policed.

The consistent opinion of the people the delegation spoke to is that no Romanian citizen, whatever his ethnic identity, needs to leave the country owing to a risk of persecution in the sense of our Aliens Act. Nobody denies that excesses have occurred in connection with demonstrations, but at the same time it is argued that these could mostly be put down to conflicts of a more personal nature; there is no allegation of actions having been initiated or sanctioned by the national authorities. Most observers say that the violence occurring on 13th-14th June when the miners "occupied" Bucharest, was an exception - an exception which cost the new Romania any amount of goodwill.

The disturbances which took place in Transylvania (mainly in Tigru Mures) were - and our informants were agreed on this - rooted in disagreements on the overshadowing issue of the language in which education, in the broad sense, is to be conducted. Under the former régime, with its vigorous emphasis on things "Romanian", anybody speaking, say, on behalf of the Hungarian minority could be taking a serious risk, but this is not the case vis-à-vis the authorities today.

Well-informed observers say that the Romanians who left the country during the dictatorship and subsequently can safely

return today. If they do, they will encounter great economic and other difficulties, but that is another matter. We may add that, on the day of the delegation's departure from Romania, repatriation began of about 7,000 Romanians from Austria (Traiskirchen).

According to the information obtained by the delegation, everybody agrees that aliens living in Romania do not, as such, suffer either discrimination or harassment. There are no compulsory repatriations to countries of origin; instead the aliens compete, in principle, on equal terms with Romanians for the country's limited supplies of employment, housing and food. The delegation has not been able to find any reason for doubting the intention of the Romanian Government to ratify the Geneva Convention (with its supplementary Protocol) or its intention of respecting/observing the basic principles of the Convention and Protocol in the meantime.

On the strength of our knowledge, prior to our visit, of conditions in Romania, the information we obtained during our visit and the observations we were able to make for ourselves while there, we are prepared, with reference to current aliens legislation and established practice, to draw the following conclusions:

- The Romanians who have left their country - be it before or after the Revolution of December 1989 - can return/be repatriated there without, other than in exceptional cases, risking persecution of the kind referred to in Chap. 3, Section 2 of the Aliens Act (1989:529).
- Romania, although it has not yet ratified the Geneva Convention, can be regarded and treated as a first asylum country as referred to in Chap. 3, Section 4 (4) of the Aliens Act.

Norrköping, Malmö and Stockholm, 14th January 1991.

Per-Erik Nilsson

Kenneth Fluor

Ursula Grundel

Pia Sellers

Eva Årestad Rosberg



## P R O G R A M M E

for the delegation's visit to Romania .  
17th - 22nd November 1990

- |               |  |
|---------------|--|
| 17th November | - Arrival in Bucharest   |
| 18th November | - Visit to Snagov /one of Ceaucescu's 80 or more houses in Romania (together with the Ambassador |
| 19th November | - Briefing at the Embassy  |
|               | - Meeting with representatives of the ethnic association of gipsies                              |
|               | - Visit to the Ministry of the Interior  |
|               | - Visit to the Austrian Embassy  |
|               | - Visit to the Ministry of Justice   |
| 20th November | - Meeting with representatives of the Human Rights Association                                   |
|               | - Visit to the Foreign Ministry  |
|               | - Meeting with the Group for Social Dialogue   |
|               | - Meeting with representatives of the Union of the Hungarian Minority                            |
|               | - Visit to the Vatra Romaneasca association  |
| 21st November | - Departure for Cluj /Transylvania/  |
|               | - Visit to the prefecture  |
|               | - Meeting with representatives of the Union of the Hungarian Minority                            |
|               | - Meeting with representatives of the National Agrarian Party                                    |
|               | - Visit to the Vatra Romaneasca association  |
|               | - Meeting with representatives of the Democratic Anti-Totalitarian Forum                         |

14

22nd November

- Meeting with representatives of the National Salvation Front
- Departure from Cluj
- Departure from Bucharest.

LIST OF SOME OF THE PERSONS MET BY THE DELEGATION<sup>3</sup>

- 
- Ambassador Nils Rosenberg
  - Counsellor Peter Lindgren
  - Minister Ulrike Tilly, Austrian Embassy
  - Consul Pfeipfer, Austrian Embassy
  - Vasile Ionculescou, Ethnic Federation of Gipsies
  - Doru Viorel Ursu, Minister of the Interior
  - Minister of Justice Babiuc
  - Assistant Under-Secretary Ianculescu
  - President Stefanescu-Draganesti, Human Rights Association
  - Under-Secretary of State Constantin Ene, Foreign Ministry
  - Thomas Kleininger, Group for Social Dialogue
  - M. Ciontea and Ion Coja, Vatra Romaneasca
  - Prefect Grigore Zane
  - Sandor Pilis, Association for the Hungarian Minority
  - M. Petrescu, Vatra Romaneasca
  - Buracu and Sandor Baua, Democratic Anti-Totalitarian Forum
  - Augustin Badusan, National Salvation Front

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3

This includes only the person acting as the leading spokesman of each authority/organisation. In virtually all cases the authorities/organisations were represented by delegations of several members.

Beilage 4

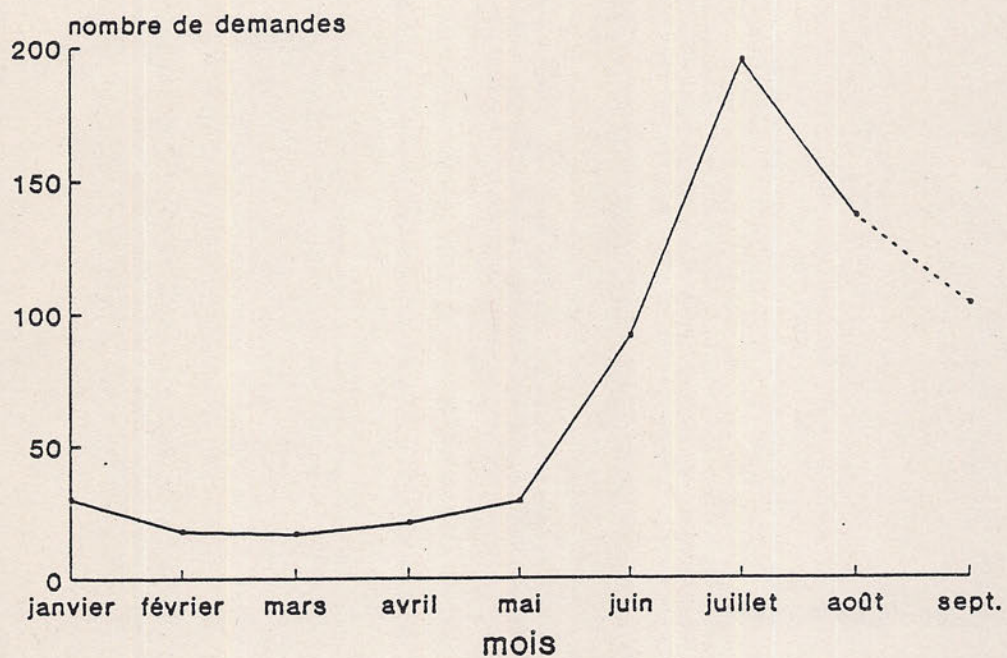
Inter-governmental Consultations on  
Asylum, Refugee and Migration Policies in  
Europe, North America and Australia

NOTE BY SWITZERLAND ON SOMALI ASYLUM-SEEKERS

Technical meeting

Geneva 19 December 1991

## -1- STATISTIQUE



Demandes d'asile déposées (01.01 - 31.08.1991) : 536

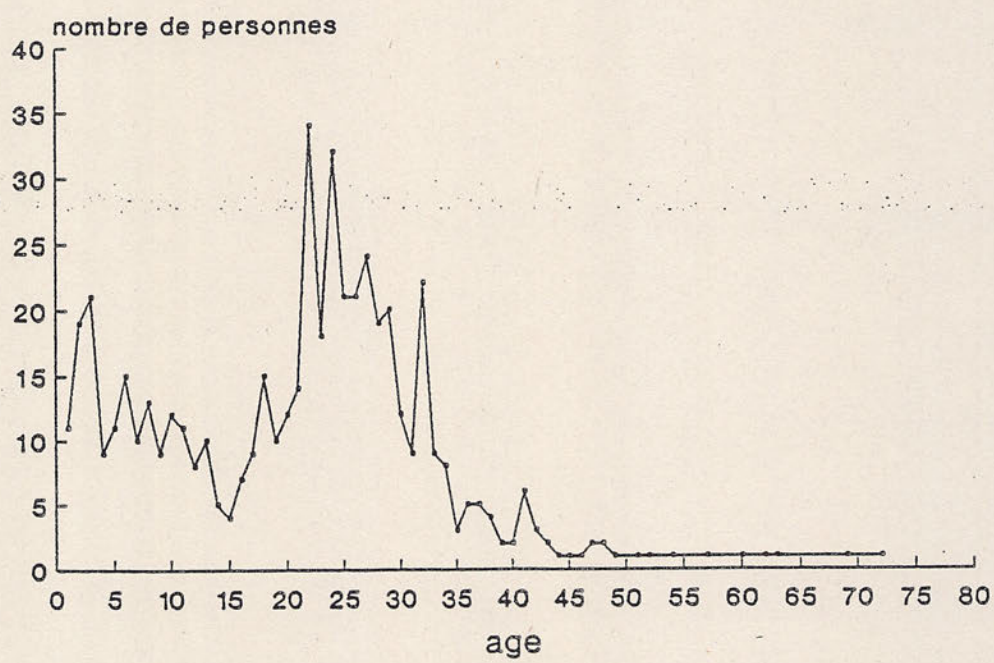
Cas traités : 26

positif : 3  
 négatif : 3  
 retrait : 6  
 radiation : 14

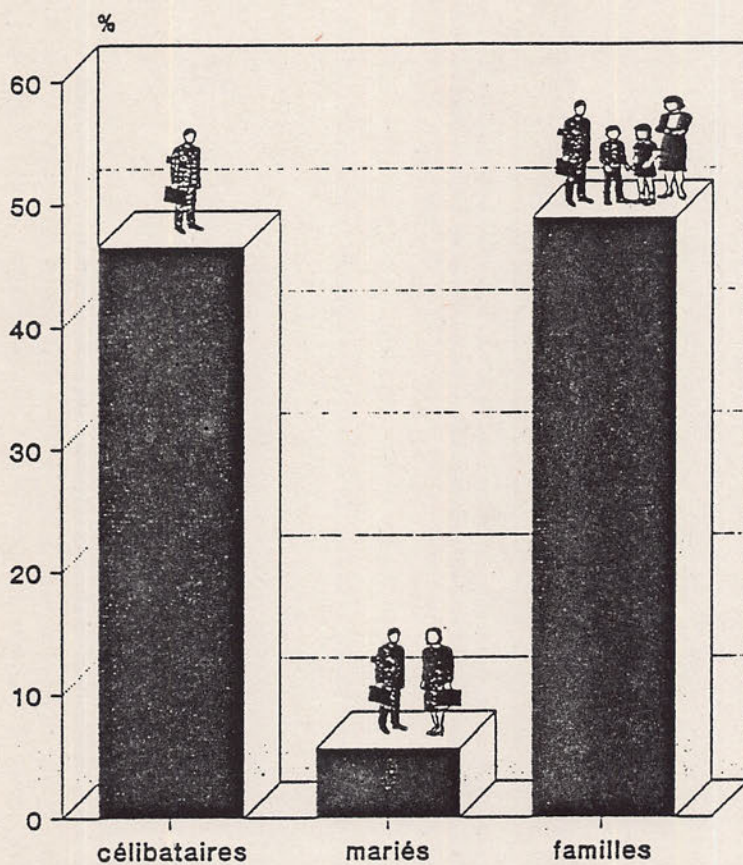
En suspens au 31.08.1991 : 758

ODR : 412  
 cantons : 346

## -2- PYRAMIDE DES AGES

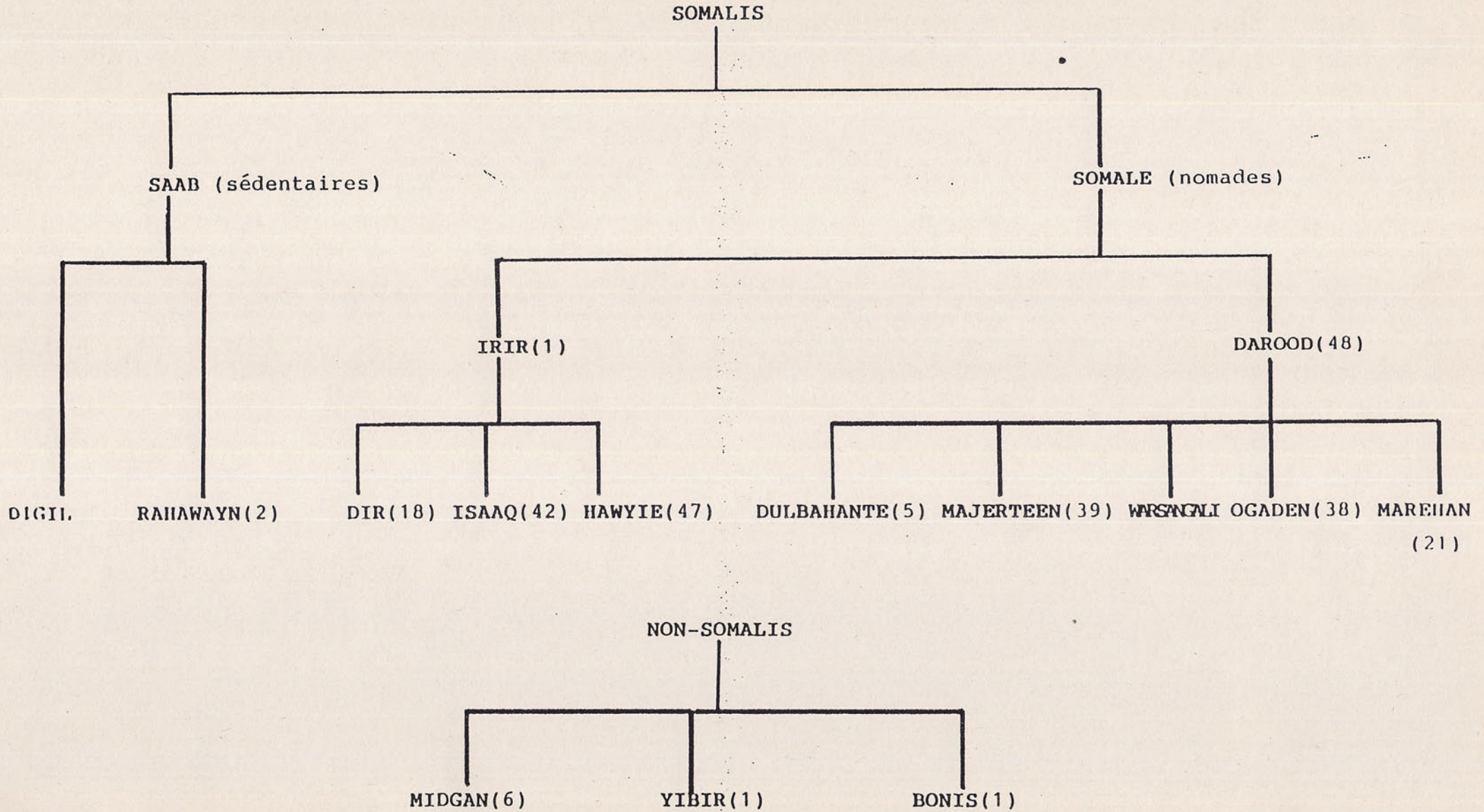


## -3- SITUATION DE FAMILLE EN SUISSE

Familles (détail)

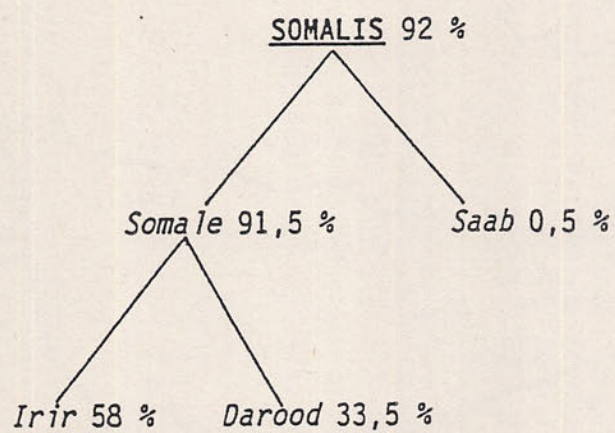
1 enfant	: 13
2 enfants	: 15
3 enfants	: 11
4 enfants	: 6
5 enfants	: 5
6 enfants	: 2
7 enfants	: 5

-4a- APPARTENANCE CLANIQUE (détail)





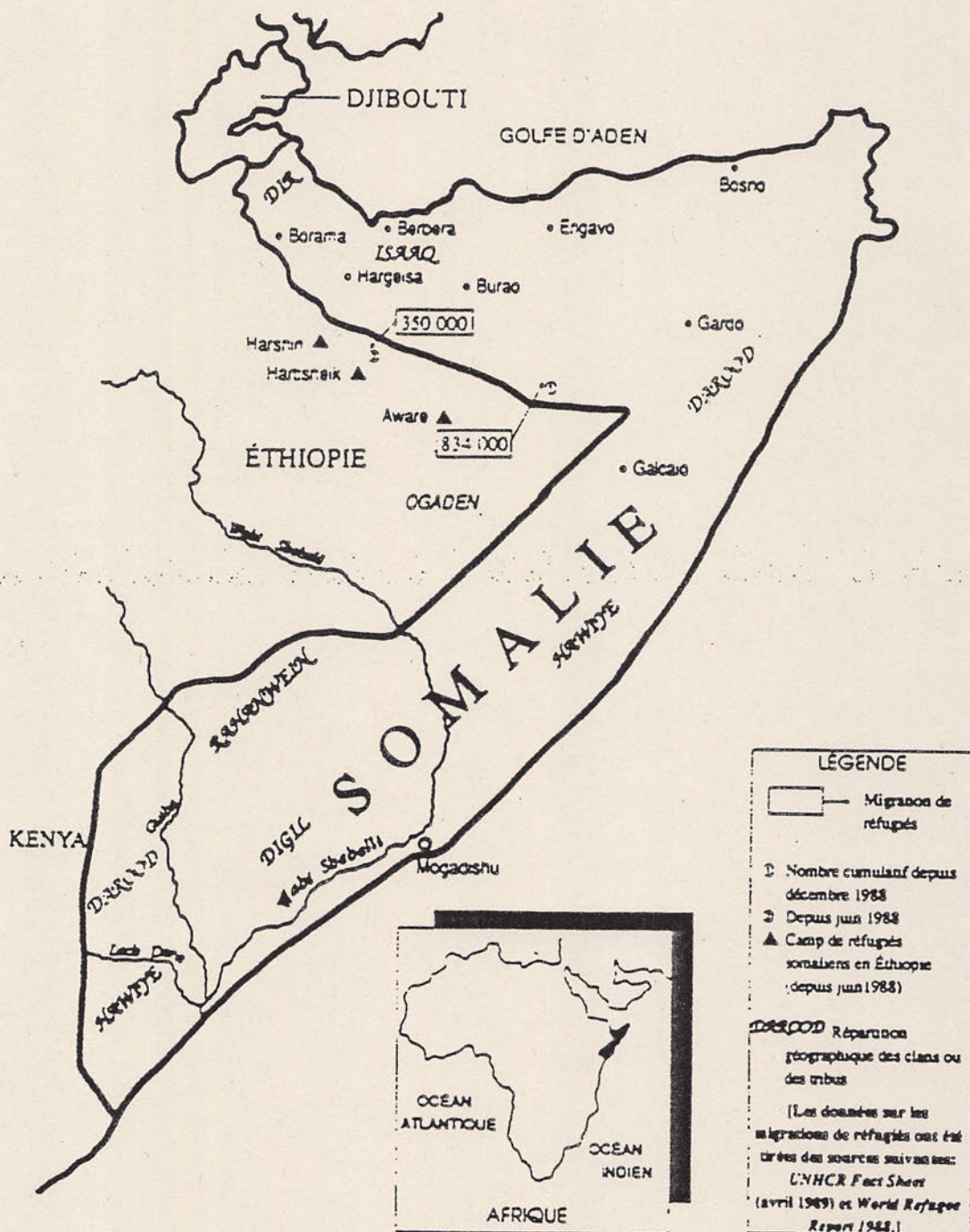
-4b- APPARTENANCE CLANIQUE (récapitulatif)



NON-SOMALIS 2,5 %

INCONNUS 5,5 %

-4c- APPARTENANCE CLANIQUE (carte)



-5- MOTIFS D'ASILE

<i>Guerre civile</i>	: 59 %
<i>Ethnie</i>	: 21 %
<i>Opposition au gouvernement</i>	: 10,5 %
<i>Motifs du mari</i>	: 5,5 %
<i>Persécution par l'armée</i>	: 2,5 %
<i>Connivence avec l'ancien régime</i>	: 1,5 %

-6- PROFESSION

<i>Etudiant</i>	:	33	%
<i>Commerçant</i>	:	9	%
<i>Ouvrier</i>	:	6,5	%
<i>Médical/Paramédical</i>	:	5,5	%
<i>Enseignant</i>	:	4,5	%
<i>Services</i>	:	4	%
<i>Chauffeur</i>	:	3,5	%
<i>Universitaire</i>	:	2,5	%
<i>Fonctionnaire</i>	:	2	%
<i>Militaire</i>	:	1,5	%
<i>Paysan</i>	:	1	%
<i>Musicien</i>	:	0,5	%
<i>Sportif</i>	:	0,5	%
<i>Journaliste</i>	:	0,5	%
<i>Sans profession (essent. femmes)</i>	:	25,5	%

## -7- ITINERAIRE

*Somalie-Kenya-Italie-Suisse* : 59,5 %

*Somalie-Italie-Suisse* : 17 %

*Somalie-Afrique noire-Suisse* : 16,5 %

*Somalie-Pays arabes-Suisse* : 7 %  
(pays arabes : Afrique du Nord/  
Proche-Orient)



Beilage

REPORT FROM STUDY TOUR  
TO SOMALIA AND SOMALILAND

14 - 26 of September 1991.

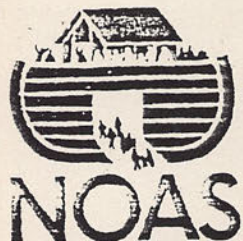
Purpose of the tour.

The purpose of the tour was investigating the actual political situation in general all over the country and possibilities for rebuilding the war-ridden Northern part of Somalia - Somaliland - the goal being an eventual volunteer repatriation of Somalian refugees from Norway.

Several Somali refugees from Somaliland staying in Norway have expressed wish to help rebuilding their country. A project was presented the Norwegian government last spring. The Ministry of Foreign Affairs and Ministry of Communal Affairs arranged the financial means for a study tour to the mentioned areas for Annette A. Thommessen and Somali citizen Farah Hussein, refugee in Norway and initiative taker to the entire project. Further the delegation consisted of 2 representatives from The Norwegian Red Cross, foreign manager in charge Ole Jørgen Krohn Nydal og and local representative in Somalia, Brynjulf Mugaas. "Mission Instruction" enclosed as Enclosure 1.

It is natural and positive that refugees want to return home when the situation in their homeland allows this, but they must have something to return to. UN High Commissioner for Refugees Mrs. Ogata stressed in her speech to this year's General Assembly in Geneva that volunteer repatriation had the highest priority in the UNHCR program for the year to come. This concerns arranging the circumstances for allowing people to return home, she said. The whole idea behind the project has therefore been to find existing possibilities for using means of aid for the rebuilding of Somalia and thereby contribute to the volunteer repatriation of the refugees. The accomplishment of such a project could have possible contagious effects on other countries like Eritrea, Ethiopia and so on. Likewise other Scandinavian and European countries possibly might follow the Norwegian example and invest means of aid where this might contribute to volunteer repatriation.

Another and not insignificant factor is the Norwegian public opinion. In times where racial attitudes are on the rise in a scary way, it would off course be unique to be able to prove that persecuted people received by Norway want to return home and actually do this when possible.



Sources of information

MOGADISHU - SOMALIA

UNHCR Somalia - Philip Karani  
 INDP - Mr. Esenbel Kubilaya  
           Mr. Hussein  
 OIM - Mr. Ogina  
 SOMALI RED CRESCENT  
   - President Dr. Ahmed M. Hassan

OCRC - Mr. Peter Stocker  
           Mr. Ralph  
           Mr. Beatrix Attinger  
 GERMAN EMBASSY  
 NORAMB  
 IOM - Operations officer  
       Josiah D.N. Ogina

MOGADISHU - SOMALIA

PRIME MINISTER Omar Arteh  
 PRESIDENT Ali Mahdi Abgal  
 CHAIRMAN OF THE PEACE COMMITTEE  
   - Haj Abdulah Sidow

SOMALI RED CRESCENT  
 - Mr. Mohamed Abdi Mohamed  
   Mr. A.A. Kulmye  
   Gen. secr. Nur Hassan Hussein  
   Mr. Mohamud Haj Osman Daqarre

HARGEISA - SOSMALIA

PRESIDENT Abdurahman Ahmed Ali "Tur"  
 MINISTER OF INTERIOR  
   - Mr. Suleman Mohamoud Adan  
 MINISTER OF AGRICULTURE  
   - Mr. Saeed Mohamoud Noor  
 MINISTER OF WATER AND MINERALS  
   - Mr. Mohamed Ali Ateye  
 DG PLANNING  
   - Mr. Ahmed Hassan Bihi  
 DG EDUCATION  
   - Mr. Xussein Elmi

DG FOREIGN AFFAIRS  
 - Mr. Osman Abdullaahi Jama  
 SOSMALI RED CRESCENT  
 - President Adan Qalinle  
 NGO'S COORDINATOR  
   Mr. Ahmed Jama Saeed

BERBERA - SOSMALIA

SOMALI RED CRESCENT

BURAO - SOSMALIA

SOMALI RED CRESCENT - Abdi Awill  
 MINISTER OF REHABILITATION Hassan Aden Wadadid

DJIBOUTI

UNHCR SOMALIA UNIT  
   - Assoc. Program Officer  
     Mr. Abid Ali Mir  
 ICRC - Gen. secr. Elizabeth Brueuer

NORWEGIAN CONSUL - Michel Izzo  
 IOM



OSLO

MINISTER OF FOREIGN AFFAIRS, REPUBLIC OF SOMALILAND  
 - FUSUL, Ali, Chairman, NOAS, Oslo, Norway

Political parties - groups in Somalia

SSDF (Somalia Salvation Democratic Front) - Founded 1978 after an unsuccessful coup against Siyad Barre. Leader Col. Abdullah Yusuf Ahmed, internated in Etiopia from 1985 to Mengistus fall. President in charge Mr. Musa Islam Farah. Representing the Majeerteen Clan.

SNM - (Somali National Movement). Founded 1980 by political refugees in Europe and the Middle East. Active military resistance in the North from 1985. Big offensive in 1988 against central cities. The revolt brutally crushed by Siyad Barre. President of SNM and the Republic of Somaliland: Abdurahman Ahmed Ali "Tur". Representing the Isaaq Clan.

USC (United Somali Congress). - Founded in Rome 1989. The first president, Ali Mohamed "Wardigley" died short after the founding in a hospital in Rome. (Rumours of assassination). A great split-up arised. The central committee in Rome decided that vice president Hussein Ali Sciddo should take over as president in charge. Simultaneously a group of military USC members in Etiopia elected general Mohamod Farah "Aydid" for new president. USC showed severe signs of this split-up. Ali Mahdi, president of the interim government in Mogadishu (after the last peace conference in Djobouti), elected by all Southern groupings as president for two years) belongs to the Rome-fraction. General Aidid, who conquered Kisamyo from SSDF, USF and SPM was elected president for USC in the beginning of July. Representing the Haweyan clan. The split-up is severe and will impress the political picture of Somalia in times ahead.

SPM (Somali Patriotic Movement). - Founded 1989 by Ogadeni officers under command of Col. Ahmed Omar Jess.

SDA (Somali Democratic Alliance). - Representing the Gedabursi Clan of the North-Western Somalia and founded to protect the interest of the Gedabursi Clan against the Isaaq Clan.





The North-West chose independence on May 18th 1991 while USC and the Darod clan continued the violent combats to secure control over the Southern part of the country. Several attempts of negotiation gave rather meager results. The two peace conferences at Djibouti from June 4th to June 19th and from June 19th to July 2nd gave few concrete results.

The fact that SNM flatly refused to join (even as observer) is, together with the still continuing conflicts within the three main areas in the South, possibly the main cause for these fiascos.

### Middle-Somalia

#### Back-ground informations

The main conflict exists within the Hawiyeen Clan and the opposition primarily concerns the new president Ali Mahdi from the Abgal tribe and General Aideed from the Haber Gedir sub group. The businessman Ali Mahdi was surprisingly elected president of the new Somali Republic. The trust in him has been greatly reduced as he neither managed to solve the conflict between the two USC fractions and the USC and SPM/SSDF, nor maintaining order and stability in the area.

General Aideed has on his side, through his statements, given the impression of being the person able to solve the Darod conflict and the insecurity connected to it. Therefore a large part of the population - who has nothing to loose - has been willing to support him - to president Ali Mahdi's and his supporters's great annoyance. These people believe that the population does not want more military leaders after Siyad Barre, and they have even planted doubts about the general's mental health. President Ali Mahdi was however forced to ask general Aideed for help in the beginning of April when the Darods were 10 kilometers from Mogadishu. General Aideed succeeded in reconquering the city Kismay on April 23rd. Proud by the victory, he declared himself president of the USC. The tension were rising between the two clans and resulted in violent street combats within the city of Mogadishu in the end of June. After two days of fighting, peace was re-established thanks to heavy pressure from the other Hawiye sub groups, and on July 4th, during the USC Congress, general Aideed was "democratically" (with all his troupes surrounding Mogadishu) elected president of the Central Committee (CC) and the USC party.



SDM (Somali Democratic Movement) representing the Rahanween Clan.  
Not armed. In alliance with the USC.

SNF (United Somali Front) Established after Siyad Barre's fall.  
Representing his clan, Marehan. Has today changed name to SNF (SNatio Front). This lasted up to Kismayos fall on April 20th, the symbol of a coalition between SPM, SSDF and USF.

General on the situation in Somalia at the end of September 1991.

All year 1990 and 1991 there has been unrest, looting, executions and violent combats all over the country. USC started military encroachment in the Middle Somalia (Hiran Galgudud) in the end of 1989. In the beginning of 1990 there were violent military confrontations between the government forces and USC forces in the Hiran and Galgudud area and thousands of people fled to Mogadishu. The situation steadily worsened the last 3 months of 1990 when USC started new combats in the Benadir area and approached the capitol Mogadishu. Government troops had to surrender after hard fights in Mogadishu and president Siyad Barre fled the city on January 26th 1991 and went to his hometown Gedo in the South-Western part of the country where he still is residing. The capitol Mogadishu is marked by the violent combats which have been and still are going on. Further all private and public building has been looted. Windows and doors are broken or pulled out of the walls, crushed furniture lie outside the houses etc. In short, one is witnessing a brutal and apparently pointless looting and destruction.

Simultaneously SNF took control over the main cities in the Southern and Western parts of the country called Kisimayo and Badoia. SNM in the North got control over the North-Western areas, former British Somaliland. The Northern part of the country (Mudug, Nugal and Bari) was saved from the combats.

The hope for peace after Siyad Barre's departure did not last long. USC, which is dominated by the Abgal tribe, elected an interim government without consulting the other parties. The result was a growing fury among the other tribes. After having concentrated on a common enemy, the dictator Siyad Barre, the frustration led to tribe war. The country can in a way be visualized as split between the major ethnic geographical areas. The North-West (former British Somaliland) now dominated by the SNM; the North-East and the South with the Darod Clan and the Middle in the hands of USC and SDM.



Aideed has, however, not gotten the power he wanted. His move for [unclear] because of lack of participation from SNM got no support among the members of the [unclear] He refused to accept the agreements made in Djibouti no. 2 and made a new attack on Galcaio, which was controlled by the SSDF, to continue the fight against the Darods. Neither did he succeed in taking Galcaio nor was he taken seriously by the Darods. After this he got still more isolated within USC. He did not participate at the inauguration of president Ali Mahdi and it looks like his only force is his tight connections with the SNM in Somaliland.

### Observations

It was quiet and peaceful in the city of Mogadishu as we arrived in mid-September. Three employees at the UNHCR's office had been assassinated a few days earlier and the UNHCR and UN staff had again been moved to Nairobi.

The city was badly marked by fighting, violence, looting and destruction. Most public buildings, hotels, shops and private homes were heavily damaged, lacking doors and windows. We stayed at the only serviceable hotel in the city, the hotel Nasa Hablot at the airport, and had to stay indoors after 5.00 p.m. because of security reasons. Most men were armed and waving their guns in the air, cars were armed and we moved around in a small truck with three armed men and a machine-gun on the back. The apparent peace seemed tense. People looked skinny and tired and it was rumours about continuing violence, rapings of women and looting. The reason for these problems was in particular the 2.000 criminals being released when the jails were emptied in January. The schools have been closed for several months, the university is destroyed, the airport is unmanned and communications are not working.

We were invited for lunch with prime minister Omar Arteh. His home was full of people from different clans seeking protection, and was heavily guarded with tanks, machine guns and other military gear. He believed that the civilian war was still worse than Siyad Barre's regime and that everybody now wanted peace. However, he expressed an optimism which not at all agreed with the actual situation going on in the streets. Prices went down, he said, it was food available, and one counted on getting a new government together within 10 days from then. As far as I know, this has not yet happened, in the beginning of November.



The Prime Minister told us about a meeting between USC and SNM which had taken place approximately one month ago. There it was presented 7 points on which the USC and SNM should agree:

1. Common ambassador for the entire Somalia.
2. Common flag.
3. Common coin.
4. Common communication network.
5. Common Ministry of defence.
6. Common tradition and cultur.
7. The establishment of a committee for coordination of the North and the South.

Somaliland's opinion on these matters we shall return to later, but already at that time we got the impression that the wish for uniting the North and the South might be stronger in Mogadishu. The president even adressed Somaliland as one of the regions of Somalia.

President Ali Mahdi Abgal belongs to the Haawye Clan and is a hotel owner. Han was a member of Parliament at the end of Siyad Barre's regime. In the meeting with us, he distanced himself strongly from a president coming from military circles: "Even if my brother were to take over, I would not accept it because he was a military man and would remind us too much of Siyad Barre."

He thought that it in particular was the young people who supported general Ayeed, because they did not have same experience as the older generation.

He opened the meeting with severe critics of Siyad Barre's last days in Mogadishu. Everything was destroyed, he said. It took 7 days to stop the various fires in the city. People became refugees in their own country. Children and old people died from starvation every day. He figured that at least 517 people died of starvation, while still more died during the combats.

He did not consider the war within USC of equal importance. This is a tribe war, he said, and he counted on peaceful solutions. People was also desperate because of lack of water, food and medicines, he said, and he was disappointed by the lack of respons to his international appeal. However he though that the will to peace were present and that all Somalia would be united sooner or later even if no conclutions were reached in the meeting between SNM and USC. Han was planning to send a delegation to the North later that year.



In connection with the truce, he recommended that we spoke to the newly established peace committee established a few days earlier. He appeared very hopeful for a permanent peace and planned free election as soon as possible now when the country was freed from the dictator.

The peace committee consists of all the USC clans and was established on September 5th 1991, in other words 13 days before our meeting. They agreed that much of the problems stemmed from desperate people without water, food or medicines, but equipped with weapons. Ammunition is coming from Libya, Ethiopia and Kenya. They were satisfied with the first phase of their work - namely the truce which had been lasting for several days when we met. But they realized that the situation was very tensed and that extensive control was necessary to keep peace in the streets. The second phase of the work was to figure out about what the fighting sub groups were actually disagreeing and trying to produce a new peace agreement which might have consequences for the new government. They were also very concerned about stopping the ravaging, devastation and looting continuously going on in the city and the surrounding areas of Mogadishu. They seemed fairly optimistic about reaching a permanent solution for peace. In their opinion, any kind of foreign aid would ease the situation considerably.

#### The Southern and North-Eastern Somalia

The conflicts within the Darod clan are multiple and difficult to describe because the conditions and disagreements are always changing. This can partly be explained by considering the geographical location of the clans: In the North-West Dolbahante and Warsangelis clans, dominated by the SNM; in the North-East the Mejerreens. The latter area was more or less independent during Siyad Barre and was spared from the combats at the president's fall, but was however attacked by general Aideed in Galcaio. Ten thousands of Darods fled Mogadishu to the South which originally was populated by the Ogadenis and Meherans clans. Further Siyad Barre (Marehan sub group of the Darod clan) are trying to buy out the different Darod leaders being members of his previous government. This worsens the disagreements within the clan and sub groups and the already miserable situation in the USC.

From February 28th to April 10th the largest Darod tribes (SSDF, SPM, USPF and USP) tried to unite into one group, namely SNF. However, the picture of the retreating president Siyad Barre among the USPF soldiers put a stop to the alliance within SNF which was dissolved soon after.



The Dards, ... and ... took over Kismayo on June 26th.

#### The North-West - Somaliland.

The first impression of Somaliland was a mixture of fright and hope. - Fright because the amount of destruction is almost undescrivable. In the capitol of Hargeisa there remains not a single house undamaged. Most houses consists of some walls leveled down to 2 - 3 meters above the ground, lacking doors and windows. The city was bombed by planes coming from the airport approximately five kilometers outside the center, plus severe street fightings. The total picture looks something like Dresden in Germany in 1945. - Hope because among these ruins existed happy people. People who waded and laughed and looked happy. No weapons to be seen - peace and quiet. Approximately 150.000 people has already returned from Etiopia and this is visible in the main street which were empty of people all the way up to July this year. Some street vendors had started up and it looked like people managed one way or the other.

But this impression is mainly caused by the Somalian way of being. The truth is that everything is destroyed. There is no water, no food, no medicines, no shelter, no communication, no electricity, no raw materials, no schools etcetera. What concerns water, a new report from the organization MSF informs that 70% of the population suffer from gastric problems because of contaminated water. Further comes that the city is scattered with mines killing 8 to 10 people daily. These conditions were confirmed during our meeting with the government in Hargeisa. The government of Somaliland gave a completely different impression than the government of Mogadishu. Here one is dealing with highly educated, political conscious people. Most have just arrived from Europe, with a strong belief in the future and an free Somaliland independent from the rest of the country. Mr. Suleman Mohamoud Adan (Minister of Interior) told us that security was reasonably stable in Somaliland. They have selected special security guards patrolling the roads and it has been just a few episodes of trouble and looting. He believed that peace and stability had come to stay in this part of the country.

Mr. Adan stressed that all Somalians leaving the country because of persecution were heartly welcome back, no matter what sub group or ethnic group they belonged to. "Anyone born in this country has a right to come back and live peacefully in Somaliland", he said. But there is nothing to offer them. On the contrary, it is more like they have to seek support from the returning Somalians. There is need both for technical and other experience and everybody is



welcome to join the rebuilding of the city, he stressed. However, he also was worried for his fellow citizens's mental condition. Many people have been through severe traumatic experiences and it will take time to bring them back to a completely normal health. And even as all are welcome back, it is some kind of a headache to receive so many new people returning from Europe.

The new government has a long list of priorities. Number one is shelter - agriculture - electricity - water (Siyad Barre's troops poisoned most wells before they left town), communication with the external world - education - infrastructure. Somalians traditionally trade with the Arab world, but they got to have something to trade. In the existing situation they have a desperate need for food and medicines for orphaned children and handicapped people lacking relatives to take care of them.

President Abdurahman Ahmed Ali "Tur" was disappointed at the lack of help from Europe and in particular Scandinavia. Questioned about his opinion on volunteer repatriation from Europe, his immediate response was that this would not be his main priority. First he would give priority to the 200.000 or 300.000 Somalians from the North now living in Mogadishu, and second to the 450.000 staying in Ethiopia. However, he agreed that it existed technical and other qualifications among the European refugees which Somaliland needed. If a volunteer repatriation program with means of aid from for example Norway was started, it was important that returning Somalians from Norway not were favoured compared to others from the Southern Somalia or Ethiopia, he said.

The president was worried by the lack of response from the international community relating to the rebuilding of Somaliland. The need for help is pressing, also to secure lasting peace in the country. He was very clear concerning the independence of Somaliland in relation to the rest of the country. Any reconciliation with Mogadishu seems unthinkable today. "The independence of Northern Somalia is irreversible, despite the lack of international recognition", he said.

#### UNHCR's activities

UNHCR has established a particular "Somali unit" in Djibouti to marshal volunteer repatriation from Ethiopia. Further UNHCR is running an extensive emergency-program through governmental authorities and volunteer organizations. This is, among other things, motivated by the almost impossibility of identifying who is "returnees" from Ethiopia compared to who is internally displaced and who is refugee. But all are in need of help, and in a country without any kind of infrastructure, where everything is destroyed,



There is little money for rebuilding projects at the time being. It is also CARE who will accomplish this work, while UNHCR and CARE prefer to wait until food programs are well established and working before they start something new. The idea behind the rebuilding project is however the same as for food, namely to get building materials which will be subsidized and can be bought at a cheap price. Volunteer repatriation from Ethiopia is one of UNHCR's most important tasks. Also there the program is based on help for self help. Each refugee receives a package before departure. The package contains a tool kit (hammer, plow, which they will need to rebuild their homes) - a protection sheet 4 x 4 meters to be used as roofing for the house which has four walls but no roof - two water buckets and two blankets for each family. Since ordinary transport does not work, the refugees will not be transported in trucks. It is simpler to give them some money and let them take care of the return travel themselves. Instead of giving them food, the refugees receives US\$ 100 for transport and additional US\$ 100 for food during the journey, and in Somaliland the food prices are as mentioned subsidized.

The repatriation program is partly financed by emergency funds from Geneva, but appeals are sent and will continue to be sent to the international community asking for extended help. The program continues over a period of 18 months and will cost appr. US\$ 20 millions.

What concerns the mines, an organization called Ring Fire, financed by the EEC, has started a training program for more than 200 people. Many of the local population of Hargeisa knows approximately where the mines are located, but for newly arrived and returned, the situation is quite different. The idea is therefore that those receiving training shall train others, so that many people by and by are getting involved in this work. They receive tents from UNHCR and can use ICRC's or UNHCR's planes for transport of personell or materials

### Conclusions

The situation in Somaliland is very serious both for the population in general, for internal refugees from Somalia and for refugees returning home from Ethiopia and other places. It is reason to believe that peace and stability have come to stay, but the situation calls for both economical and political attention from the UN, different governments and humanitarian organizations if rehabilitation and thereby volunteer repatriation are to happen.





it is best that the UNHCR's emergency aid is channelled through national service utilities for health, water, shelter and sanitary conditions. The help is in other words going through certain channels to hospitals in Hargeisa, Burao, Berbera without being risked particularly for "retrocession". Everybody qualifies to this kind of aid. The same concerns water and sanitary conditions. This has been discussed with the government. The conclusion is that it has to be this way. UNHCR also has food distribution programs. This is now done by volunteer organizations or channelled through local authorities because it is not adviceable to distribute free food to people. There is food in Somaliland, but the prices are far to high. The private trade is rising and distribution of free food might ruin this activities being so important to the Somalians. They are extremely concerned by making it on their own as far as possible, particularly now after having gotten a "clean" government. In other words, people in Somaliland wants to get done with the past and start afresh.

UNHCR therefore has decided to make a program together with CARE International. This program will be split in three parts: The food is imported to Somalia through CARE, sold to whole sale daelers who again is selling further to retail shops and finally to the consumer at subsidized prices, so that anybody can afford to buy. The price will be considerably under marked price. Neither will it be very profitable to re-export to neighbouring countries like Etiopia or Djibouti.

Further it is established "food for work-programmes" for state employees in administration, hospitals, water and sanitary projects etcetera. The government does not have money for salaries and will be able to use this insted. Additional programs for children, handicapped etcetera also will be channelled through CARE and other NGOs and added to already existing health programs.

UNHCR has limited resources of money for medicines, hospital equipment and rebuilding of hospitals. These means will also be channelled through the the Ministry of Health. They have, however, gotten some donators for a water supply system in Hargeisa, Buruma and Burao. The refugee coordinator from the US Embassy in Addis Abbeba was in Hargeisa and other cities in the North-Western Somalia just before us, and was very impressed by the project "Hargeisa Water Supply Rehabilitation" which he strongly would recommend USA to financially support. It is OXFAM, UNICEF and UNHCR who are planning waterprojects in Somaliland, so the three NGO's have decided that if Hargeisa's water project is financed, they will be able to distribute and expand the project to Buruma, Burao and other cities.



The country is lacking the most elementary infrastructure (communication, water, electricity, health care, etcetera). There are practically no work or housing possibilities. Instant humanitarian needs must get priority, parallel with the planning of rehabilitation projects.

UNHCR and eventual other UN projects should be supported by Norway, both economically and with technical aid-personell in addition to aid given through Norwegian Red Cross and other Norwegian NGO-projects. It is important that Norway decides where and how they want to help. A concrete start might be distributing roofs for the houses in the first round, making it possible for people to live in the ruins of their homes when the rain season comes, but we are talking about a longtime project where more heavy means of support will be needed in the future. It is actually important to recall that development projects are worthless as long as the population's most basic needs are not covered.

Norwegian authorities should get in contact with other countries who might be politically interested in joining such a concrete rehabilitation project which also has a future goal of repatriation to the area.

We stress that the work should aim at letting Somalian refugees in Norway with the relevant specialized competence - on volunteer bases - be recruited for the above mentioned projects.

We strongly recommend that Norway immediately takes the initiative for rehabilitation of Somaliland.

Oslo, November 25th 1991.

Ole Jørgen Krohn Nydal

Brynjulf Mugaas

Annette A. Thommessen

Farah Hussein



- Enclosure:
- 1 - Mission instruction
  - 2 - "The Re-birth of Somaliland republic"  
by Yusuf Ali Sheikh, Minister of  
Foreign Affairs, Republic of Somaliland.
  - 3 - Short historical and political outline  
of Somalia.

MISSION INSTRUCTION  
VOLUNTARY REPATRIATION TO SOMALIA

As a number of Somalian refugees in Norway have expressed a strong interest in participating in the rehabilitation of their country, which has suffered heavy damages during the civil war, the Norwegian Ministry of Foreign Affairs has asked the Norwegian Organization for Asylum Seekers and the Norwegian Red Cross to carry out a fact-finding mission mission to Somalia.


The mission will:

- assess relief aid efforts engaged by different NGOs in the country;
- assess the existing policy on repatriation done by the authorities, UNHCR and NGOs working in Somalia;
- visit the camps for returned Somalian refugees from Ethiopia and look into the repatriation programme for this group;
- have relevant meeting with proper authorities in all parts of the country, with UN agencies and NGOs working in Somalia

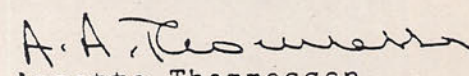
The mission will give a final report related to the above mentioned point and also give its view on the possibility to start a project for voluntary repatriation based on relief aid to the northern part of the country. The report will also indicate a time-phrased plan of action and budget for a possible project.

Oslo, 4. September 1991

for NORWEGIAN RED CROSS

  
Arnulv Torbjørnsen  
Acting Secretary General

for NORWEGIAN ORGANIZATION  
FOR ASYLUM SEEKERS

  
Annette Thommessen  
Secretary General

## THE RE-BIRTH OF SOMALILAND REPUBLIC

1. The Republic of Somalia came into existence as a result of the unification of British Somaliland Protectorate and Italian Somalia on the 1st of July 1960. The following conditions, set by the politicians of Italian Somaliland, set the stage for the present dissolution of the union:

- A. The flag and the constitution of the South Italian Somaliland to be those of the Union.
- B. Mogadishu to be the capital and the seat of government.
- C. The President to be from the south.
- D. The Prime Minister to be from the south.
- E. The Commander of the Army to be from the south.
- F. The Commander of the Police to be a southerner.

This great imbalance of political power was further aggravated by the division of seats in the National Assembly (Parliament). 90 of the total seats of 123 did belong to the south. The estimated population of the Republic of Somalia was then about 3 million, the south represented about 60 %.

2. As early as 1961, the army officers of the North organized an ill-fated coup against southern domination. It was, of course, quickly crushed, because of the popular belief in national unity. The North was indeed reduced to an inferior region. Its share of the national wealth was always minimal. A deliberate policy of economic starvation and political domination of the North was the order of the day. The ill-feeling and resentment of the North were never being redressed by the successive governments of the Republic.

3. The rise of Siyad Barre to power in October 1969 unleashed untold horrors. The Somali National Movement (S.N.M.), supported by the Isaq clan (80 % of the population of the North), took up arms against him in 1981. The organization liberated the North in 1991 and declared on the 18th of May 1991 the separate, independent and sovereign state of Somaliland Republic.

The Declaration of Independence was proclaimed after conducting a lot of consultations with elders, politicians and intellectuals of all groups, including non-Isaq tribes. In fact, the population pressured the S.N.M. to declare independence.

### THE STATE STRUCTURE

1. Briefly stated, the state organs of the Somaliland Republic are based roughly on those of the Somali National Movement. These organs are:

- a. The S.N.M. Executive Committee headed by the Chairman, or the Vice-Chairman in the absence of the former, - is now the Government, led by the President or the Vice-President.
- b. The Central Committee - became the National Assembly of Parliament.
- c. The Judiciary.

2. The constitution of the S.N.M. gives the organization a mandate to form a government and hold free elections within two years of the liberation of the country. Multi-party democracy, market economy and a highly decentralized administration are planned to be put into practice. A national constitution adopted by a nation-wide referendum shall be drafted by a Constituent Assembly (National Assembly).

Non-Isaq communities (Gadabursi, Dulbahante and Warsangeli) shall have the opportunity to participate in the Constituent Assembly in a fair and effective manner as a further testimony of the national reconciliation. Central Committee representatives and members of these groups together with the Somaliland government have played an important role in effecting the close cooperation of all communities in search for and maintenance of permanent peace and stability.

#### THE DJIBOUTI CONFERENCE

1. The theme of the Djibouti Conference was national reconciliation. Six liberation movements of the South were invited by the host country - Djibouti. The conference was masterminded and financed by the Italian Government. Italy and Djibouti are not neutral partners in this case. They both want a United Somalia, dominated by the South. The conference was not a Somali initiative, but an ill-fated Italian formula. Italy was bent on carrying out a smooth transfer of power to its favorites - the remnants of the Manifesto group.

2. The invitation of older politicians - former president Aden Abdulla Osman and the like - evidenced Italy's disregard of the realities of actual political forces in operation. The Somalis lumped by Italy to decide the fate of the Somali nation, were unable to call a ceasefire, let alone create a viable government. The results of the conference were doomed to fail right from the beginning.

3. The Somali National Movement refused to participate in that conference for multiple reasons among which are:

- a. We established our separate state and were not concerned with the reconciliation of the Southern Somali liberation fronts. We had and still have good relations with each front, and were not in need to be reconciled with any one.
- b. We are opposed furthermore, to any mediation of by Italy and Djibouti between Northern and Southern Somalis. Italy and Djibouti are not neutral between us and the South. We also prefer to solve our problems alone by ourselves and without any mediation.
- c. Our declaration of a separate, independent and Sovereign state is irreversible and not negotiable. Our participation in the conference was, therefore, out of the question and meaningless.

#### National Reconciliation, Recognition and Regional Integration

1. S.N.M. is mandated by its constitution to hold nation-wide elections within two years, beginning from the liberation of the territory. This election should be held round about the middle of 1993. This is a firm commitment which the government of Somaliland Republic should and will carry out. Multi-party democracy, market economy and a highly decentralized administrative structure are planned to be put in practice. Respect for human rights will be strictly adhered to, so as to bury for ever the shameful practices of Siyad Barre.

2. Peace, stability and national reconciliation are urgent issues which the Somaliland government addressed itself to. Non-Isaq tribes were invited to participate in the national government. At present they hold six of the seventeen portfolios of the government.

A fair representation of the Constituent Assembly should also be "devised" and allocated to these tribes. This is so, in order to enable them to take part in the fundamental decisions which shape the institutions we intend to create. The mechanism by which this representation should effectively be achieved, is entrusted to the government.

## RECOGNITION DE FACTO

1. The Republic of Somaliland is the effective and unchallenged government of the North. There is peace for the first time after long years of repression. De jure recognition will surely be attained at the appropriate time. Time is an important factor. Our state is relatively young, having been reborn four months ago. The dramatic changes of the political map of Europe set precedents that support our case. A new trend in Africa is to get rid of dictators. This new wind of change across Africa requires a fresh approach to be applied with respect to national unity and regional stability.

2. The Republic of Somalia, under Siyad Barre or his predecessors, though homogeneous in many respects, was doomed to break up. It lacked subtle ingredients of cohesion. For the past ten years there was a civil war in which the Isaq people fought against outright oppression and extermination. The Republic of Somalia did not, in effect, exist during the last decade. The army, consisting mainly of Southern forces, was indeed an army of occupation in the North. National unity was a misnomer and a meaningless slogan. Territorial integrity also lost the sanctity with which it was identified. The reign of terror, unleashed by Siyad Barre, speeded up the dissolution of the Union.

3. The re-drawing of the political map of the Horn of Africa, as that of Europe, is a fait accompli. The recognition of the emerging states is the order of the day. The independence of the Republic of Somaliland is not a secession. It is a restoration of a past status quo. The choice of the people, as to the state or the government they prefer to opt, should be respected. The people of Somaliland Republic are determined to safeguard and protect, come what may, their hard-won and costly independence and separate nationhood.

## REGIONAL ECONOMIC INTEGRATION.

Somaliland Republic and Ethiopia have very good relations. This wonderful achievement is made possible by mutual pursuit and maintenance of a permanent peace policy approach. This policy requires that political boundaries should not be a hindrance to regional economic integration. With this in mind, the free movement of people, goods and services should be encouraged across borders. The possibility of joint ventures initiatives is both in sight and obviously achievable.



## INTERNATIONAL AID

1. The Republic of Somaliland is in dire need of international aid. Infrastructures, water supply systems, hospitals, schools, mosques, communication networks and entire cities and villages are pulled to the ground. Minefields were indiscriminately planted throughout the country. Demining presents a problem that the Somaliland government can not cope with. The government and the public are determined to put their maximum efforts to help themselves.

NGO's, international organizations etc. are given maximum cooperation and protection of the lives and properties.

2. The refugee population in Eastern Ethiopia have no homes to return. The establishment of refugee camp communities is likely to be the order of the day, as in the case of Burao and Berbera. This could create an aid-dependent attitude we are determined to avoid. Our people are, fortunately, self-reliant, highly enterprising society. The limited mandate, resources and experience of NGO's are inadequate to cope with the tremendous and urgent needs of Somaliland.

3. Political solution between Hargeisa and Mogadishu appears to be the key to granting developmental aid. The Somaliland Government has recently sent a parliamentary delegation, led by the Minister of Interior, to talk the leaders of the various groups of the South. It is difficult to realize reasonable progress and understanding with the warring factions. Political solution is not in sight until the southern factions put their house in order.

## HOW LONG SHOULD THE NORTH WAIT

1. The destruction which the southern army of occupation has inflicted is unparalleled. Entire cities and villages are pulled to the ground. Indiscriminate planting of minefields further cripple the possibility of reconstruction. As the former masters of the North, southern politicians, old or new, are unlikely to easily come to terms with the fact-of-life reality that has emerged.

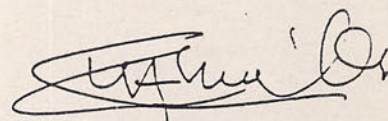
2. Prolonged negotiations are detrimental to the urgent reconstruction efforts the North is in need of. The role of Italy as the contact Government of the EEC is a further disadvantage the North ought to fight against. As it is openly and aggressively against the newly-born Republic, Italy should no longer be, exclusively, assigned the role of the "expert" in Somali affairs.

- 5 -

3. Aid-donors, NGO's and international organization are urgently requested:

To consider the case of the Republic of Somaliland on its own merit. It should be totally dissociated from its former union with Somalia. There are no Southern Somalis to negotiate with at the moment. Our fate should not therefore, be tied up to them. Our share of developmental aid should also be released to us in the absence of a southern party to deal with.

The Hague, 10th September 1991



Yusuf Ali Sheikh Madar  
Minister of Foreign Affairs  
Republic of Somaliland

FIGURE 2.1  
Somali Clan Genealogy

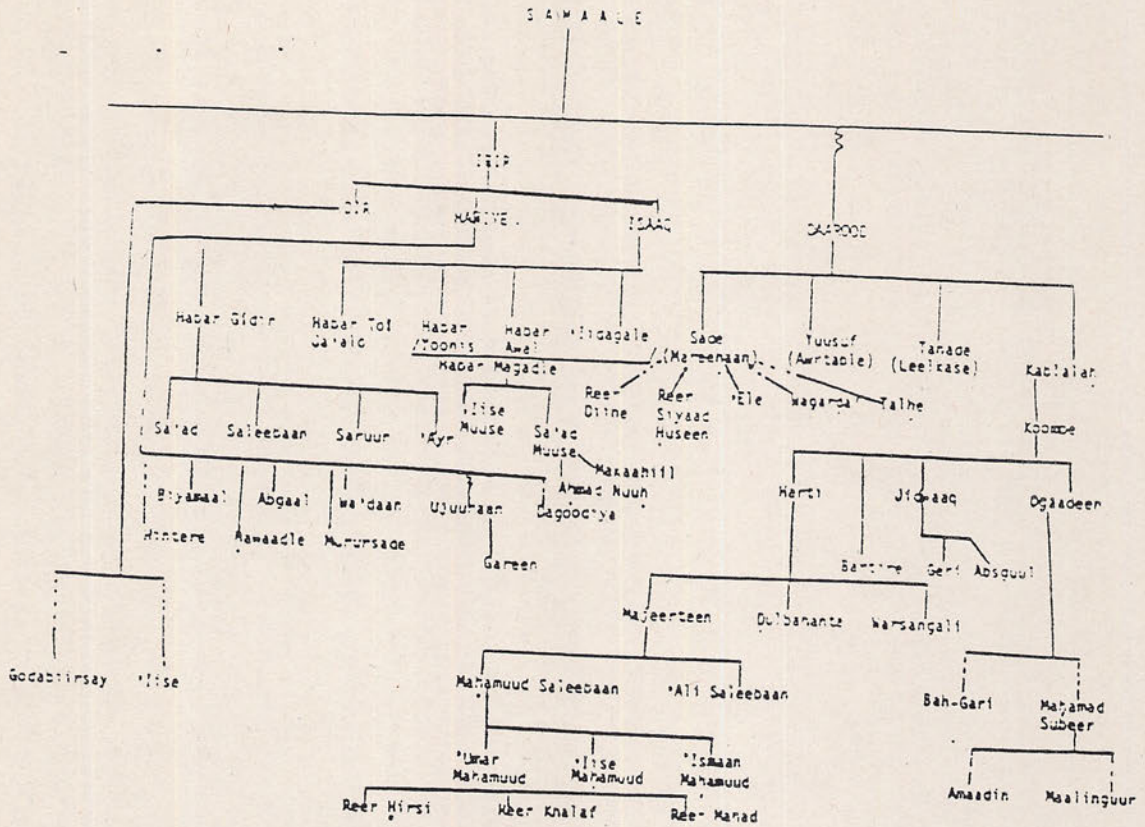
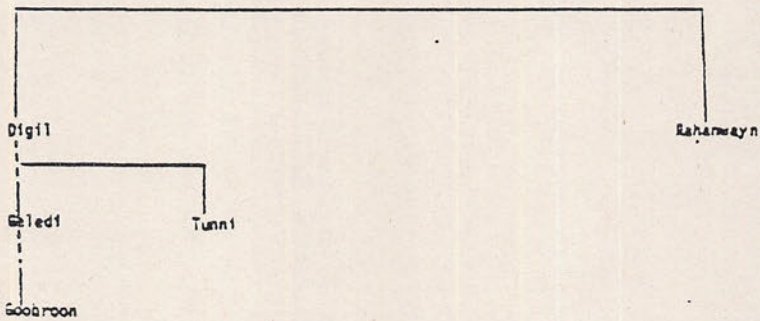


FIGURE 2.1 cont.



The first chart shows the four overwhelmingly pastoral clan-families of Dir, Hawiye, Isaac, and Daarood and their descendant clans. The second chart shows the two predominantly agricultural clans of Digil and Baharwayn. Tradition holds that the word "Somali" (properly "Soomaali") comes from Samaale, name of the mythical ancestor of the four pastoral clan-families and etymologically derives from the phrase "Soo maal" ("Go and milk"), thus underlining the pastoral ethic of the culture).

A dotted line indicates omission of genealogical lines deemed unnecessary for this chart; wavy lines indicate maternal kinship. Parentheses indicate a variant name.

Note: It is important to emphasize that these charts mainly show clans and ethnic groups mentioned in the text. Many important lineages are not represented here because they do not figure prominently in the narrative.

## SHORT HISTORICAL AND POLITICAL OUTLINE OF SOMALIA

### I. SOMALI REPUBLIC (1960-1969)

The Somali Republic was established on the first of July 1960 by the union of the Italian and British Somaliland. From 1960 to the military coup of 1969, Somalia had democratic institutions elected by universal suffrage. Freedom of association, freedom of speech and basic rights were respected.

The first elected president was Aden Abdulle Osman, from a small Hawiye clan; the first Prime Minister was the late Dr. Abdirashid Ali Shermarke, from Darod-Majerteen clan. The power sharing between clans was fair and governments were formed on clan balance. In 1964 after general elections, Abdirisak Hagi Hussein, from Darod-Majerteen clan, became Prime Minister. In June 1967, Dr. Abdirashid Ali Shermarke was elected, by the national assembly, President of the Republic and Mr. Mohamad Ibrahim Egal, from the Isaq clan, became Prime Minister. Under the new leadership of Shermarke-Egal, nepotism and corruption became common-place in the government. In the eve of the general election of March 1969, the commander of the police, General Mohamed Abshir, resigned on disagreement with government on the electoral law, which was specifically designed to curtail any meaningful parliamentary opposition. In fact in the last general elections of March 1969, the government party SYL won all seats in parliament except one seat.

In this context of corruption and non-democratic government, the President of the Republic Abdirashid Ali Shermarke was assassinated on 15th October 1969.

### II. SOMALI DEMOCRATIC REPUBLIC (1969-1990) (Siyad Barre regime)

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While in the ruling party SYL, struggle was going on for the election of the new president, the army took over the power on 21st October 1969. The new leaders suspended the constitution, dismissed the parliament, banned political parties and trade unions - Members of government, other political leaders and the former police chief, General Mohamed Abshir were arrested.

The new military leader formed the Supreme Revolutionary Council (SRC) and appointed the commander of the army forces, General Mohamed Siyad Barre, the chairman of SRC and President of the new Somali Democratic Republic. The SRC retained all legislative and judiciary powers and nominated a council of ministers, composed largely of civilian-technocrats with executive powers. Both bodies were presided by General Siyad.

Immediately after seizing power, the Supreme Revolutionary Council (SRC), under the leadership of its Chairman, General Siyad Barre, set energetic policy to combat corruption, nepotism and inefficiency of the previous civilians governments. The new regime

embarked on large development programmes and during the period 1970-74 achieved impressive results with the "Crash Programmes" for food production, the writing of the Somali language with latin script and its adoption as official language, the urban and rural mass literacy campaign in 1973-74.

The regime, capitalizing on these achievements and the dissatisfaction of the people on the performance of the previous civilian governments, gained support from the public.

Parallel to these developments, the regime started creating its "STATE SECURITY APPARATUS". In September 1970, systematic repression and human rights abuses started with the introduction of the National Security Law and the establishment of the National Security Service (NSS) and the National Security Court. Political opponents were presented as traitors and anti-revolutionary agents. The newly created mass organisations such as women's organisation, youth organisation, Guulwa=dayaal or Victory Pioneers as well as the National Security Service, the National Security Court, were presented as guardians of the Revolution and its fruits. It is a historic fact that not only the masses, but other segments of the nation as intellectuals, members of the armed forces, poets supported the "Revolution".

In October 1970, the SCR introduced state controlled economy by adopting scientific socialism. As a result of this decision, banks, insurance companies, electrical power, fuel distribution were nationalised. Further more, state agencies were created to implement socialist policies of state control over production, export, import etc.

A massive nation-wide campaign was launched portraying General Siyad Barre as the "Father of the Nation". In 1976, General Siyad Barre consolidated his power by founding the Somali Revolutionary Socialist Party (SRSP) as the only political organisation in the country. He became Secretary General of the Party, Head of State and Chairman of the Council of Ministers.

As the result of the above developments, General Mohamad Siyad Barre became the undisputed leader of the country and held all powers in his hands.

### III. "GREAT SOMALIA" AND ITS IMPLICATION ON SOMALI FOREIGN POLICY

The most important foreign policy issue in post independence politics was the unification of the 5 Somali territories (Somalia Italian, British Somaliland, French Somaliland (present Djibouti), Ogaden and N.F.D. or Northern Front Districts of Kenya).

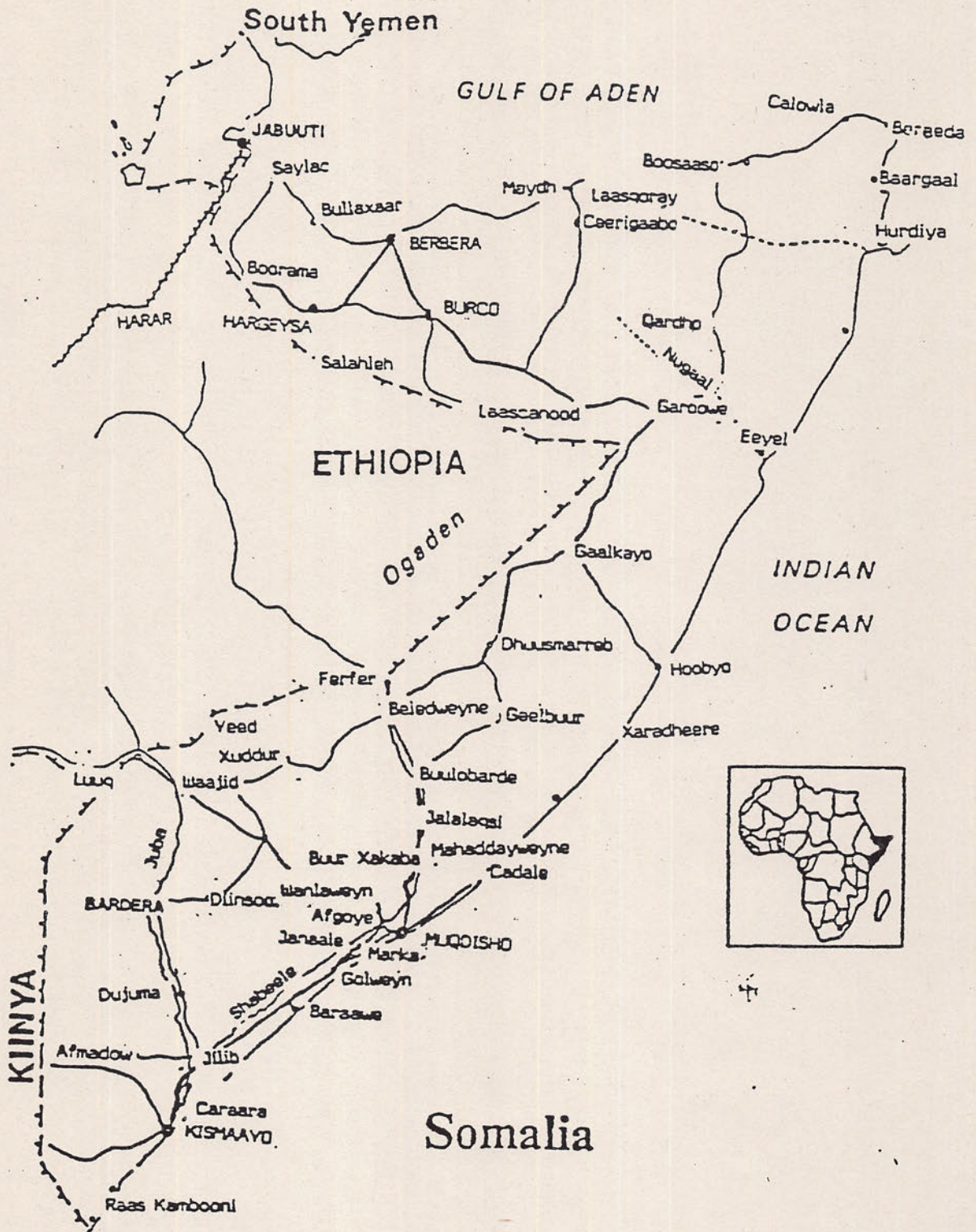
The Somali Youth League (S.Y.L.), a pioneer of the independence of Somalias was nationalist and pan-Somali organisation. Its main objective was the unification of all Somali territories and nation in one "State". This objective was underlined in both constitutions of the Somali Republic (1960-1969) and Somali Democratic Republic (1969-1990). The 5 points of the white star on the Somali flag represent the 5 Somali territories mentioned above.

The foreign policy of the successive Somali governments was based on the objective of attaining "Great Somalia".

To pursue this aim, in 1963, Somalia entered into a military aid agreement with the Soviet Union - Basically for the same aim, in 1974 Siyad Barre signed a treaty of friendship and cooperation with the Soviet Union.

Another event which underlines the extent this policy issue of "Great Somalia" forged the foreign policy of the country is when 1963 the Somali Republic broke diplomatic relations with United Kingdom, because Britain, ignoring the results of commission of enquiry, denied to the Somali in N.F.D. to separate from Kenya and unite with Somalia.

Other important events which are the direct results of this policy issue is the open war between Somalia and Ethiopia in 1964 and 1977.





INFORMATION NOTE FOR DONORS

Humanitarian Assistance of the United Nations System  
to Victims of the Conflict in Yugoslavia

BACKGROUND: OVER HALF A MILLION DISPLACED

The humanitarian dimensions of the Yugoslav conflict have continued to grow. In under a month the number of displaced persons has increased by nearly 20 per cent. The total within the frontiers of the six Republics now exceeds half a million, over two-thirds of whom are women and children.

Number of Displaced by Region,  
Registered with the Red Cross Societies  
(as of 12/12/91)

Central Serbia	80,000
Vojvodina	60,000
Kosovo	1,000
Montenegro	6,500
Macedonia	2,000
Bosnia-Herzegovina	95,000
Croatia	288,000
Slovenia	23,000
TOTAL	555,000

Well over half of the displaced persons are housed with host families, however indigenous resources for assistance are rapidly being depleted. With the onset of winter and an ever deteriorating socio-economic situation more and more displaced are likely to be compelled to seek shelter in collective facilities.

THE UN RESPONSE: A COORDINATED EFFORT

In response to a request from the United Nations Secretary-General, the United Nations High Commissioner for Refugees (UNHCR) has taken the lead in coordinating humanitarian assistance of the UN system to the displaced within Yugoslavia. For the purposes of coordination the High Commissioner nominated a Special Envoy for humanitarian assistance to displaced persons in Yugoslavia, who arrived in-country on 28 November.



- 2 -

A joint funding appeal for an initial six-month programme valued at \$24.3 million, was issued by the High Commissioner on 3 December 1991, encompassing the coordinated programmes of the UNHCR (\$16.47 million), UNICEF (\$5.11 million) and the World Health Organization (\$2.72 million). The UN programme will cover displaced persons in all Republics and will be implemented in close cooperation with the International Committee of the Red Cross (ICRC).

#### ACTION TO DATE: OFFICES OPENED AS FIRST SHIPMENTS ARRIVE

UNHCR's first emergency assistance in bulk for December 1991 was shipped this morning and will arrive early next week. The first consignment is made up of 140,000 blankets, 15 MT of powdered milk, and 40 MT of soap and detergent. On 5 December, an additional 34 MT of relief supplies, donated by the French Government, was dispatched by UNHCR to Bosnia-Herzegovina.

UNHCR has made preparations to open offices in Zagreb and Sarajevo. Both offices are due to open on Monday 16 December and will be equipped with HF radio equipment. The Belgrade office is being expanded. For the implementation of the programme, UNHCR has recruited the first six additional international staff.

UNICEF has launched the emergency phase of its operation with the delivery to Bosnia-Herzegovina, Croatia and Serbia of 43 Emergency Health Kits (total value: \$160,000) containing certain drugs and materials for use by hospitals and clinics, and has supplied electric, coal and kerosene heaters for use by displaced families. UNICEF is providing \$35,000 worth of needed vaccines to Bosnia-Herzegovina, and in the next few days will deliver \$100,000 worth of baby kits. UNICEF has already established offices in Belgrade and Zagreb.

#### THE 1992 PROGRAMME: ASSISTANCE AND PROTECTION

The UNHCR component of the six-month joint programme includes assistance in the form of basic food and household items in family packages as well as support to local Red Cross societies. From January 1992, UNHCR will provide monthly family assistance packages to 200,000 displaced persons. The number of beneficiaries will progressively increase, according to requirements, to 500,000 persons. In the light of ongoing needs assessment - particularly with regard to assistance to collective centres - the UNHCR programme will be reevaluated and redirected as appropriate.

Alongside the delivery of material assistance, UNHCR also has a responsibility for the protection of the displaced population. UNHCR's expanded presence in the region will permit enhanced monitoring of their situation. All activities in this sector will be coordinated with the ICRC. Incidents of detention of displaced persons, of organized movements of displaced persons into areas from which others have fled, and of pressure on specific groups to evacuate certain villages or towns are of particular concern. In addition, the impossibility for many displaced persons to avail themselves of their acquired rights (such as pensions or other social benefits) limits their ability to be self reliant and places further burdens on the local community.

Within the framework of the general objectives of the UN programme, UNICEF will focus on improving the protection and welfare of displaced women and children. UNICEF will back up initiatives already underway at the community level and will support local productive capacity through in-country procurement of goods to be distributed to displaced women and children. UNICEF will also strengthen local social welfare services.

UNICEF's assistance programme offers a particular focus on the health and educational needs of young children. UNICEF will deliver medicines and vaccines on the basis of requests submitted by the health authorities. UNICEF will also provide essential goods for child care, including baby and infant foods, blankets, clothing and child-care articles. Nutritional support for pregnant and lactating women is foreseen. In addition, UNICEF will support primary schools which are serving large numbers of displaced pupils and, in cooperation with the WHO, assist in the psychological rehabilitation of women and children suffering from emotional trauma as a result of their exposure to the war. Finally, UNICEF will also give assistance to collective accommodation centers housing displaced women and children.

The third partner in the UN effort, the World Health Organization, has proposed a four-part programme for assistance to affected populations in Yugoslavia. This includes: immediate measures to deal with war-related mental health problems; assistance in the form of specialized drugs and blood transfusion materials; maternal and child health; and rehabilitation services. For the implementation of this programme, WHO will be supported by the network of WHO collaborating centers which have been established over the past decades throughout the Republics.

#### CONCLUSION: ACTION AT THE LEVEL DEVELOPMENTS ALLOW

The consolidated UN appeal represents an initial response to the humanitarian problems posed by the Yugoslav conflict. In view of the constantly evolving situation and the unpredictable nature of the conflict, the UN agencies will retain a maximum of flexibility in implementation of this programme, and will adapt it to changing needs. Developments in the conflict could allow for an expansion or necessitate a decrease in the level of UN activities.

Despite the note of caution, a well-funded and quickly implemented United Nations programme, closely coordinated with that of the International Committee of the Red Cross, will not only bring relief to the displaced population but may help to prevent further displacement and contribute to conditions which could ultimately permit refugees and displaced persons to return to their places of origin.



# YUGOSLAVIA

- Motorway
- Main Roads
- Rivers
- Airports
- UNICR Branch Office

0 50 100 150 km

The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the United Nations Secretariat (UNICR) concerning the legal status of any territory, territory, city or area or of its boundaries, or concerning the determination of its frontiers or boundaries.

Emergency Preparedness & Response Section



FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

INFORMATION  
to Governments participating in the Informal Consultations

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Yugoslav Asylum Seekers and other Yugoslav Nationals  
in Switzerland

1. Yugoslav Asylum seekers

The Federal Office for Refugees has extended the deadline for departure for rejected asylum seekers from all Republics of Yugoslavia to January 31, 1992. Mandatory repatriation continues for asylum seekers with criminal records.

2. Yugoslav nationals who have not requested asylum

The Federal Council decided on December 18, 1991, to grant **Temporary Protected Status** (Admission provisoire/vorläufige Aufnahme) to certain groups of Yugoslav nationals: seasonal workers, shortstayers, visitors and tourists from Croatia and the border region of Bosnia/Croatia are allowed to stay according to the relevant dispositions of the Swiss alien's law. Exempt from these measures are persons who already are in Switzerland on the basis of a regular residence permit. Persons benefiting from the Temporary Protected Status are not under protection of the Geneva Convention and therefore not subject to rules and regulations of the Swiss asylum law.

Draft evaders and deserters will also benefit of the Temporary Protected Status.

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Cantonal alien's police authorities can extend the right to stay in Switzerland for Kosovo Albanians up to January 31, 1992.

### 3. Further measures

With date of January 1, 1992, the Federal Council has decided to reintroduce the visa obligation for Yugoslav citizens. Exempted from the visa obligation are Yugoslav citizens with valid resident permits in EC- and EFTA-countries as well as holders of diplomatic, service and special passports.

As an additional measure the Federal Council has also decided on December 18 to prohibit Yugoslav citizens from buying and carrying all types of fire arms in Switzerland.

Berne, December 18, 1991/AM/AZ

Beilage 8

Provisional agenda items for the general consultative meeting  
scheduled to be held in Geneva on 20 - 21 January 1992 under the  
Chairmanship of Mr. Peter Harder, Associate Deputy Minister  
of Immigration of Canada

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1. Reporting on the results of the special meeting on Yugoslavs and Somalis.
2. The workplan for the informal consultations during the first half of 1992, up to the full round which is scheduled to take place in Canada at the end of June 1992.
3. Briefing on the results of the recent Maastricht summit in terms of reinforced EC co-operation on asylum and immigration issues.
4. Selection of further countries of origin (test countries) for concerted action with a view to reduce migratory movements.
5. The orientation of multilateral co-operation on asylum, refugee and migration matters relating to Eastern and Central Europe.
6. Other business.



EIDGENÖSSISCHES DEPARTEMENT  
FÜR AUSWÄRTIGE ANGELEGENHEITEN

DÉPARTEMENT FÉDÉRAL DES AFFAIRES ÉTRANGÈRES  
DIPARTIMENTO FEDERALE DEGLI AFFARI ESTERI

*günne koppe*

*Justiz*

STH - 8. Jan. 92 - 8 -

p.B.41.21.09 - AZ

Bern, 24. Dezember 1991

Bitte dieses Zeichen in der Antwort wiederholen  
Prière de rappeler cette référence dans la réponse  
Pregasi rammentare questo riferimento nella risposta

**Informelle Konsultationen über Asyl-, Flüchtlings- und  
Migrationspolitik in Europa, Nordamerika und Australien**

**TREFFEN DER TEILNEHMERSTAATEN DER INFORMELLEN KONSULTATIONEN,  
GENF, 19. DEZEMBER 1991**

Verteiler

- EJPD - Herrn Bundesrat A. Koller  
- Generalsekretariat  
- Bundesamt für Ausländerfragen  
- Bundesamt für Flüchtlinge  
- Herrn B. Ehrenzeller, pers. Mitarbeiter des  
Departementschefs
- EVD - Bundesamt für Aussenwirtschaft, OECD-Dienst  
- Bundesamt für Industrie, Gewerbe und Arbeit
- EDA - Generalsekretariat  
- Direktion für internationale Organisationen  
- Direktion für Völkerrecht  
- Direktion für Entwicklungszusammenarbeit und  
humanitäre Hilfe  
- Abteilung für humanitäre Hilfe/SKH  
- Politische Abteilung I  
- Europaratsdienst  
- Koordinator für Osteuropahilfe  
- Politische Abteilung II  
- Sekretariat des Staatssekretärs

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- Bukarest - Kopenhagen - Ottawa - Wien  
- Brüssel - London - Paris - Zagreb  
- Canberra - Madrid - Rom
- Ständige Mission der Schweiz bei den i.O., Genf  
- Ständige Vertretung der Schweiz beim Europarat, Strassburg  
- Mitglieder der Schweizer Delegation

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