

## **Presidential Decree No. 200/18**

**of 27 August, 2018**

Whereas Law No. 10/15 on the Right of Asylum and the Status of Refugees stipulates that the National Council for Refugees is the multi-sectoral advisory body which shall grant or refuse the right of asylum, as well as the Declaration of termination of refugee status;

Given the need to establish the organization and operations of the National Council for Refugees referred to in paragraph 2, article 56 of the aforesaid law;

In accordance with sub paragraph 1 ) of article 120 and paragraph 3 of article 125, both in the Constitution of the Republic of Angola, the President decrees the following:

### ARTICLE 1

#### **(Establishment)**

The National Council for Refugees shall be established.

### Article 2

#### **(Approval)**

The Regulations of the National Council for Refugees, which forms an integral part of this Presidential Decree, are hereby approved.

### ARTICLE 3

#### **(Repeal)**

All provisions contradicting the provisions of this Document, namely Decree No. 1/96 of 5 January on the Organic Statute of the Committee for the Recognition of the Right of Asylum, are repealed.

### Article 4

#### **(Doubts and Omissions)**

Doubts and omissions arising from the interpretation and application of this Presidential Decree shall be resolved by the President of the Republic.

### ARTICLE 5

#### **(Effectiveness)**

This Document takes effect on the date of its publication.

Reviewed by the Council of Ministers, in Luanda, on 25 July, 2018.

To be published.

Luanda, on 17 August, 2018.

The President of the Republic, João Manuel Gonçalves Lourenço.

## **REGULATIONS OF THE NATIONAL COUNCIL FOR REFUGEES**

### **Chapter 1**

#### **General Provisions**

### ARTICLE 1

#### **(Purpose)**

These Regulations lay down the organization and operations of the National Council for Refugees.

## Article 2

### **(Nature)**

The National Council for Refugees, hereinafter referred to as <<NCR>>, is a multi-sectoral advisory body for the implementation of public policies regarding the right of asylum and refugee rights.

## ARTICLE 3

### **(Scope)**

The National Council for Refugees conducts its activities throughout the national territory

## Article 4

### **(Duties)**

1. In accordance with its obligations, the National Council for Refugees shall be responsible for commenting on the proceedings related to the right of asylum and refugee status submitted by its President, namely:
  - a) Requests for Asylum;
  - b) Loss of refugee status by cancellation or withdrawal;
  - c) Appeals against denied asylum requests or cancellation of refugee status;
  - d) Requests for resettlement of refugees;
  - e) Requests for family reunification;
  - f) Proposals for declaration of the clause for termination of refugee status and its implementation.
2. Exercise all other duties established by law or determined above.
3. In the performance of their duties, the CARRA complies with the recommendations and rules of the international law on human rights.

## ARTICLE 5

### **(Composition)**

The National Council for Refugees is presided by the General Director of the Migration and Foreigners Service and includes representatives from the following ministries:

- a) Ministry of National Defense;
- b) Ministry of Justice and Human Rights
- c) Ministry of Foreign Affairs;
- d) Ministry of Social Action, Family and Women's Development;
- e) Ministry of Public Administration, Labor and Social Security;
- f) Ministry of Territory Administration and State Reform;
- g) Ministry of Health;
- h) Ministry of Education;
- i) Ministry of Culture.

## CHAPTER II

### **Organization and Operations**

#### SECTION I

#### **Organization**

## Article 6

## **(Bodies)**

The National Council for refugees has the following bodies:

- a) President;
- b) Plenary court;
- c) Secretariat.

Article 7

### **(President)**

The President of the National Council for Refugees has the following responsibilities:

- a) Convene, direct and guide the meetings;
- b) Present the work schedule;
- c) Request contributions from consultants and specialists whenever required;
- d) Invite to the meetings any entities whose interventions may be deemed useful for review of the matters under discussion;
- e) Exercise all other duties established by law or determined above.

Article 8

### **(Plenary Court)**

1. The Plenary Court is the deliberative body of the National Council for Refugees and includes members of the National Council for Refugees.
2. The Plenary Court is responsible for:
  - a) Assessing the documents submitted by its president;
  - b) Perform other activities established by law.

Article 9

### **(Secretariat)**

1. The Secretariat is the body responsible for ensuring the provision of technical and administrative conditions for the operations of the National Council of Refugees, as well as:
  - a) Provide administrative and editorial support to the work of the Plenary Court;
  - b) Organize and distribute documents to be submitted to the meetings of the National Council for Refugees;
  - c) Prepare and read the minutes of the meetings ;
  - d) Prepare reports and studies guided by the Plenary Court;
  - e) Perform any additional tasks established by law or determined above.
2. The Directorate of Asylum and Refugees of the Migration and Foreigners Service acts as the Secretariat.

## SECTION II

Operation

Article 10

### **(Meetings)**

1. The National Council for Refugees holds regular meetings once a week and special meetings whenever convened by its President, on its own initiative or at the request of a third of the members.
2. The meetings shall be held at the place indicated by the President, in response to an invitation sent at least 7 (seven) days in advance, which must include the day, time, place, agenda and related documentation.
3. The Representative of the United Nations High Commissioner for Refugees may attend the meetings of the National Council for Refugees as an observer without voting rights.

Article 11

**(Minutes)**

1. At the end of a meeting, minutes shall be drawn up containing the date, time, place, attendance list, matters arising, summary of the discussions, conclusions, recommendations including those responsible for implementation and meeting deadlines for tasks assigned.
2. Minutes shall be drawn up by the secretariat and sent to the members of the Council within five (5) days of the respective meeting.
3. The minutes shall be approved at the beginning of each meeting and shall be subsequently signed by the President and the Secretary.

CHAPTER III

**Final and Transitional Provisions**

Article 12

**(Confidentiality)**

The members of the National Council for Refugees, the representative of the United Nations High Commissioner for Refugees, the technical and administrative support staff of the Council shall keep confidential all matters relating to the files they have access to in the performance of their duties, liable to penalty in accordance with the law.

Article 13

**(Documentary Archive)**

The Documentary Archive assigned to the Committee for the Recognition of the Right of Asylum - COREDA shall be forwarded to the Migration and Foreigners Service after the related inventory has been done.

The President of the Republic, João Manuel Gonçalves Lourenço.

