

No. 12741

**UNITED NATIONS (UNITED NATIONS COUNCIL
FOR NAMIBIA)
and
NIGERIA**

**Agreement on the right of return to Nigeria of certain
Namibians. Signed at New York on 20 April 1972**

Authentic text : English.

Registered ex officio on 1 September 1973.

**ORGANISATION DES NATIONS UNIES (CONSEIL
DES NATIONS UNIES POUR LA NAMIBIE)
et
NIGÉRIA**

**Accord concernant le droit de retour au Nigéria de certains
Namibiens. Signé à New York le 20 avril 1972**

Texte authentique : anglais.

Enregistré d'office le 1^{er} septembre 1973.

AGREEMENT¹ BETWEEN THE FEDERAL REPUBLIC OF NIGERIA AND THE UNITED NATIONS COUNCIL FOR NAMIBIA ON THE RIGHT OF RETURN TO NIGERIA OF CERTAIN NAMIBIANS

The Government of the Federal Republic of Nigeria (hereinafter referred to as “the Government of Nigeria”) and the United Nations Council for Namibia (hereinafter referred to as “the Council”),

Recognizing the international status of Namibia and the importance and necessity for Namibians to verify their identity and to be able to travel about while abroad,

Agree as follows :

Article 1. The Government of Nigeria recognizes and accepts as valid the travel and identity documents issued to Namibians by the Council.

Article 2. Subject to other provisions of this Agreement, the Government of Nigeria agrees to grant the right of return to the following categories of Namibians who are in possession of the travel and identity documents issued by the Council :

- (a) Namibians residing in Nigeria prior to the conclusion of this Agreement;
- (b) Namibians enjoying asylum in Nigeria; and
- (c) Such other Namibians as the Government of Nigeria may determine.

Article 3. 1. For the purpose of this Agreement a right of return to Nigeria shall mean a right to be admitted into Nigeria granted to a Namibian.

2. The right of return shall be inscribed and certified by the Government of Nigeria in the travel and identity documents issued by the Council and the right shall be valid for a period of two years from the date of issue of the right of return and this period may be extended by the Government of Nigeria.

Article 4. 1. Applications for a right of return to Nigeria by Namibians shall be made on prescribed forms agreed to by the Government of Nigeria and the Council and shall be submitted through the Council. The Council shall transmit them to the Government of Nigeria after due consultations with the Organization of African Unity where appropriate.

2. The Government of Nigeria on receiving an application for a grant of a right of return to Nigeria may decide to :

- (a) Approve the application with or without prescribing conditions for the approval; or
- (b) Ask for more information about the applicant and on receiving such information may decide to reject the application without giving any reasons for doing so; or
- (c) Reject the application without giving any reasons for doing so.

¹ Came into force on 20 June 1972, i.e., two months after it had been signed, in accordance with article 7.

3. The decision of the Government of Nigeria on every application received shall be conveyed to the Council and where an application is approved the Council shall forward the travel and identity documents of the successful applicant to the Government of Nigeria who shall inscribe and certify the right to return to Nigeria on the travel and identity documents and return them to the applicant through the Council.

Article 5. The Council undertakes to make every effort to ensure that other Member States of the United Nations share in the granting of the right of return to Namibians and that all possible assistance is rendered to such Namibians through the United Nations system.

Article 6. Namibians admitted into Nigeria under this Agreement shall be subjected to the laws and regulations of Nigeria.

Article 7. 1. This Agreement shall enter into force two months after the authorized representatives of the Contracting Parties have signed this Agreement and may be terminated by either Party giving twelve months notice in writing to the other Party.

DONE at United Nations Headquarters this 20 April 1972 in two original copies both in English language, both copies being authentic.

[Signed]
E. O. OGBU
For the Government
of the Federal Republic
of Nigeria

[Signed]
A. A. HAMID
Acting Commissioner for Namibia
For the United Nations Council
for Namibia
