

THE UNIVERSITY OF YAOUNDE I

POSTGRADUATE SCHOOL
FOR THE SOCIAL
AND EDUCATIONAL
SCIENCES

DOCTORAL RESEARCH
UNIT FOR
SOCIAL SCIENCES



UNIVERSITÉ DE YAOUNDÉ I

CENTRE DE RECHERCHE ET DE
FORMATION DOCTORALE EN
SCIENCES HUMAINES, SOCIALES
ET EDUCATIVES

UNITE DE RECHERCHE ET DE
FORMATION DOCTORALE
EN SCIENCES HUMAINES
ET SOCIALES

**THE QUEST FOR DURABLE SOLUTIONS TO THE
PLIGHT OF REFUGEES IN CAMEROON, 1972-2019:
THE NEED FOR COMPREHENSIVE POLICIES AND
REFORMS**

Doctorate Thesis/Ph.D in History, Specialty: History of International Relations
Submitted and Defended on July 13, 2022

By **ERIC KEPEH MOH**

Jury

Role	Name	University
President:	VERKIJIKA G. FANSO, Prof Emeritus,	University of Yaoundé 1
Supervisor:	WILLIBROAD DZE-NGWA, MC	University of Yaoundé 1
Examiners:	HENRY KAM KAH, MC	University of Buea
	FAUSTIN KENNE, MC	University of Yaoundé 1
	BOKAGNE EDOUARD B, MC	University of Yaoundé 1



Mention

Très Honorable

To my beloved mother, Weisy Irene, for being my source of inspiration
and
to the memory of my father, Moh Henry

ACKNOWLEDGEMENTS

Research work like this cannot be completed without the contributions of many. I am heavily indebted to a number of people for helping to bring my thoughts and most secret desire into being. My most special thanks go to my academic father, Professor Willibroad Dze-Ngwa. Besides being my supervisor, he is an inspiration and a distinguished motivator, who never got tired at any point of guiding, directing, teaching, mentoring, and coaching me. His passionate words “keep working hard” has become my soul hymn. His incredible contributions, insights, corrections, and sincere criticism helped to shape and reshape the scientific face of this work. Above all, his persistent follow-up, encouragement, and suggestions were invaluable.

I equally wish to express my sincere gratitude to the lecturers of the History Department of the University of Yaoundé I, for the knowledge bestowed on me that facilitated me to go through this academic exercise successfully. I deeply appreciate Professor Virkijika Fanso, Professor Daniel Abwa, Professor Philippe Blaise Essomba, Professor Samuel Efoua Mbozo’o, Professor Jean Koufan, Professor Albert Pascal Temgoua (of blessed memory), Professor E. S. D. Fomin, Professor Leonard Sah, Professor Edouard Bokagne Betobo, Professor Virginie Wanyaka, Professor Christian Tsala Tsala, Professor Andre Tassou, Professor Kenne Faustin, Professor Moussa II, Professor Alexis Tague, Professor George Kum senior lecturers Dr. Anderson Enokenwa, Dr. David Nchinda Keming, and many others inspired me through this scientific exercise.

I am grateful to all the lecturers of the International Relations Institute of Cameroon (IRIC) especially Professor Alain Didier Olinga, and Dr. Ndiloseh Melvis who supervised me during my studies at IRIC. I am thankful to the lecturers of the History Department in the Higher Teachers Training Collage Bambili of the University of Bamenda for their contribution to my academic journey; to Professor Mathew Gwanfogbe, Professor Simon Tata Ngenge, Professor Canuta Ngwa, Professor Anthony Ndi, Professor Nixon Takor, Professor Kingsley Olong, Professor Michael Lang, and Dr. Emmanuel Sobseh. Their scholarly counsel and orientation have been very instrumental to the realization of this study.

My sincere gratitude goes to the Minister of External Relations H.E. Lejeune Mbella Mbella, for accepting and permitting me to do a one-month professional internship in his Ministry and to Mr. Jean-Patrice Koe Jr., the Sub Director in Charge of Relations with the International Organisation for Migration (IOM) and United Nations High Commissioner for Refugees (UNHCR) who accepted me, followed up and encouraged me during my internship at his Sub Department, and to Mr. Norbert Tirlamo Wirnkar, the Service Head in Charge of Relations with the UNHCR, for guiding me throughout my internship and sacrificing his precious time to school me on the functioning of the Technical Secretariat for Refugees during my stay in the institution.

I also appreciate the Heritage Higher Institute of Peace and Development Studies (HEHIPEDS), Yaoundé, and the African Network against Illiteracy, Conflicts, and Human Rights Abuse (ANICHRA) Research Center, for the provision of valuable documents related to humanitarian migrants and International Humanitarian Law.

My heartfelt gratitude also goes to my wife, Mrs. Immaculate Kepeh Muzong, for her unflinching support, sacrifice, and encouragement and for translating my abstract into French. My gratitude also goes to my beloved family members, Mr. Ernest Nso Toumasange, Mrs. Comfort Nso Yumimi Moh, Glory Lamy Moh, Marcel Ndashi Moh, Divine Mbogshike Moh, and Charles Ndifor Moh, for their moral and financial support. Lastly, I wish to crave the indulgence of all those who contributed to the realization of this work but whose names have not been mentioned. These words of appreciation notwithstanding, I assume full responsibility for any shortcomings in this work.

ABSTRACT

This study, titled **“The Quest for Durable Solutions to the Plight of Refugees in Cameroon, 1972-2019: The Need for Comprehensive Policies and Reforms”** examines how refugee policies and mechanisms guide the Government of Cameroon and the United Nations High Commission for Refugees (UNHCR’s) efforts in fostering voluntary repatriation and effective urban integration of refugees in Cameroon. It focuses on voluntary repatriation and urban integration as two principal overarching concepts within which durable solutions for Nigerians, Chadians, and Central African Republic (CAR) refugees in Cameroon can be achieved, measured, and reformed. It further investigates the extent to which the repatriation of Nigerian, Chadians and Central African Republic (CAR) refugees in Cameroon was in line with the international refugee protection regime; and stakeholder’s efforts in encouraging effective integration of urban refugees in Yaoundé. The consequences of violating the core principle of peremptory international refugee laws by the government of Cameroon in the recent controversial repatriation of Nigerian refugees and the massive lamentation of urban refugees in Yaoundé about their state of precariousness present a comprehensive rationale for this research. To collect relevant data for the analysis, the researcher used a cross-sectional mixed research method, a combination of qualitative and quantitative approaches in the research, analysis, and reporting in an integrative manner. Data was gathered from a small sample of 143 respondents using surveys that integrated both closed and open-ended questions; and structured questions. Out of the 145 informants, eighty (80) were administered questionnaires and sixty-three (63) were interviewed using structured questions. Secondary data were equally collected through desktop search and in-depth review of legal and policy documents, stakeholder’s annual reports, published works, newspapers, donor’s reports, radio and television documentaries, and internet sources related to refugees’ durable solutions. The study revealed that except for the 2015-2017 forceful repatriation of prima facie Nigerian refugees to military control internally displaced camps in Northern-Eastern Nigeria due to the dire consequences of Boko-Haram terrorist activities on the vulnerable Cameroon population in the Far North Region, Cameroon has a good international record of respecting international refugee’s laws in the repatriation of refugees. The 2004-2005, 2019 repatriation of Nigerian refugees, 2012-2013 repatriation of Chadian refugees, and 2019 repatriation of Central African Republic Refugees were done after the signing of a Tripartite Agreement between the government of Cameroon, country of origin, and UNHCR. It further revealed that in its effort to enhance effective urban integration of refugees, through collaboration and cooperation the UNHCR and the government have made enormous progress in securing and improving access to basic services. The study concludes that strategic cooperation aimed at resolving the root causes of events that led to refugee’s displacement to Cameroon, provision of full autonomy and separate budget to the Technical Secretariat, delivery of biometric identification cards to refugees, and creating space for healthy, genuine discussion, improved dialogue and concerted efforts not only by UNHCR and the government of Cameroon but including concern international humanitarian and development actors, civil society organizations, faith-based organizations and refugees community leaders would create more protective space and enhance durable solutions for refugees in Cameroon.

RESUME

Cette étude, intitulée “The Quest for Durable Solutions to the Plight of Refugees in Cameroon, 1972-2019: The Need for Comprehensive Policies and Reforms” examine comment les politiques et mécanismes relatifs aux réfugiés guident le gouvernement du Cameroun et le Haut Commissariat des Nations Unies pour les réfugiés (HCR) dans la promotion du rapatriement volontaire et de l'intégration effective des réfugiés au Cameroun. L'étude se concentre sur le rapatriement volontaire et l'intégration urbaine comme les deux principales approches primordiales dans le cadre desquelles des solutions durables pour les réfugiés nigériens, tchadiens et centrafricains au Cameroun peuvent être réalisées, mesurées et réformées. Elle examine également dans quelle mesure le rapatriement des réfugiés nigériens, tchadiens et centrafricains au Cameroun a été conforme au régime international de protection des réfugiés et les efforts déployés par les parties prenantes pour promouvoir l'intégration effective des réfugiés urbains à Yaoundé. Les conséquences de la violation du principe fondamental des lois internationales sur les réfugiés par le gouvernement camerounais lors du récent rapatriement controversé des réfugiés nigériens et les lamentations massives des réfugiés urbains à Yaoundé sur leur état de précarité constituent une justification complète de cette recherche. Afin de collecter des données pertinentes pour l'analyse, le chercheur a utilisé une méthode de recherche transversale mixte, une combinaison d'approches qualitatives et quantitatives pour la recherche, l'analyse et le rapport d'une manière intégrative. Les données ont été recueillies auprès d'un petit échantillon de 143 répondants à l'aide d'enquêtes comprenant des questions fermées et ouvertes ainsi que des questions structurées. Sur les 145 informateurs, quatre-vingt (80) ont été interrogés à l'aide de questionnaires et soixante-trois (63) à l'aide de questions structurées. Les données secondaires ont également été collectées par le biais d'une recherche documentaire et d'un examen approfondi des documents juridiques et politiques, des rapports annuels des parties prenantes, des ouvrages publiés, des journaux, des rapports des donateurs, des documentaires radiophoniques et télévisés, et des sources Internet relatives aux solutions durables pour les réfugiés. L'étude a révélé qu'à l'exception du rapatriement forcé de 2015 à 2017 de réfugiés nigériens de prime abord dans des camps de personnes déplacées et contrôlés par l'armée dans le nord-est du Nigeria en raison des conséquences désastreuses des activités terroristes de Boko-Haram sur les populations camerounaises vulnérables de la région de l'Extrême-Nord. Le Cameroun a un bon bilan international en matière de respect des lois internationales sur le rapatriement des réfugiés. Le rapatriement des réfugiés nigériens en 2004-2005 et 2019, le rapatriement des réfugiés tchadiens en 2012-2013 et le rapatriement des réfugiés de la République centrafricaine en 2019 ont eu lieu après la signature d'un accord tripartite entre le gouvernement camerounais, le pays d'origine et le HCR. L'étude montre également que le HCR et le gouvernement ont fait d'énormes progrès en matière de sécurisation et d'amélioration de l'accès aux services de base dans leurs efforts pour intégrer efficacement les réfugiés dans les zones urbaines grâce à la collaboration et à la coopération. L'étude conclut que la coopération stratégique visant à traiter les causes profondes des événements qui ont conduit au déplacement des réfugiés vers le Cameroun, l'octroi au Secrétariat Technique d'une autonomie complète et de son propre budget, la fourniture aux réfugiés de cartes d'identité biométriques et d'un espace pour une discussion saine et authentique, l'amélioration du dialogue et les efforts concertés non seulement par le HCR et le gouvernement du Cameroun, mais aussi par les acteurs internationaux de l'humanitaire et du développement, les organisations de la société civile, les organisations religieuses et les leaders des communautés de réfugiés, permettraient de créer plus d'espace de protection et de promouvoir des solutions durables pour les réfugiés au Cameroun.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	ii
ABSTRACT.....	iv
RESUME	v
TABLE OF CONTENTS	vi
LIST OF ILLUSTRATIONS.....	xi
LIST OF ABBREVIATIONS, INITIALS AND ACRONYMS	xiii
GENERAL INTRODUCTION.....	1
I. CONCEPTUAL FRAMEWORK.....	4
II. LITERATURE REVIEW.....	13
III. STATEMENT OF PROBLEM.....	25
IV. RESEARCH QUESTIONS.....	25
V. OBJECTIVES OF THE STUDY.....	26
VI. SIGNIFICANCE AND JUSTIFICATION OF THE STUDY	27
VII. SCOPE AND DELIMITATION OF THE STUDY.....	28
VIII. RESEARCH METHODOLOGY.....	29
IX. THEORETICAL FRAMEWORK.....	33
X. STRUCTURAL ORGANISATION OF THE STUDY	42
CHAPTER ONE: REFUGEEISM AND NORMATIVE FRAMEWORK CENTRAL TO DURABLE SOLUTIONS OF REFUGEES IN CAMEROON.....	44
Introduction.....	44
I. Historical Perspective and Evolution of the International Protection of refugees.....	44
i. Ramifications of World War.....	47
ii. The emergence of the new refugee’s trend.....	51
iii. The end of the Cold War	55
iv. Expanding the international refugee regime.....	57
II: Pivotal and Contemporary Universal Instruments	64
i. The 1933 Fundamental Convention on the International Status of Refugees	64
ii. The Universal Declaration of Human Rights (UDHR)	66
iii. The 1951 Geneva Convention and its 1967 Protocol.....	70

iv. UNHCR Executive Committee Conclusions	77
v. The United Nations General Assembly Resolutions	79
vi. UNHCR's 2009 Policy on Urban Refugees	80
III: Other Universal Instruments Reinforcing the Durable solutions for Refugees	85
i. The International Covenant on Economic, Social and Cultural Rights (ICESCR)	85
ii. The International Covenant on Civil and Political Rights (ICCPR).....	90
IV. Regional instrument	93
i. The Organisation of African Unity (OAU) Convention governing the Specific Aspects of Refugee Problems in Africa.....	93
ii. The African Charter on Human and Peoples' Rights	94
V. National Normative frameworks	96
i. The Constitution of the Republic of Cameroon.....	96
ii. Law N° 2005/006 of 27th July 2005 on the status of refugees in Cameroon.....	97
iii. Law N° 97/012 of 10 January 1997 on foreigners in Cameroon.....	100
Conclusion	101
CHAPTER TWO: INSTITUTIONAL FRAMEWORK FOR DURABLE SOLUTIONS TO REFUGEES PROBLEMS IN CAMEROON	103
Introduction.....	103
I: Universal Institutional Framework for the Protection of Refugees	104
i. The United Nations High Commissioner for Refugees (UNHCR)	104
ii. The United Nations High Commissioner for Human Rights (UNHCHR)	110
iii. United Nations Development Program UNDP - Cameroon.....	114
iv. The World Bank Group	119
II Regional mechanisms for Refugees Durable solutions.....	129
i. The African Commission on Human and Peoples' Rights (ACHPR).....	130
ii. Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons.	132
iii. African Court on Human and Peoples' Rights	134
iv. The African Union Commission (AUC).....	135
v. Humanitarian Affairs, Refugees and Internally Displaced Persons (HARDP)	137
III National Institutional Framework for the Protection of Refugee.....	143
i. Organs for the Management of the Status of Refugees in Cameroon.....	145
ii. Ministerial Departments and Ad-hoc Institutional Frameworks for the Integration of Refugees in Cameroon.....	150

iii. The Ministry of External Relations (MINREX).....	150
vi. The Ministry of Territorial Administration and Decentralisation (MINATD).....	151
v. General Delegation of National Security (DGSN)	152
vi. The Ad-Hoc Institutions	152
vii. The Inter-Ministerial Ad-hoc Committee charged with the Management of Emergency Situation Concerning Refugees in Cameroon.....	154
viii. The National Commission on Human Rights and Freedoms (NCHRF)	158
Conclusion	162
CHAPTER THREE: LEVERAGING VOLUNTARY REPATRIATION TO ENHANCE DURABLE SOLUTION FOR REFUGEES IN CAMEROON.	163
Introduction	163
I. The repatriation of Nigerian refugees from Cameroon	164
i. Historical and catalyst of force movement to Cameroon	165
ii. The 2004 – 2005 Safe and voluntary Repatriation of Nigerian Refugees.....	173
iii. The 2015-2017 Complex Repatriation	181
iv. Massive repatriation from 2015 to 2017.....	182
v. Massive forceful repatriation 2015 to 2016.....	182
vi. Voluntary repatriation 22 August 2019	195
II. Voluntary Repatriation of Chadian Refugees from Cameroon	196
i. Origin and causality of Chadian displacement	197
ii. Measure taken by the Chadian government in favour of repatriation	201
iii. Different Phases of repatriation 2012-2013.....	209
iv. The 2012 Voluntary Repatriation of Chadian Refugees.....	209
v. The 2013 voluntary repatriation phase	210
III. Voluntary Repatriation of Central African Republic (CAR) Refugees from Cameroon	213
i. Origin and causality of CAR displacement	213
ii. Measures taken by CAR, Cameroon and UNHCR to Voluntary Return of CAR Refugees from Cameroon	219
iii. The 2019 voluntary repatriation of CAR refugees	226
Conclusion	232
CHAPTER FOUR: THE DEGREE OF EFFECTIVENESS OF UNHCR URBAN POLICY IN ENHANCING DURABLE SOLUTIONS TO URBAN REFUGEES IN YAOUNDE	233

Introduction	233
I: Progress made in documentation and UNHCR- urban refugees relation in Yaoundé.	233
i. The Documentation and Status determination of Urban Refugees in Yaoundé.....	233
ii. Improving urban refugees -UNHCR relationship.....	243
II: Promoting self-reliance and socio-economic empowerment	247
i. Progress made by UNHCR in promoting self-reliance	247
ii. Socio-economic empowerment of urban refugees in Yaoundé.....	257
III. Yaoundé city as a legitimate protection space for refugees in Cameroon	261
i. Factors influencing movement from camp setting to Yaoundé and other urban areas in Cameroon.....	262
ii. The experience of urban refugees in Yaoundé	264
iii. Experience with law enforcement officers and impact on urban refugees’ protection	270
IV. Protection of urban refugees in Yaoundé: International and regional laws	272
i. Protecting urban refugees under the international human rights system	274
ii. The enforcement of pro-refugee law by the government of the Republic of Cameroon:...	278
Conclusion	281
CHAPTER FIVE : FINDINGS, CHALLENGES ENCOUNTERED AND RECOMMENDATIONS TO IMPROVE DURABLE SOLUTION FOR REFUGEES IN CAMEROON	282
Introduction	282
I. Research Findings	282
i. Refugee’s protective framework in Cameroon.....	283
ii. Voluntary repatriation of refugees in Cameroon	289
iii. The Need on the International Right for Protection and Legal Implication.....	294
iv. The Principle of <i>Non Refoulement</i>	301
II. Major Challenges hindering the effective implementation of Voluntary Repatriation operations in Cameroon.	303
i. The implementation of free consent	304
ii. Human security of refugees upon return to their country of origin.....	307
iii. Inadequate financial resources.....	308
iv. UNHCR absolute dependence on humanitarian donation	309
v. Lack of effective Cooperation among parties to the tripartite agreement	310
III. Recommendation to Enhance Voluntary Repatriation of Refugees in Cameroon .	312

i. Strengthening the Framework for Voluntary Repatriation in Cameroon	312
ii. Strengthening the normative framework for repatriation	315
IV. Granting more financial independence to UNHCR and the utilization of Preventive Diplomacy Strategy.....	316
i. An Independent UNHCR.....	317
ii. Greater utilisation of Preventive Diplomacy in the sub-region	317
V. Operational and Institutional Challenges.....	318
i. Operational challenges.....	318
ii. Institutional Challenges	321
VI: Policy Recommendations.....	324
i. Policy recommendation on improving Operational Framework	324
ii. Policy consideration to the Institutional Framework.....	326
iii. Policy Recommendation to UNHCR and Donor Partners.....	327
Conclusion	329
GENERAL CONCLUSION.....	331
ANNEXES	336
BIBLIOGRAPHY.....	547
INDEX.....	584

LIST OF ILLUSTRATIONS

PLATES

1: Returnees and members of the host communities receive training in innovative cultivation methods	180
2: Nigerian Refugees arrived at Internally Displaced camp in Northern Nigeria.....	185
3: Nigerian refugees repatriated from Cameroon	186
4: Nigerian Army transporting Nigerian asylum seekers from Cameroon.	189
5: Spontaneous return from Minawao Camp	190
6: Signing ceremony of the Tripartite Agreement between Cameroon, Nigeria, and UNHCR	191
7: Departure of Chadian refugees from Langui camp to Chad.....	210
8: The arrival of returnees to Chad	212
9: Exchange of Tripartite Agreement between the Government of Cameroon and CAR	227
10: Humanitarian workers standing in front of a convoy to transport CAR refugees back home, in Garoua Boulai, Cameroon, Oct. 23, 2019.....	229
11: Convoy of Central African refugees at the border between CAR and Cameroon handing over the convoy to the CAR authorities.....	230
12: Convoy of CAR refugees on their way to Kenzhou, at the border between CAR and Cameroon.....	230

FIGURES

1: UNHCR and population of concern in Cameroon as of 2019	109
2: Institutional Arrangements and Coordination Framework of IDA18 RSW Projects	128
3: Number of urban refugees in Yaoundé registered by UNHCR and the Technical Secretariat	235
4: Different timelines of the influx of refugees in Yaoundé	236
5: Marital status of urban refugees in Yaoundé 2005-2019.....	238
6: UNHCR and Partners supporting urban refugees livelihood in Yaoundé	248

7: Employment situation of urban refugees in Yaoundé	249
8: Urban refugees access to Education	251
9: Urban refugees access to Health services in Yaoundé	255
10: Durable solutions - Integration, Voluntary Repatriation and Resettlement of urban refugees in Yaoundé.....	258
11. The three components of durable solutions for refugees.....	259
12: Freedom of movement for urban refugees in Yaoundé	261

TABLES

1: Number of returnees per Camp.....	184
2: Monthly Number of Nigerians forcefully expelled from Cameroon in 2015.....	185
3: The voluntary repatriation of 1st batch of Chadian refugees in Langui Camp.....	209
4: Detailed program for the voluntary repatriation of Chadian refugees in Langi Camp.....	211
5: Central African Republic political leaders since independence	215
6: UNHCR Planning figures for Cameroon.....	219
7: Documentation of 80 urban refugees in Yaoundé	241

MAPS

1: UNHCR Scope and Location of Persons of Concern	108
2: Urban refugees and asylum seekers by area of residence in Yaoundé	114
3: Map of Nigeria showing the Taraba State	167
4: Taraba State showing the number of local government areas (LGAs).....	168
5: Area under Boko Haram attacks in the Northern Region of Nigeria as of January 2015	172
6: Chadian map showing the different conflicting Zones in 2008.....	198
7: Map of the Central African Republic	214
8: Map showing the Operation to repatriate Central African refugees from Cameroon	231

LIST OF ABBREVIATIONS, INITIALS, AND ACRONYMS

ACHPR:	African Commission on Human and Peoples' Rights
AU:	African Union
AUC:	African Union Commission
CAR :	Central African Republic
CSOs:	Civil Society Organisations
GDNS:	General Delegation of National Security
ECOSOC:	Economic and Social Councils
GBV:	Gender-based Violence
ID :	Identity Card
IDPs:	Internally Displaced Persons
IOM:	International Organisation for Migration
IRIC:	International Relations Institute of Cameroon
MINATD:	Ministry of Territorial Administration and Decentralization
MINJUSTICE:	Ministry of Justice
MINREX:	Ministry of External Relations
NCHRF:	National Commission on Human Rights and Freedoms
NGOs:	Non-Governmental Organisations
OAU:	Organisation of African Unity
RSD:	Refugees Status Determination
UDHR:	Universal Declaration of Human Rights
UN:	United Nations
UNGA:	United Nations General Assembly
UNHCHR:	United Nations High Commissioner for Human Rights
UNHCR:	United Nations High Commissioner for Refugees
UNO:	United Nations Organisation
MINEPAT:	Ministry of Economy, Planning, and Territorial Administration
GOC:	Government of Cameroon
AHA :	African Humanitarian Action
DGSN:	<i>Délégation Générale à la Sureté Nationale</i>

HCR :	High Commissioner for Refugees
US:	United States
USSR :	Union of Soviet Socialist Republics
UNRRA:	United Nations Relief and Reconstruction Agency
IRO:	International Refugee Organization
EXCOM:	Executive Committee
UNGA:	United Nations General Assembly
OAS:	Organisation of American States
UK:	United Kingdoms
GCR:	Global Compact for Refugees
CRRF:	Comprehensive Refugees Response Framework
ERCM:	Emerging Resettlement Countries Joint Support Mechanism
ACF:	<i>Action Contre la Faim</i>
AIRD:	African Initiatives for Relief and Development
ADES:	<i>Agence pour le Développement Economique et Social</i>
CRS:	Catholic Relief Services
IFRC:	International Federation of the Red Cross
IMC:	International Medical Corps
LWF:	Lutheran World Federation
PU-AMI :	<i>Assistance Médicale Internationale</i>
CRF:	<i>Croix Rouge Française</i>
MSF:	<i>Médecins Sans Frontières</i>
ADRA:	Adventist Relief Agency
UNDP :	United Nations Development Program
WFP:	World Food Program
UNICEF:	United Nations Children Emergency Fund
WHO:	World Health Organisations
UNFPA:	United Nations Population Fund
FAO:	Food and Agricultural Organisations
UNESCO:	United Nations Education, Scientific and Cultural Organisations
OCHA:	Organisation for the Coordination of Humanitarian Affairs
IBRD:	International Bank for Reconstruction and Development
IDA:	International Development Association

IFC:	International Finance Corporation
MIGA:	Multilateral Investment Guarantee Agency
ICSID:	International Centre for Settlement of Investment Disputes
GCFE	Global Concessional Financing Facility
FIF:	Financial Intermediary Fund
ISAs:	Implementation Support Agencies
IMF:	International Monetary Fund
RC:	Resident Coordinator
CDPSP:	Community Development Program Support Project Response to Forced Displacement
PNDP :	<i>Programme National de Développement Participatif</i>
SSNP:	Social Safety Nets Project
HSPRP:	Health System Performance Reinforcement Project
BUNEC :	<i>Bureau National de l'Etat Civil</i>
ESRP:	Education Reform Support Project
SDGs:	Sustainable Development Goals
RR:	Resident Representative
CD:	Country Director
ACD:	Assistant Country Directors
JPOs:	Junior Professional Officers
UNVs:	United Nations Volunteers
ETM:	Emergency Transit Mechanism
AU:	African Union
CCM:	Continental Consultative Meeting
ICVA:	International Council of Voluntary Agencies
CSOs:	Civil Society Organisations
IHC:	Integrated Health Center
AIDS:	Acquire Immune deficiency syndrome
HIV:	Human Immune Virus
CEMAC:	Central African Economic and Monetary Community
ECCAS:	Economic Community for Central African States
ECA:	United Nations Economic Commission for Africa
CBLT:	Lake Chad Basin Commission
ABN:	Niger Basin Authority

NIS: National Institute of Statistics
ISSEA: Sub-regional Institute for Statistics and Applied Statistics
DPC: Civil Protection Directorate of Cameroon

GLOSSARY

<i>Ad Hoc</i>	<i>Ad hoc</i> literally means "for this" in Latin and English, this almost always means "for this specific purpose". Issues that come up in the course of a project often require immediate, ad hoc solutions.
<i>Ad hoc committee</i>	This is a committee that is formed for a specific purpose. In the context of a homeowners association, an ad hoc committee normally serves as a temporary committee formed to help the board with a particular project... This can result in frustrated committee members who meet but never accomplish anything.
<i>Anti- Balaka</i>	The <i>Anti-balaka</i> is an alliance of militia groups based in the Central African Republic in the early 21st century said to be composed primarily of Christians. However, some church leaders have contested the claimed exclusively Christian character of such groups.
<i>Balaka</i>	The word <i>balaka</i> means machete in Sango, although some explain the group's name by the French word for an AK-47 bullet (balle AK).
<i>Boko Haram</i>	Means "Western civilization is forbidden"
<i>ExCom</i>	The Committee is charged with approving UNHCR's assistance programs, advising the High Commissioner on the exercise of her/his functions, and overseeing the Office's finances and administration.
Host Communities:	Communities that host large populations of refugees or internally displaced persons, typically in camps or integrated into households directly.
International Protection	The actions by the international community based on international law, are aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries.
<i>Jus cogens</i>	<i>Jus cogens</i> (or <i>ius cogens</i>) is a Latin phrase that literally means "compelling law." It designates norms from which no derogation is permitted by way of particular agreements. It stems from the idea already known in Roman law that certain legal rules cannot be contracted out, given the fundamental values they uphold.
<i>Njangi</i>	<i>Njangi</i> is a peer credit union, where friends come together at the end of the day, weeks, or months to do some financial serving aims for

peer-peer or person-persons socio-economic development. It is a word commonly used by a good number of Cameroonians to refer to financial serving, and contribution. It also serves as a community bank for refugees involved in one business or the other.

Non-Governmental Organization (NGO) An organized entity that is functionally independent of, and does not represent, a government or State.

Non-Refoulement: A core principle of International Refugee Law that prohibits States from returning refugees in any manner whatsoever to countries or territories in which their lives or freedom may be threatened. This principle is a part of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Refugee Convention.

Prima Facie *Prima facie* is a Latin expression meaning on its first encounter or at first sight. The literal translation would be 'at first face' or 'at first appearance', from the feminine forms of *primus* and *facies*, both in the ablative case. In relation to refugees, they are persons recognised as refugees, by a State or UNHCR based on objective criteria related to the circumstances in their country of origin that justify a presumption that they meet the criteria of the applicable refugee definition.

Refoulement When used in relation to refugees and asylum-seekers, the removal of a person to a territory or frontiers of a territory where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group, or political opinion. The duty of *non-refoulement* is a part of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Convention.

Self-reliance In the refugee context, the ability of an asylum-seeker or refugee to provide for his/her own living needs and those of his/her dependents.

Sexual and gender-based violence (SGBV) Acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion, or arbitrary deprivation of liberty that target individuals or groups of individuals based on their gender.

GENERAL INTRODUCTION

The flight of refugees in large numbers to Cameroon has created the pressing need for durable solutions with voluntary repatriation as the most preferred and local/urban integration and resettlement lesser in the order of priority. The issue of refugees has become a frontal issue in international dialogue and the role Cameroon plays in seeking solutions is not excluded from this discussion. Finding durable solutions¹ to refugees in Cameroon can only be fully completed if the policies in place are fully implemented by international, regional, and local stakeholders, with a precise mandate, of fostering this agenda in Cameroon. However, history has demonstrated that the side-effect of wars, man-made and natural disasters, or even human rights infringement has created a huge number of refugees with a large share of them taking place in developing countries. The refugee condition creates a forceful displacement of individuals under horrifying conditions. The situation leaves people in a state of limbo, making the displaced leave their lands and properties, damaging economic and food infrastructure, and forcing people to seek the security of another country, not theirs.

The quest for an urgent solution to global refugees' predicament necessitated the creation of an impartial organization-the United Nations High Commission for Refugees (UNHCR) on 24 Dec 1950 to find solutions to global refugees' plights². Mandated by the United Nations (UN) to lead and coordinate international action for the worldwide protection of refugees, with a primary purpose to safeguard the rights and well-being of refugees, guided by the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol which provides an essential framework of principles for UNHCR's humanitarian activities. The establishment of the 1951 Geneva Convention Relating to the Status of Refugees

¹ F. Bidand, "Understanding Refugee Durable Solutions by International players: Does Dialogue form a Missing Link?" *Cogent Social Science* (2018). <https://doi.org/10.1080/23311886.2018.1510724> (accessed 01/05/2019)

² The UN Refugee Agency emerged after World War II to help Europeans displaced by this conflict. Established on December 14, 1950, the agency was given a three-year mandate to complete its work but the work didn't end because of successive violence and increase human displacement in Europe, Asia, and Africa in the 1960s.

and the 1967³ Protocol was a deliberate move initiated by the international humanitarian community to provide solutions to protracted refugee problems in the world.

Cameroon is a signatory to most of the conventions and treaties that articulate human rights, including the 1951 Convention relating to the Status of Refugees and 1967 Protocol and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. Cameroon adopted national legislation regarding the status of refugees in 2005 which outlines the rights and obligations of refugees⁴. Terrorism in Nigeria, political violence in Chad, gross human right violation, and protracted conflict in Central Africa and 18 other African countries south of the Saharan have caused the inflow of about 360,000⁵ refugees on Cameroon National territory, with approximately 100,000 Nigerian refugees in the far north (54000 living in the Minawoa), 250,000⁶ Central African Refugees with 30% in six (06) camps and others in host communities in the East, North and Adamawa regions of Cameroon

By 2017 the UNHCR global reports indicated that the number of refugees had risen to over 68.5 million⁷ with about 18 million from Africa. With the adoption of the 1979 OAU Convention Governing Specific Aspect of Refugees Problem in Africa, the latter became immersed in the global agenda to seek a durable solution to refugees' predicament specific to the African Continent. The regional dynamics of many conflicts in Africa generate a new perspective of refugees as a potential security threat, as governments fear that some refugees might use the host states as a base for rebel groups to attack their home country⁸. The desire of the host country to develop strategies to protect its territorial bounds, and its citizens, influence the state's relationship with refugees. Sometimes state parties confined refugees in camps and settlements restricting their freedom of movement as stated in international refugees' laws

³ UNHCR 1967 protocol eliminated territorial delimitation of the 1951 convention on refugees that was limited to Refugees affaire in Europe and increasing the geographical scope of the Convention. Thereby making refugees problem a global problem.

⁴ File No. 89, Deliberations on the laws governing the protection of internally and internationally displaced person in Cameroon, 2011.

⁵ T. Norbert, "Report of an audience granted by the Minister of External Relations (MINREX) to Mr. kouassi larere Etien (Resident representative of UNHCR-Cameroon) on the alleged forceful repatriation of Nigerian refugees in the far North Region", No- 0003908 DIPL/D9/SDOIMHCR/SRHCR, Yaounde, 24 August 2018, p.2.

⁶ *Ibid.*

⁷ UN High Commissioner for Refugees (UNHCR), Global Trends: Forced Displacement in 2017, 22 June 2018, available at <https://www.refworld.org/docid/5b2d1a867.html> (accessed 2 April 2019)

⁸ E. Mattheisen, "Because I am a stranger' Urban Refugees in Yaoundé, Cameroon." *New Issues in Refugee Research*, Working Paper N° 244, Geneva: UNHCR, 2012, p.2.

ratified by state parties to the Geneva Convention, thereby limiting their ability to access economic and social rights⁹.

The rapid urbanization process witnessed by different sub-Saharan African countries has turned to pull so many camps settled refugees seeking better economic, educational, and medical opportunities to metropolitan areas. In 1980, only 28 percent of Africans lived in urban areas. However, more than 40 percent of Africans live in cities, and according to the McKinsey Global Institute projects, this number is projected to increase to 50 percent by 2030¹⁰. However, according to the UNHCR global report, in 2018, more than 13.5 million refugees now reside in cities and towns, compared to 1/3 that live in camps. Yet many national governments have been slow to see the worth of integrating refugees into the economic and social fabric of their cities as a swift path to durable solutions.

Refugees in Cameroon are mostly self-settled, even though most refugees stay in more rural areas, the promulgation of the UNHCR 2009 urban policies¹¹ for urban refugees and the rights given to refugees by the 2005 law gave the refugees their inherent rights to movement. Many refugees enter urban settings hoping to have the opportunity to retain self-sufficiency and earn an income to support their family, insecurity for particular individuals, lack of appropriate education (higher learning), and some lack of adequate medical care, relatives, and employment.

With an inherently shared mandate towards refugees, finding solutions to refugees' challenges has been the main preoccupation of the UNHCR and operational partners like the Republic of Cameroon for years now. Between 1972 and 2019 Cameroon has received, assisted, protected, and provided relative solutions to early refugees who moved to Cameroon in the case of Nigeria, Central African Refugees, and Chadian. Even though the actions of the Cameroon government towards the refugees have been greatly questioned and sometimes challenged. It is imperative to give a historical flashback to Cameroon's actions toward

⁹ *Ibid*,p.3.

¹⁰ McKinsey Global Institute, *Lions on the Move II: Realizing the Potential of Africa's Economies*, McKinsey & Company, 2016, p.6

¹¹ Urban refugee's policy statement is based on the principle that the rights of refugees and UNHCR's mandated responsibilities towards them are not affected by their location, the means whereby they arrived in an urban area or their status (or lack thereof) in national legislation. UN High Commissioner for Refugees (UNHCR), UNHCR Policy on Refugee Protection and Solutions in Urban Areas, September 2009, p. 6, available at <https://www.refworld.org/docid/4ab8e7f72.html> (accessed 10 April 2019)

refugees and examine the extent to which her actions helped to enhance durable solutions to the refugee problem in Cameroon. CONCEPTUAL FRAMEWORK

Understanding the concept of durable solutions for refugees in Cameroon starts with the premise of having a holistic understanding of some key terms vital to this study. Based on the overarching logic that this study will be exploited or explored by researchers from a diverse field, a novice who does not have an understanding of who a refugee is or what a durable solution is all about, defining this basic concept is very significant for our study. Our primary focus is on refugees¹² (urban refugees), durable solutions, policy, and reform. More importantly, these are words projected in all policies and legal documents on refugees and there are also used by both state and non-state actors in the humanitarian field to address diverse issues very significant to refugees. These are vital issues essential for the effective comprehension of the concept of refugees' durable solution in Cameroon.

Refugee

A refugee would seem, by all accounts, to be a generally straightforward issue. A refugee, we might say, is a person escaping violent conflict situations. In the legal and political space, the definition of who a refugee is more constrained by those officials who make refugee policies for states and international agencies. The old school conception advanced by international instruments, public laws, and academic discourses, identifies the refugee as, in essence, a person who has crossed an international frontier because of a well-founded fear of persecution.¹³ Given such a wide definition, the conceptual problem would seem solved. However, these appearances are misleading. A conception of "refugee" is not, strictly speaking, a definition. There are dozens of definitions in effect within various jurisdictions.¹⁴

Most states have their local definitions, the majority of which follow the construction of the UN Convention. According to Article 1 A (2) of the 1951 Convention, a refugee is a person who, "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such a fear, is unwilling to avail himself of the protection of that country."

¹² This includes urban refugees.

¹³ A. Grahl-Madsen, Identifying the world's refugees, *The Annals of the American Academy of Political and Social Science*, 467(1), 1983, pp.11-23. <https://doi.org/10.1177/0002716283467001002>

¹⁴ A. E. Shacknove, Who is a Refugee?. *Ethics*. 95(2), 1985, pp..274-284. <https://doi.org/10.1086/292626>

Grahl-Madsen explicitly stated that a bond of trust, loyalty, protection, and assistance between the citizen and the state constitutes the normal basis of society has been broken and the manifestation is in the people crossing international borders in search of refuge in another state.¹⁵ Edward points out that the above definition protects persons from prosecution based on political opinion to any other forms of discrimination.¹⁶ The reading of this definition reveals a gap in the causal element of the refugee's status: it does not explicitly provide this sort of international protection in case of armed conflict.

As such the definition of "refugee" adopted by the Organization of African Unity (OAU) challenges the proposition that persecution is an essential criterion of refugee-hood. That definition, after incorporating the United Nations' persecution-based phraseology, proceeds to state in the OAU convention of 1969 that the term: refugee shall also apply to every person, who, owing to external aggression, occupation, foreign domination, or events seriously disturbing public order in either part of the whole of his (or her) country of origin or nationality is compelled to leave his (or her) place of habitual residence to seek refuge in another place outside his (or her) country of origin or nationality (OAU convention 1969: Article 1, Paragraph 2).

The OAU definition perceives as the UN definition does not, that the typical bond between the national and the state can be broken in assorted ways, persecution being but one. Social orders occasionally break down given their frailty instead of due to their ferocity, victims of domestic wars, or foreign aggressions. The conception of the OAU is implicitly supported by the Cartagena Declaration, which defines the term "refugee" as including Persons who have fled their countries because their lives, safety, or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order.¹⁷ Meludu and Emerole went further to add that: for the refugees, admission into this kind of life leaves them with little or no choice at all as they are forcefully displaced from their normal way of life, due to the high level of insecurity and deplorable situations available to them.¹⁸ The term refugee is sometimes used

¹⁵ Grahl-Madsen, *Identifying the world's refugees*, 16-17.

¹⁶ A. Edwards, Human Rights, Refugees, and The Right 'To Enjoy' Asylum. *International Journal of Refugee Law*, 17(2), 2005, pp. 293-330. <https://doi.org/10.1093/ijrl/eei011>

¹⁷ UNHCR Handbook for Voluntary Repatriation, Geneva, UNHCR Department of International Protection, 1996, p.12. Retrieved from: <http://www.unhcr.org/cgi-in/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3bfe68d32>.

¹⁸ N. T. Meludu, & E. N. Emerole, Enhancing sustainable participation in local livelihood Activities by the Refugees in Nigeria. *Studies of Tribes and Tribals*, 7(2), 2009, pp.131-136. <https://doi.org/10.1080/0972639X.2009.11886604>

interchangeably with the term Migrant; however, Migrants are persons who leave their country voluntarily in search of a better life, but without a well-founded fear of persecution.¹⁹

According to Harrell-Bond, a person who has lost the protection of their state of origin by crossing an international border is a refugee. By this definition, a refugee is no longer protected by their home countries; but rather by the international community which assumes the responsibility of ensuring that those basic rights are respected.²⁰ The United Nations High Commissioner for Refugees (UNHCR), a non-political, humanitarian agency, was created by the United Nations General Assembly in December 1950 with the mandate of providing international protection to refugees and promoting durable solutions to their problems. It does so by working with Governments and, subject to the approval of the Governments concerned, with private organizations.

Our research limits a refugee to be any person of Nigerian or Chadian, CAR nationality, or any person without nationality whose habitual residence was in Nigeria, Chad, or CAR, who has sought refuge in the Republic of Cameroon under the relevant national, regional and international legal instruments.

Durable solutions

This is defined as any means by which the situation of refugees can be satisfactorily and permanently resolved to enable them to live normal lives. UNHCR traditionally pursues three durable solutions. That includes voluntary repatriation, local integration, and resettlement²¹.

Repatriation can be understood as sending or returning refugees to their countries of origin. However, Warner pointed out that, voluntary repatriation indicates a return to home and community with which refugees were associated and embraced before their flight into exile.²² As a result of these - perceptions, institutions dealing with refugees tend to depict repatriation

¹⁹ D. Bartram, Forced migration and —rejected alternatives! A conceptual refinement. *Journal of Immigrant & Refugee Studies*, 13(4),2015,pp. 439-456. <https://doi.org/10.1080/15562948.2015.1030489>

²⁰ B. Harrell-Bond, 'Breaking the Vicious Circle: Refugees and Other Displaced Persons in Africa.' in *African Centre for Applied Research, The African Social Situation: Crucial Factors of Development and Transformation*. London, Hans Zeil Publishers,1990,p.16.

²¹ UN High Commissioner for Refugees (UNHCR), UNHCR Master Glossary of Terms, June 2006, Rev.1, p.8, available at: <https://www.refworld.org/docid/42ce7d444.html> [accessed 11 August 2019]

²² D. Warner, Voluntary repatriation and the meaning of return to home: A critique of liberal mathematics. *Journal of Refugee Studies*, 7(2-3), 1994,pp.160-174. <https://doi.org/10.1093/jrs/7.2-3.160>

as a homecoming 'to a former life and a familiar cultural environment, as a fairly straightforward way of restoring the pre-displaced life in the familiar settings.²³

Repatriation can be forceful or voluntary. Voluntary repatriation connotes two things, the refugee returns home willfully in a safe and dignified manner and the relationship between citizen and homeland is reestablished.²⁴ Repatriation of refugees to the country of origin is induced by the receiving country by creating circumstances that do not leave any other alternative²⁵. As repatriation is a personal right (unlike expulsion and deportation which are primarily within the domain of State sovereignty), as such, neither the State of nationality nor the State of temporary residence or detaining power is justified in enforcing repatriation against the will of an eligible person, whether refugee or prisoner of war. According to contemporary international law, prisoners of war or refugees refusing repatriation, particularly if motivated by fears of political persecution in their country, should be protected from *refoulement* and given, if possible, temporary or permanent asylum.

Voluntary repatriation is the most preferred - durable solution to refugee problems. Despite much emphasis on the part of the UNHCR that repatriation should be voluntary, forced, or involuntary and other forms of spontaneous repatriations are still carried out in many parts of the globe. Many individual refugees and well-organized groups of refugees still return home amid conflict, without any organized program put in place. In most cases, the root cause of the exodus is still in existence.²⁶ In other words, the cause of their forceful movement has not yet come to an end.

The process of repatriation is complex and involves comparing the perception of attracting returnees' homes, with several other options, including those remaining as refugees.²⁷ A type of cost-benefit analysis is done by refugees based on the information available to them, to determine whether continued exile is a better option than returning home. A large number of factors are considered before repatriation, from both home country and host country. These factors include security, availability of work or land, food, and fuel supply, availability of

²³ A. H. Stefansson, *Refugee returns to Sarajevo and their challenge to contemporary narratives of mobility*, Philadelphia: University of Pennsylvania Press, 2004, pp. 171-186. <https://doi.org/10.9783/9781512821659-010>

²⁴ B. N. Stein, Refugee Repatriation, Return, and Refoulement During Conflict. In USAID Conference Promoting Democracy, Human Rights and Reintegration in Post-conflict Societies.–October, 1997 ,pp. 30-31.

²⁵ IOM, *Glosary on Migration* 2004, p. 54. Available at <http://www.iom.int>. (accessed 30 June 2017).

²⁶ B. S. Chimni (Ed.), *International refugee law: A reader*. SAGE Publications Pvt. Limited, 2000, p.6.

²⁷ Gorman, "Refugee Repatriation in Africa." *The World Today*, October: 1984, pp. 436-443.

health care, and other social amenities. When the medium-term benefits of repatriation outweigh those of remaining as refugees and then return migration is likely to occur.

Cuny and Stein note that, when refugees decide to return, they are making a move to re-empower themselves. The decision to return home marks the beginning of the end of the refugee cycle. Once home, the refugees begin the hard assignment of transforming their lives.²⁸ The process of repatriation complex involves; the signing of a tripartite agreement between the country of origin, the country of asylum, and UNHCR, the voluntariness of repatriation, refugees' access to information about the situation in their country of origin, the registration of those intending to return, their return in safety and dignity, reception and reintegration in the country of origin.

With the durable solution the logistical, economic, medical, and psycho-social assistance given to refugees within a social construct enormously drives this ultimate solution. This is further promoted by discrete policies implemented by UNHCR to enhance these solutions which are central to our research.

Policy

Insofar as they arise from conscious reflection and deliberation, policies may reflect a variety of intentions and ideas: some vague, some specific, some conflicting, some unarticulated. The Methodology for Policy Analysis and Coordination defines policy as a “course of action or inaction chosen by the Government to address a given problem or interrelated set of problems, or the way in which the courses of action for achieving the appropriate goals are determined”. The term policy can also be defined as “deliberate action of Government that in some way alters or influences the society or economy outside the government. It includes, but is not limited to, taxation, regulation, expenditures, information, statements, legal requirements, and legal prohibitions”.²⁹

It would be useful to distinguish between the terms “policy” and “strategy”. The term “strategy” usually refers to documents with broad objectives that cut across several ministries and have at least a medium-term horizon. In this sense, a strategy cannot be, in and of itself, directly implemented. Rather, for its goals to be achieved, a strategy requires several policies

²⁸ Cuny, & Stein, *NGOs and Repatriation during Conflict*. Dallas, Texas: Center for the Study of Societies in Crisis, 1992, p.16.

²⁹ M. Ben-Gera, “The Role of Ministries in the Policy System: Policy Development, Monitoring and Evaluation, February 2006” a paper prepared for SIGMA ,pp.6-5.

and pieces of legislation to be developed and passed. Thus, an economic development strategy would have a time horizon of, say, five to ten years, and would require that a large number of ministries develop policies and legislation that, taken together, would promote the objectives of the strategy.³⁰ In addition, policies constitute the output of the policy system and they are almost always embodied in legal acts.

Theoretically, it is possible to distinguish between a policy and a legal draft, and between activities related to policy development and those related to legal drafting.³¹ Simply put, the policy is the content or substance, and the legal draft is the embodiment of this substance in a legal language and format. Policy development is the process of deciding what should be achieved, what should be done to achieve it, how to do it efficiently and economically, who should do it, etc.

Collins dictionary defines policy as “a set of ideas or plans that is used as a basis for making decisions, especially in politics, economics, or business.”³² while Merriam-Webster dictionary equally defines a policy to mean “a definite course or method of action selected from among alternatives and in light of given conditions to guide and determine present and future decisions” or “ a high-level overall plan embracing the general goals and acceptable procedures, especially of a governmental body.”³³ In the light of this work, we define comprehensive policy as a set of inclusive human-centered ideas, rules, and procedures used by humanitarian actors to make decisions that impact the lives of refugees, host communities, and societies as a whole.

Reform

The notion of reform has been around in society since 1663. The Oxford English Dictionary defines reform as “The amendment, or altering for the better, of some faulty state of things, especially of a corrupt or oppressive political institution or practice; the removal of some abuse or wrong” (Reform). With this definition and with the implications that it connotes the tendency is to associate reform with movement in an improved or better direction, maybe even synonymous with progress.

³⁰ *Ibid.*

³¹ Skopja, *Policy Development Handbook*, 2007, p.6

https://www.ipa.government.bg/sites/default/files/narchnik_za_razrabotvane_na_politiki.pdf

³² Collins dictionary

³³ M. Webster , *Dictionary definition of policy*, <https://www.merriam-webster.com/dictionary/policy>

Regardless, it seems that the basic meaning of reform should be a change for the better, specifically a change more suited for the achievement of goals outlined by decision-makers in a particular field of play. In addition, Muhammad Azizuddin defines reform as “the arts and the science of administration and politics which correspond to administrative reform, functionally, deal with reorganization and change in the affairs of institutionally arranged governmental apparatus of a nation-state for “crisis management,” and ultimately achieve overall “national development.”³⁴”

Other Related Concepts

In recent times, due to the persistent emergence of diverse vulnerable groups, the refugee concept has been mistaken by so many scholars and emerging humanitarian actors, who have a keen, interest in this subject to mean other vulnerable groups like Asylum seekers, Internally Displaced persons (IDP), *refoulement*, *non-refoulement*, stateless persons, returnees and economic migrants, though there exists a thin line between them. A clear distinction between these related concepts will increase understanding and safe as a guide for people interested in refugees, and migratory issues.

Asylum-seeker: An “Asylum-seeker” is a general term for a person who has not yet received a decision on his or her claim for refugee status. It could refer to someone who has not yet applied or someone who is waiting for an answer. Not every asylum seeker ultimately gets recognized as a refugee. In 1992, the UNHCR Executive Committee stated that “the institution of asylum, which derives directly from the right to seek and enjoy asylum set out in Article 14 (1) of the Universal Declaration of Human Rights, is among the most basic mechanisms for the international protection of refugees”³⁵. The lack of comprehensive understanding on the discrepancies between “who a refugee is” and who an Asylum seeker makes the definition of this concept indispensable in this study. This is because both refugees and asylum seekers cohabit in Yaoundé urban so understanding the distinction is very eminent for our analysis.

Internally Displaced Persons (IDPs): The United Nations Guiding Principles on Internal Displacement, define internally displaced persons to be “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in

³⁴ M. Azizuddin , *Global Encyclopedia of Public Administration, Public Policy, and Governance*, Living Edition, Editors: Ali Farazmand , 2016,p.3, https://link.springer.com/referenceworkentry/10.1007%2F978-3-319-31816-5_1853-1#howtocite

³⁵K. Jastram, et al, *Refugee Protection: A Guide to International Refugee Law*. Geneva: *Inter-Parliamentary Union* (IPU), 2001, p. 44.

particular as a result of or to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border³⁶.” Unlike refugees, IDPs are neither protected by international law nor eligible to receive many types of aid given the fact that no single United Nations agency or other international organization has the responsibility of responding to internal displacement. Notwithstanding, they have many protection needs as refugees and are of concern to the mandate of the UNHCR, given their large numbers.

Refoulement: The return by a State, in any manner whatsoever, of an individual to the territory of another State in which his/her life or liberty would be threatened, for the reason of race, religion, nationality, membership of a particular social group or political opinion; or would run the risk of torture. Refoulement includes any action having the effect of returning the individual to a State, including expulsion, deportation, extradition, rejection at the frontier (border), extraterritorial interception, and physical return³⁷.

Non-refoulement: A principle laid down in the Geneva Convention Relating to the Status of Refugees, 1951 according to which “no Contracting State shall return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion³⁸.” This principle cannot be “claimed by a refugee, whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country³⁹.”

Stateless Person: A stateless person is someone who is not considered to be national by any State under the operation of its law. He or she may, but not necessarily be a refugee⁴⁰. The 1954 Convention relating to the Status of Stateless Persons helps regulate and improve the status of stateless persons and helps ensure that they enjoy fundamental rights and freedoms without discrimination. Also, the 1961 Convention on the Reduction of Statelessness defines

³⁶ *United Nations Guiding Principles on Internal Displacement*, “Introduction – Scope and Purpose, N° 1” p. 1.

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ Article.33 (1) and (2), “Geneva Convention Relating to the Status of Refugees, 1951” Available at: <http://www.unhcr.org/about-us/background/4ec262df9/1951-convention-relating-status-refugees-its-1967-protocol.html> (Accessed 25 Aug. 2016).

⁴⁰ Refugees International, “Who is a Stateless Person?” ,pp.17-28.Available at www.refintl.org [Accessed: 3 July 2019]

ways in which persons, who would otherwise be stateless, can acquire or retain nationality through an established link with a State by birth or descent.

Economic Migrant: A person who travels from one country or area to another to improve their standard of living. The fundamental reasons for their dislocation are economic and are not in any way related to the refugee definition. An economic migrant is not a legal classification, but rather an umbrella term for a wide array of people that move within and without their country to advance their economic and professional prospects⁴¹.

Returnee: A returnee is a former refugee who has returned to his or her home country. The majority of refugees prefer to return home as soon as it is safe to do so, and the country undergoing post-conflict reconstruction⁴²

Migrant: A 'migrant' is fundamentally different from a refugee. Refugees are forced to flee to save their lives or preserve their freedom, but 'migrant' describes any person who moves, usually across an international border, to join family members already abroad, to search for a livelihood, to escape a natural disaster, or for a range of other purposes⁴³. However, refugees and migrants often employ the same routes, modes of transport, and networks. Movements of both refugees and migrants are commonly referred to as 'mixed movements'. It is important to distinguish the different categories of people in mixed migratory movements and apply the appropriate framework of rights, responsibilities, and protection.

Motivations for the choice of the Study

This research was motivated by two principal tenets, in 2017, the United Nations High Commission for Refugees in Cameroon, International Right-Based organizations and the government of Nigeria heavily criticized and accused the government of Cameroon for forcefully repatriating Nigerian refugees back to their country of origin, a move considered as an overt violation of one of the fundamental peremptory norms in international humanitarian and refugee's laws. Complemented by the quest to deconstruct the age-long stereotype about refugees in Yaoundé and to contribute to the limited documented research on the sporadic incidents of *refoulement*, which is core to achieving efficient and long-lasting durable solutions. On the other hand, the research was equally motivated by the perennial lamentation

⁴¹ UN High Commissioner for Refugees (UNHCR), UNHCR Master Glossary of Terms, June 2006, Rev.1, available at: <https://www.refworld.org/docid/42ce7d444.html> (accessed 11 August 2019)

⁴² *Ibid.*

⁴³ "UNHCR Emergency Handbook", forth edition.p.2. <https://emergency.unhcr.org/> (accessed June 19, 2019)

of the refugee community during the celebration of 2017, and 2020 world refugee day in Yaoundé about their state of precariousness and non-respect for their conventional rights and privileges by urban authorities. Mindful of the inherent moral and empirical fact that no one was born a refugee and that anyone can become a refugee, we were inspired to generate novel empirical data that will aid to inform and educate the general public on the need to form a united solidarity front to assist refugees who are victims of senseless war and violent extremism due to negative politics and egocentrism in their countries of origin to find permanent solutions to their socio-economic predicament.

I. LITERATURE REVIEW

The literature review is divided into three sections: Voluntary repatriation of refugees, UNHCR partnership for a durable solution, and the integration of urban refugees.

Voluntary repatriation of Refugees from Cameroon

The continual inflow of refugees to Cameroon has caught the attention of a multitude of Historians, Diplomats, Jurist, Researchers, and even social activists. Even though much has been said and written generally on the refugees in Cameroon, very few researchers have concentrated on my area of interest.

Marjoleine Zieck focuses on the UNHCR mandate to assist the voluntary repatriation of refugees, and as a constant and recurrent actor in the practice of large-scale repatriation. The study comprises a brief historical analysis of the events which preceded the adoption by the general assembly of the Statue of the High Commissioner with its reference to voluntary repatriation⁴⁴; the evolution of the high commissioner mandate over the past 45 years; as well as four case studies: the voluntary repatriation of Cambodian refugees in 1980 and again in 1992 and 1993, of Iraq: (Kardish refugees in 1991 and of Mozambican refugees (from Malawi) in 1993-1995. This work has helped us to understand the role of UNHCR in the repatriation of refugees. Our work goes further to look at the experienced of Cameroon in fostering repatriation and the reactions of UNHCR to the controversial repatriation process like the case of Nigerian refugees initiated by the government of Cameroon.

Using a more practical approach, Jeff Crisp and Katy Long examine the principles of voluntariness, safety, and dignity in the context of refugee repatriation. They also codify the

⁴⁴M. Zieck., *UNHCR and Voluntary Repatriation of Refugees: A Legal Analysis*, Martinus Nijholt publishers, the Hague/Boston/London, 1997, pp. 69-98.

legal framework and how it evolves since 1951. However, Crips and Long discuss the practical application of the principle of voluntariness, safety, and dignity by states using the case of the Dadeceb refugee camp in Kenya⁴⁵. They further question the power of asylum states and the UNHCR in the tripartite agreement while suggesting the inclusion of the refugees. This work differs from ours in that; we examine the role played by the refugee's country of origin to ensure the voluntary repatriation of refugees and also discuss how the conventional values of voluntariness influenced the repatriation of Nigerians, Chadians, and CAR refugees from Cameroon.

In the same light, ACHPR attempts to find out a practical and legal solution to the difficulties encountered by millions of Africans in their quest for a better life in their country of origin. Through a collaboration of the African Commission, the states parties to the African Charter, the African Union, the Committee on the Right of the Child, the UNHCR, and its civil society partners, African states were called upon to “take a necessary measure to protect the right of the affected populations, notably where there is a sick of loss of rationality statelessness, real property or of freed displacement”⁴⁶. This study also calls on African states to develop an African regional instrument on statelessness that reflects African realities and contexts such as nomadic historical migration and border dimension. This work carries vital information of great significance to our research. In addition to the vital information it carries, our research further highlights the mission, mandates, and role played by relevant African humanitarian organisations in the global search for solutions to the refugee plights dilemma in Cameroon.

Protectively, Chimni examines the developing concepts of preventive protection and safe return as being detrimental to those in need of protection. He further examines the extent to which UNHCR, in its efforts to promote or facilitate the voluntary repatriation of refugees; may encourage return movement in times of continuing conflict, even to the extent of dealing with “non-recognised entities” often contrary to the principle of non-intervention⁴⁷. He cautions on the dangers of coerced return resulting from receiving and developed state's concerns to solve problems, even for example in the situation of “spontaneous” repatriation.

⁴⁵ J.Crisp et al., “Safe and Voluntary Repatriation of Refugees : From Principle to Practice the Center for Migration Studies of New York”, JMHS volume 4 Number 3 ,2016, pp. 141-147.

⁴⁶ ACHPR “The Right to Nationality in Africa” published by ACHPR, 31 Bijilo Annex Layout, Kombo North District Gambia, 2014 pp 1-3.

⁴⁷ B. Chimni, “The Meaning of Words and the Role of UNHCR in Voluntary Repatriation”, *Oxford University Press* 2016, p.15.

While voluntary repatriation is perhaps the ideal solution, this should not be the pretext to coerce refugees to go back to the situation from which they fled in the first place. This work inspires us to look at the procedure taken by states to ensure that the refugees return in safety and dignity. And also to examine the voluntariness of repatriation of Nigerian, Chadian, and CAR refugees.

Furthermore, in examining the relationship between repatriation and peace, Patrick developed a theoretical framework based on five Key concepts: sustainable peace, repatriation, ended displacement situation, partition, and ethnic structure. The author's focus of this study is the assumption that the return of refugees is a necessary condition for the establishment of sustainable peace after an armed conflict⁴⁸. He also uses the case studies of Bosnia-Herzegovina and Nagornor – Karabakh, which are two cases that represent opposing perceptions of repatriation as a condition for peace. He described in some detail how the key concept of the analytical framework is operationalised with the use of forty-three cases of repatriation he explains that repatriation is not a necessary condition for sustainable peace. Instead ending displacement is an important condition for peace. This idea falls within the scope of this work. Therefore, our research will be limited to the reason for the repatriation of refugees in Cameroon, the effect of the repatriation on international politics, and the lives of refugees in general.

In the handbook for repatriation and reintegration activities published in May 2004, UNHCR states that repatriation is a durable solution for refugees only if it is accompanied by reintegration, rehabilitation, and reconstruction⁴⁹. This is referred to as the "4R" concept. UNHCR also believes that voluntary repatriation carried out in a safe and dignified manner is the best solution for refugees. It, therefore, proposes an integrated approach to post-conflict situations that groups humanitarian and development actors together. This handbook while presenting the conditions for ideal repatriation, does not pose the problems that may arise during repatriation operations. Our study investigates the problem faced by the stakeholders in the repatriation of refugees and how these difficulties can be a remedy. However, repatriation alone is not enough; refugees should be reassured of several conditions that will make their

⁴⁸ P. Johansson, "Peace by Repatriation: Concepts Cases and Conditions", UMEA University, Department of Political Science, Sweden, 2010, pp 13-16.

⁴⁹UNHCR, Framework for Durable Solutions for Refugees and Persons of Concern, 16 September 2004, EC/53/SC/INF.3, Available at <http://www.unhcr.org/refworld/docid/4ae9ac93d.html> accessed 26 November 2016.

return sustainable. This work is also set to provide pragmatic policy recommendations to stakeholders engaged in repatriation based on the difficulties highlighted.

Foga Konefon analyses the forces that provoked the Nigerian immigrants into Cameroon. He shows that WWII was one of the landmark events that greatly accounted for the presence of some Nigerians in Cameroon. He further reiterates that the educated and the talented Nigerians were enlisted or proposed by Native Authorities to be conscripted into the West African British Forces and at the end of the war in 1945, 40% of them remained in Cameroon. He elaborated on the number of Nigerians that were proposed and their ranks.⁵⁰ He demonstrates that better or high monthly pay was given to them. This motivated them to accept to be conscripted into the British squadron that fought the Germans in Cameroon from 1939 to 1945. This accounted for why from 1945 upward many Nigerians were in Cameroons. His contributions are of great relevance to the current one. However, our work tries to focus more on how the protracted conflict in the Taraba State of Nigeria, Boko Haram insurgencies, and other socio-political factors in Africa caused the massive and daily flow of Nigerian, Chadian, and CAR refugees to Cameroon from 1972 to 2019.

Seeking to uncover the right of nation-states, Hathaway lays down conditions necessary for a state to repatriate refugees either voluntarily or involuntarily. This work also exposes the failure of UNHCR to elaborate on the issues of repatriation they talk more about voluntary repatriation. He further insists that states have the right to enforce the repatriation of former refugees once a fundamental change of circumstances is in place⁵¹. That process might not be voluntary. This work differs from ours in that we seek to explain the impact of forced repatriation on durable solutions.

In his study titled "*the refugee in Cameroon*", Kuate focused on how an asylum seeker can obtain refugee status in Cameroon. He examines how the Refugee Law in Cameroon protects the refugee from *refoulement*, expulsion, and deportation to the border. This study has the merit of addressing durable solutions to refugee problems.⁵² He states that a refugee must have a well-founded reason for leaving his/her country and no one better than he/she can measure the desirability of returning there. This means that the repatriation of refugees must

⁵⁰W. D. Foga Konefon, "*Le Cameroun et Le Question de Immigration Nigerienne: 1963-2008*", Master II Dissertation in History, the University of Yaounde 1, 2008. p.4.

⁵¹J. Hathaway, "The Right of States to Repatriate Former Refugees", *University of Michigan*. 2005 p. 183.

⁵²K. Michael, "*Le réfugié au Cameroun* ", *Mémoire de Master Droits de L'homme et Action Humanitaire UCAC*, 2002/2003.p.16.

be voluntary. The present work will focus more on the legal framework, conditions, and procedure of repatriation, which the author did not emphasize.

Oliver Bakewell analyses the impression of the priorities of refugees, host community, host government, the government in the country of origin, and international agencies on refugee repatriation in Africa. The activities of these agencies are held in tension within this work as they will create a different evaluation of resources. His analysis reveals that a wide range of factors are involved in assessing the feasibility and desirability of repatriation and should also make it clear what policy may be effective in supporting repatriation⁵³. He claims that the current practice of governments, UNHCR, and other supporting programmes with minimal effects at large expense reveals a lack of understanding of refugee priorities. He insists that for voluntary repatriation to be effective, the government, and UNHCR should listen to the voice of the refugees. This work contains vital material for our research like voluntariness.

Other authors such as Kouam affirm that effective protection of refugees in Cameroon also requires their integration into Cameroonian communities. To this effect, most national and international aid is granted in this respect⁵⁴. The 2006 repatriation operation budget in Cameroon was used to integrate some 5,000 Nigerian refugees who had chosen not to return⁵⁵. The proposed projects included strengthening agro-pastoral activities, and the establishment of basic assistance activities in the fields of education and health. Our study confirms that the solution of local integration seems to be the choice most appreciated by the majority of refugees. A more detailed analysis makes it possible to notice that this choice is not the ideal solution for these refugees but the less evil solution.

In addition, J. B Bascom's study shows the difficulties of applying an individual model to refugee repatriation. The structural factors influencing refugees' decisions are so explicit that they cannot be ignored. They may be just as strong as in the case of economic migration but they are not as obvious as observers. His study also shows the importance of looking at the different responses to repatriation by different groups of refugees⁵⁶. Age, sex, experience in exile, and socio-economic class are factors that influence the various decisions. Perhaps even more important was the recognition of refugee agencies in making decisions about repatriation

⁵³ O.Bakewell, "Refugee Repatriation in Africa" : Towards a Theoretical Framework? Centre for Development Studies, University of BATH BA2 7 AY, UK, Occasional paper 04/96, p.54.

⁵⁴K.S Patrice., "Le statut des Réfugiés au Cameroun : Etude Critique de la loi n°2005-006 du 27 juillet 2005", *Mémoire de DEA Droit Privé, Université de Yaoundé 2*, 2004-2005 pp.33-35.

⁵⁵Plan d'opérations de rapatriement par pays, Cameroun 2006.p.1.

⁵⁶J.B., Bascom, *The Dynamics of Refugee Repatriation: The Case of Eritreans in East Sudan*, 1994.p.17.

is critical if any theory is to make sense of the failure of so many official programs, with their assumptions of general refugee behavior. In his study of Eritreans in Sudan, Bascom goes much further in proposing a theoretical framework for the analysis of repatriation. This study is very instrumental to our research. But we differ in that we are analysing the different methods and conditions necessary for the repatriation of refugees in Cameroon with the case of Nigerian, Chadians, and CAR refugees.

In the same light, Koser suggests that self-repatriation is a result of refugees comparing conditions in exile with those at home and making a decision based on their subjective assessment. Information flows play a key role in this process and he puts forwards a model based on innovation diffusion to describe how such information may be disseminated and processed. His model assumes that refugees receive information passively and as individuals but it is hard to imagine the circumstance in which these assumptions could hold. Information is disseminated through a variety of sources including social networks, the media, governments, and international organisations⁵⁷. His model proposes a role for the international community in providing reliable information for refugees, either by relaying messages or supporting means of information broadcasts through newspapers and radio. Our work is different from this in that it looks at instances of spontaneous repatriation initiated by refugees in Cameroon, most especially that initiated by the Nigerian and CAR refugees, the position of UNHCR in the face of such individualist tendencies, and the effectiveness of such repatriation in securing durable solutions to their plight.

Naohiko Omata does a comparative analysis of repatriation and integration of returnees. He tries to examine repatriation, presented by the international refugee regime as the most optimal, most feasible durable solution to refugee plight while comparing it with the process of the reintegration of returnees to their country of origin⁵⁸. He did this using the case of the repatriation of Liberian refugees from Ghana and their economic adjustments upon return. This work further analyses the instrumental roles played by personal networks in facilitating returnees' integration into their country of origin. Naohiko, argue the highly selective nature of repatriation and integration which challenges the feasibility of repatriation as the most ideal durable solution for refugees. His work differs from ours in that we will be analysing the role

⁵⁷K. Koser, "Repatriation and Information: The Theoretical Model" p.12.

⁵⁸N.Omata, "Repatriation is not for Everyone": The Life and Livelihoods of Former Refugees in Liberia School of Oriental and African Studies, University of London, Research paper N° 213, June 2011 pp.1-3

played by UNHCR to ensure that the repatriation of Nigerians, Chadians, and CAR refugees from Cameroon was voluntary, in safety, and with dignity.

Equally, Nchinda Keming focuses on the activities of UNHCR in Cameroon. He evaluates the protection and the humanitarian assistance given by the UNHCR to the refugees in the rural areas and the urban areas of Cameroon. He traced the factors responsible for the creation of UNHCR in Cameroon, Its evolution, the nature of Cameroon-UNHCR cooperation, and the extent of its implementation of assistance to refugees. However, he further presents a comparative study of the UNHCR assistance to urban refugees and rural refugees and the consequences of the effect on Cameroon. He focuses on the activities of UNHCR in Urban areas in Cameroon in the Admission of refugees, the willful repatriation of refugees, educational aid, health assistance, community services, and the problems faced by Urban refugees⁵⁹. This work focuses on the correlations between policies and practice. It further examines the extent to which coordinated actions towards refugees in Cameroon are guided by International Refugees Laws and policies put in place by UNHCR with more focus on voluntary repatriation normative framework and UNHCR urban refugees policy objective on making urban areas a legitimate place of residence for refugees.

On his part, Tayimlong highlights the challenges faced by host communities as far as the social protection of refugees in Cameroon is concerned and suggests policy consideration. He states that though the reception of refugees in Cameroonian host communities usually takes place without major clashes, the inhabitants of these remote areas have to deal with increased pressure on limited resources such as land, water, food supplies, and health care systems. He adds that the influx of refugees which exacerbates population pressure makes access to such resources difficult⁶⁰. He, therefore, proposes amongst others the use of sensitisation campaigns by the UNHCR and partners to promote refugee acceptance policies in host communities. This study looks at how the repatriation of refugees and increasing urban integration of refugees in Cameroon can limit the pressure on refugees and provide more inclusive solutions to the shared problem.

⁵⁹ D.N. Keming, "The United Nation High Commission for Refugees in Cameroon 1982-2011: A Historical Investigation", Phd, History, University of Yaoundé 1, October 2014, pp 148-188.

⁶⁰ R.Tayimlong, "Cameroon and the Social Protection of Refugees", Master's Thesis, Yaounde: International Relation Institute of Cameroon (IRIC), 2013, pp.22-25.

UNHCR Partnership for Durable Solution

Najla Mohammad assessed the impact of refugees in urban areas, especially in the case of Iraqi and Syrian refugees in Jordan. He indicated that refugees' integration can be enhanced through special programs where the achievement of these programs requires the availability of resources and collaboration between local communities, international organisations, and national institutions⁶¹. This is because in urban communities refugees constitute a recognised percentage, and they become a part of its urban socio-cultural and economic activities, whether they were consistent with the host community or not. In his conclusion, Najla projected that the presence of refugees in urban areas affect the urban area context in diverse ways and sometimes pose gross challenges and obstacle to local institutions and the urban population at large. Though he highlighted the merits and demerits of urban refugees in an urban setting, he pays little or no attention to the effectiveness of urban refugees' integration in these areas and how it helps to bring an end to refugees' life cycle in the urban area. Our study is different from his in that instead of focusing on the impact of refugees in an urban area we chose to investigate the extent to which partners with the mandate to protect and assist these vulnerable people recognised the urban area as a legitimate place for urban refugees and how the actions of these partners help urban refugees in Cameroon attained durable solutions to their plights.

Buscher highlights the changing nature of refugee displacement and the resultant challenges in addressing the needs of refugees in urban areas. It reflects on the failures of traditional models in delivering needed services in these complex environments. It argues that current humanitarian program models are outdated, expensive, and ill-equipped for an effective response in urban areas. He proposed a myriad of new and emerging models and approaches that could increase efficiencies and enhance sustainability in humanitarian response⁶². However, he laid little emphasis on the influence of the UNHCR urban policy framework in working with urban refugees and how partners exploit it to make informed decisions. This is one of the central issues that our research seeks to address. Our study aimed to provide an in-depth analysis of the contribution of the 2009 UNHCR urban policy in addressing the challenges of urban refugees in Cameroon specifically in Yaoundé.

⁶¹ M. Najla, "Refugees in Urban Areas", *International Journal of Humanities and Social Science*, Vol. 7(No. 3), March 2017, p. 123.

⁶² D. Buscher, viewpoint *Refuge in the City*, *social sciences*, 6 December 2018, p. 9.

Jacobsen and Karen Compared with their co-nationals in camps, urban refugees often face greater protection risks and receive less assistance with shelter, healthcare, education, and other social services and sometimes none at all. Still, many refugees prefer to live in urban areas rather than camps⁶³. How do they survive? In February 2003 the researchers conducted a survey in Johannesburg exploring the experiences of both forced migrants and South Africans. This study was carried out when the UNHCR has not yet designed a policy projecting urban areas as the legitimate space for refugees. In the case of Cameroon, with the government granting the rights of movement to all refugees, we seek to investigate the effective implementation of this policy, how free urban refugees in Cameroon cities and towns are, and how they are being strategically assisted by international, local and government administrative partners to find long-lasting solutions to their plights

According to Mattheisen spatial dispersion of urban refugees makes it difficult for aid organizations to easily identify refugees and access them, for organizations such as UNHCR, identifying and registering refugees is an important component of assessing how much aid is needed. Unfortunately, host governments within the Global South often restrict services available to urban refugees, as they fear it will create “pull factors” that make their city more appealing to more refugees. She did not look at the impact of this spatial dispersion on the lives of these vulnerable people, its magnificent effect on the durable solution, and how the UNHCR and government manage to guide, assist and protect urban refugees in Cameroon⁶⁴. In addition to the gap, she created our work seeks to evaluate the extent to which UNHCR integrates and respects the 2009 policy protecting urban refugees in Cameroon and how it contributes to refugees' durable solutions.

Alastair Ager et al identify and analyze key elements central to perceptions of what constitutes successful integration. He examined four related concepts: achievement and access across the sectors of employment, housing, education, and health; assumptions and practice regarding citizenship and rights; processes of social connection within and between groups within the community; and structural barriers to such connection related to language, culture, and the local environment⁶⁵. Our study analyses this perspective parallel with the UNHCR

⁶³ K. Jacobsen, “Just Enough for the City: Urban Refugees Make their Own Way.” *World Refugee Survey*, 2004. Pp. 57-66.

⁶⁴ E. Mattheisen, “Because I am a stranger’ Urban refugees in Yaoundé, Cameroon.” p17.

⁶⁵ A. Ager and A. Strang ., “Understanding integration: A conceptual framework”, *Journal of Refugee Studies*, Vol. 21, No. 2, 2008, pp.166-191.

policies as well as Cameroon's 2005 policy on urban refugee protection. His work provides relevant perspicacity to our study.

Shelly Culbertson et al describe tensions between humanitarian, resilience, and development aid. The researcher provides an overview of how aid for the refugee crisis is coordinated in Jordan and Lebanon, focusing on participants' roles, coordination structures strategies, budgets and money flows, and information⁶⁶. This work provides relevant insights to our research. It will help us to holistically evaluate the relationship between UN agencies, host governments, and non-governmental organizations in seeking sustainable solutions to urban refugee challenges.

Integration of urban refugees in Cameroon

Romola Sanyal examines the relationship between refugees and urban poor residents in Cities areas. He strives to debunk universalising myths about refugees and refugee camps as subjects and spaces of bare life and bio-politics alone by drawing parallels between the urban poor and refugees to offer a perspective on the close and complex relationship cities, and refugee spaces and their residents have with each other⁶⁷. He concluded that despite the efforts of host governments to limit the migration of refugees to urban areas, self- settlement of refugees is still taking place in Cities. The difference between this paper and our study is that he tried to do a comparative analysis between refugee camps and urban areas we will focus on the role played by UNHCR to help urban refugees attain durable solutions in a complex environment.

Elounda Mbua examines the Act's rights framework and the process of refugee status determination under it, and analyses those rights guaranteed by the Act to asylum seekers and recognized refugees. He concluded that the 2005 refugee law in Cameroon has not yet been fully implemented in Cameroon and proffer recommendations to strengthen the enforcement of the 2005 refugee law⁶⁸. Despite the limitation of this Law we aimed to evaluate the extent to which UNHCR in collaboration with the Cameroon government uses national Law and

⁶⁶ S. Culbertson et al., *Rethinking Coordination to Refugees in Urban Areas: Managing the Crisis in Jordan and Lebanon*, RAND Corporation, Santa Monica, Calif, ISBN: 978-0-8330-9446-9, 2016, pp. 44-90.

⁶⁷ R. Sanyal "Refugees and the City: An Urban Discussion", *Geography Compass*, Vol. 6(No. 11), 28 July 2015, pp. 1-9.

⁶⁸ M. Eloundou "Law No. 2005/006 of 27 July 2005 Relating to the Status of Refugees in Cameroon: An Additional Hurdle or a Major Step Forward to Refugee Protection?" *Journal of Law, Policy and Globalization*, Vol.38(ISSN 2224-3240 (Paper) ISSN 2224-3259 (Online) 2015, pp. 7-10.

UNHCR 2009 policy on urban refugees to fully integrate urban refugees into urban centers as a measure to seek solutions to their predicament.

Amy Kirbyshire et al assessed the impact of mass displacement on the well-being of all urban residents, using an urban resilience framework to explore how different parts of the system respond to a large influx of people moving into areas often already suffering from inadequate housing, a lack of basic services and insecurity⁶⁹. He further concluded that mass displacement of camp-settled refugees to urban centers increases existing urban challenges and deepens inequalities in urban areas. Even though he limited himself to refugees without articulating the rights of asylum seekers we seek to investigate the extent to which urban refugees and Asylum seekers in Cameroon are treated with respect and dignity by stakeholders to provide solutions to their plights.

Fabos, et al postulate that urban refugees are unambiguously distinguished from citizens by their legal status, rendering them ineligible for services and dependent on the beneficence of the state for residency rights. Explicitly their analysis underpinned that as non-citizens, they are not perceived as part of the national interest nor considered in local, regional, and national developmental issues⁷⁰. Even though there exists an inextricable link between his study and our research, we seek to evaluate the extent to which the status and legal rights of refugees in urban areas, as outlined under international refugee law, are recognized and protected by the government of Cameroon in the built-up area in its efforts to address urban refugees' challenges.

Amy, Wilkinson, et al examine all forms of migration: forced and voluntary, domestic and cross-border, and in response to different pressures (particularly disasters and conflict). Their research focuses on the very large numbers of people moving out of conflict-affected places, across international borders, into urban areas of neighboring or nearby countries⁷¹. They further assess the impact of mass displacement on the well-being of all urban residents, using an urban resilience framework to explore how different parts of the system respond to a large influx of people moving into areas often already suffering from inadequate housing, a lack of

⁶⁹ K. Shire et al., Mass displacement and the challenge for urban resilience: Overseas Development Institute (ODI) working paper, January 2017 pp. 5-6. ODI is an independent think tank on development issues.

⁷⁰ Fabos Anita and Gaim Kibreab. 2007. "Urban Refugees: Introduction." *Refuge* 24(1): 3-10.

⁷¹ A. Wilkinson, et al (2007) 'Mass displacement and the challenge for urban resilience', *Overseas Development Institute*, working paper(), pp. 3-7.

basic services and insecurity. The resilience framework employed in this analysis provides new insights into urban refugees' challenges which our study sought to expand on.

People displaced by violent conflict and the ensuing destruction of livelihoods are increasingly likely to end up in urban areas rather than camps. As urbanization rates increase globally, so do the number and proportion of refugees and IDPs. UNHCR estimates that about 18 percent of refugees live in urban areas, compared with about 26 percent in camps or centers, and the remainder 'dispersed' in rural areas or other locations. Jacobsen⁷² seeks to understand the experience of urban refugees and how they cope in urban areas experiencing a myriad of protection and livelihood problems not generally encountered in camps. How they confront these challenges and how aid agencies and host governments support or obstruct their efforts, is the focus of this special issue at the core of his research. Like Jacobsen, we also examine this phenomenon but we focus on the role of stakeholders to solve these challenges and facilitate the path to a durable solution for urban refugees in Cameroon.

Women's Refugee Commission (WRC) analysis Gender-Based violence amongst women and girl children in the urban city of Quito, Ecuador, Beirut, Lebanon, Kampala, Uganda, and Delhi, India. These states are host to diverse refugee populations, have different policy environments for refugees, and are at different stages of humanitarian response. Their research concluded a deeper understanding of the nuances and complexities of urban risks is essential to addressing violence and bridging the protection gaps affecting marginalized groups who have been traditionally overlooked in humanitarian response⁷³. The difference between WRC research and ours is that in the context of Cameroon we adopted an inclusive gender approach to see how both men and women are assisted by UNHCR in the urban area to be self-reliant.

To conclude, the main difference between other works and ours is that we chose to approach our research from an angle hardly regarded by other researchers, a gauge from a policy perspective to practice. Our work examined whether the repatriation of refugees and urban integration of refugees in Cameroon is based on well-informed normative choices. Our

⁷² K.Jacobsen, "Refugees and Asylum Seekers in Urban Areas: A Livelihoods Perspective." *Journal of Refugee Studies*, 2006, p.19.

⁷³ Women's Refugees Commission (WRC), *Mean Streets: Identifying and Responding to Urban Refugees' Risks of Gender-Based Violence*, February 2015, ISBN:1-58030-144-4, 2016, pp.42- 98.
www.WomenRefugeescommissions.org

choice of methodology, case studies content, and presentation make our work unique and different.

II. STATEMENT OF PROBLEM

Since the enactment of the domestic law protecting the refugees in Cameroon in the early decades of the 21st century, Cameroon has witnessed the massive flow of refugees across its internationally recognised borders into its local and urban communities. Before the former circumstances, Cameroon in congruence with international and regional partners has been integrating, repatriating, and resettling refugees within the framework of seeking a durable solution to their plights. Despite these efforts, of recent Cameroon has been massively criticised and accused by multi-stakeholders of violating the core principles of the refugees' protective regime, with the case of the Nigerian refugees at the optimum. Considering the fact that Cameroon is a signatory to different international and regional organisations entrusted with the mandate to protect the refugees, probing into this will be very vital in safeguarding and protecting the diplomatic image of Cameroon in the diplomatic sphere. In an environment where the settlement of refugees sometimes posed a lot of threats to the stability of States, maintaining both its reputation as a hospitable country and safeguarding its security as well as socio-economic balance is a challenge for Cameroon. Overcoming this challenge necessarily involves the implementation of an adequate policy for the integration, repatriation, and resettlement of refugees in Cameroon.

Experience since 2009 has shown that urban refugees often live dispersed throughout cities, and encounter myriad protection concerns in their daily lives that were either not pertinent, or less pertinent, in camp settings. Refugees settled in Camp and urban areas in Cameroon are often confronted with threats of arrest and detention, *refoulement*, harassment, exploitation, discrimination, inadequate and overcrowded shelter, as well as vulnerability to sexual and gender-based violence (SGBV), coupled with the UNHCR 2017 report on the illegal repatriation of Nigerian refugees from Cameroon, it is evident that there is a huge challenge providing durable solutions to refugees in Cameroon.

Against this backdrop, our research seeks to examine the extent to which the actions of UNHCR, its implementing and operational partners, have led to the attainment of durable solutions to the refugees' crisis in Cameroon, with a focus on voluntary repatriation and effective urban integration into Cameroon which are principal tenets of durable solutions.

III. RESEARCH QUESTIONS

The central question for this study is: **What appreciation can be made of UNHCR and Cameroon's actions in improving the voluntary repatriation and effective urban integration of refugees in Cameroon?** To give a better response to our central question, the study poses the following secondary questions.

1. What are normative frameworks guiding UNHCR's quest for durable solutions for refugees in Cameroon?
2. Which are the vital actors involved in the process and how complementary are their engagements in the attainment of durable solutions for refugees in Cameroon?
3. What are the different phases of voluntary repatriation carried out in Cameroon?
4. How effective are UNHCR urban refugee policies in the integration of refugees in Yaoundé?
5. What are the challenges plaguing the UNHCR's search for durable solutions for refugees in Cameroon?

IV. OBJECTIVES OF THE STUDY

The main objective of this study is **to examine how refugee policies and mechanisms guide UNHCR and the government of Cameroon to address the voluntary repatriation and effective urban integration of refugees in Cameroon.** The specific objectives of the study are;

1. Situate the normative frameworks guiding the quest for durable solutions for refugees in Cameroon.
2. Identify vital universal, regional, and national institutions enhancing durable solutions for refugees in Cameroon.
3. To analyse the extent to which the voluntary repatriation of refugees in Cameroon contributed to enhancing durable solutions.
4. To assess progress made by the UNHCR and the government of Cameroon in fostering the effective integration of urban refugees in Yaoundé.
5. Presents the findings, challenges, and suggests policies toward an effective and efficient durable solution for refugees in Cameroon.

V. SIGNIFICANCE AND JUSTIFICATION OF THE STUDY

This study will help the UNHCR, stakeholders, and international and local humanitarian organisations to be able to make an informed decision on refugees and migratory issues, the general public, and the refugees, in particular, to be better informed and educated on what right they possess, how, and where to channel complaints related to the non-respect of their fundamental rights on integration into local and urban communities, voluntary repatriation and resettlement of refugees into the third country of asylum. This study further brings to the limelight certain vital treaties rectified and adopted by the government of Cameroon to protect refugees. This work equally serves as an indicator of the reaction of UNHCR, Cameroon, and other international humanitarian organisations to the repatriation of Nigerian, Chadian, and CAR refugees from Cameroon as well as their effective integration into the urban communities of Cameroon. In addition, this study is significant in that it analyses voluntary repatriation as one of the most admirable durable solutions for refugees, the key arguments that the concepts throw up for policymaking, are the range of measures used to implement the concept of voluntary repatriation and the implications all these have on states and international organisations involved in the provision to guard the safe returns of refugees and with dignity to their homeland.

Scientifically, this research is also very imperative in expanding the scope of literature available on refugee issues, especially in the area of seeking lasting solutions. Much research has been done on refugee issues in general, specifically, there exists little literature on voluntary repatriation and policy-based integration of refugees in Cameroon urban centers like Yaoundé. However, most of the literature focused on the assistance given to refugees. Our research focuses on evaluating the actions and strategies initiated by the UNHCR to bring the refugees to cycle to an end either by full integration in Cameroon, resettlement to a third country, or voluntary repatriation to their country of origin.

Pragmatically, this piece of work deepens and widens the perspicacity of humanitarian workers on the emerging challenges of urban refugees in Cameroon. It also highlights the challenges and articulates policy recommendations on how humanitarian workers can effectively and efficiently address refugees' plights in Cameroon and other urban areas inhabited by refugees in Cameroon.

Most importantly, our research stands to create in-depth awareness of the positive impact of refugees on society and deconstruct the age-long stereotype about urban refugees. Some

citizens have constantly referred to refugees as strangers and some even go as far as telling them “*Cameroun n'est pas une poubelle*” making life more difficult and insecure for these vulnerable persons. Guided by the fact that no one was born a refugee and that anyone can become a refugee, we aim to inform and educate the general public on the need to form a united solidarity front to assist refugees who are victims of senseless war and violent extremism due to negative politics and egocentrism in their countries of origin. Nobody knows tomorrow, one day it might be hundreds of thousands of Cameroonians seeking protection in other neighboring countries like the case of Cameroonian refugees in Nigeria today. So, it is very imperative for Cameroonian population to be morally aware of the uncertainty of time and understand the plights of refugees and assist them in finding permanent and lasting solutions to their problems.

VI. SCOPE AND DELIMITATION OF THE STUDY

The delimitation of this work is threefold, historically, geographical and subject matter. Historically the study runs from 1972 to 2019. In 1972, Cameroon temporarily hosted 200,000 refugees fleeing Equatorial Guinea. For decades the Government has frequently invoked this history of generously hosting refugees and asylum seekers as a point of pride. Globally, the world has experienced a large-scale repatriation movement, as a result of successful national liberation struggles in Africa, which allowed more than a million refugees to return to their homes. We ended in 2019 because, in January 2019, UNHCR officially registered around 1.2 million people of concern in Cameroon, including 256,100 CAR refugees, 136,399 Nigerian refugees, 24,875 urban refugees from Nigeria and CAR, 8,196 asylum seekers, 683,238 internally displaced persons, and 105,906 returnees (IDPs who have returned to their communities of origin).⁷⁴ In addition, it is during this year that the first convoy of Nigerian refugees in Nigeria in the Minawao Camp was voluntarily repatriated from Cameroon after the tripartite agreement of 2017. More importantly in 2019, Cameroon received huge reproach and accusations from the international humanitarian community and human rights bodies for alleging forceful repatriation of Nigerian refugees along the Cameroon –Nigeria border in the Far North region of Cameroon. However, on June 29, 2019, the government of Cameroon signed a tripartite agreement for the repatriation of CAR Refugees, and on October 23, 2019, the tripartite commission launched the first voluntary repatriation of CAR refugees from Cameroon. This has given a strong foundation to the scope and delimitation of this work.

⁷⁴ UNCHR. 2019. “Cameroun: Statistiques Des Personnes Relevant de La Competence Du HCR.” <https://data2.unhcr.org/en/documents/download/67964>.

In terms of geographical delimitation, the study is limited to refugees in Cameroon in general, with a keen focus on urban refugees in Yaoundé, the political capital of the Republic of Cameroon, and Garoua where we found both Nigerian, CAR refugees, and some Chadian refugees who did not take part in the 2012-2013 voluntary repatriation organized UNHCR, Cameroon and the Chadian government. More importantly, during the celebration of the international day for refugees on the 20th of June 2017, many refugees in Yaoundé heartily complain of the gross violation of their rights, discrimination, injustice, and non-respect of their inherent right of movement as enshrined in the 2005 national refugee law and the 2009 UNHCR policy on Urban refugees. The choice of Yaoundé was motivated by the aforementioned reason.

At the level of the subject matter, the study dive into reviewing universal, regional, and national legal as well as policy frameworks for the protection and the quest for a durable solution for refugees in Cameroon, both in Camp and urban settings. Protection will be examined based on the number of opportunities refugees can access for themselves in Yaoundé. And the role of UNHCR is to ensure durable solutions (this will be based on the number of urban refugees integrated within the urban settings, voluntary repatriation to their country of origin, and resettled to a third country for asylum) to urban refugees plights. These constitute the dependent variables of this research. Conversely, the independent variables constitute the institutions that guarantee protection and facilitate durable solutions including the UNHCR and its implementing and operational partners.

VII. RESEARCH METHODOLOGY

The study used a cross-sectional mixed methods research approach. It combined qualitative and quantitative approaches in the research, analysis, and reporting in an integrative manner. Data was gathered from participants using surveys that integrated both closed and open-ended questions and other qualitative methods like participatory observation and structured interviews. The different methodological approaches were required to address different objectives in the study. To have better insight on the subject we undertook a month professional internship in the sub-department in charge of relations with the International Organization for Migration and United Nations High Commission for Refugees of the Ministry of External Relations, where we had the opportunity to ask clear and open-ended questions to diverse stakeholders seeking permanent solutions to refugees predicaments in Cameroon, specifically in the area of voluntary repatriation and urban integration.

Research Design

The study is based on R.K Yin's approach to research design⁷⁵. The thesis is an exploratory case study. A case study research strategy can be defined as an empirical inquiry that investigates a contemporary event. He came up with five distinct research strategies; survey, experiment, archival analysis, history, and case study⁷⁶. All these research strategies have *pros* and *cons* depending on what the researcher is investigating. Amongst these five different research strategies, we have chosen the case study approach because it gives a greater understanding of a complex issue such as durable solutions to refugees and it also widened the knowledge gained from already conducted research. Reasons for choosing the case study research method in this thesis refer to the fact that in examining policies and practice one deal with a complex situation that requires a lot of knowledge and understanding. Another reason is that we are dealing with a contemporary and real-life issue rather than a past or historical event. The case study also examines the general findings in research, tests hypothesis, and question existing ideas. Furthermore, the case study will produce new empirical knowledge of the phenomenon of refugees. The above reasons make the case study a preferable research method. Even though it is a preferred method in this study, a case study research method has its demerits. One of its limitations is that its information is not accurate to provide a reasonable conclusion since it lacks thorough research especially as it is restricted only to a particular group of people. Another demerit is that it is limited in its scope and thus does not provide enough material to arrive at a general conclusion but this can be advantageous in that it helps the researcher to concentrate on a particular event or group of people and thus accurate results. Even with these limitations we still believe that using the case study research strategy will enable us to have a better insight into the efforts of UNHCR to seek durable solutions for refugees in Cameroon.

Methods and Tool of data collection

Qualitative and quantitative data collection methods and tools were employed to have relevant data for our study. Data were collected through primary and secondary sources. This mixed-method helped us to have varied subjective and statistical broad-base on realities.

⁷⁵ Y. Robert., *Case study Research. Design and Methods*, Sage Publication, Thousand Oaks, 4th ed.2009,pp.240

⁷⁶ *Ibid*

Various methods and tools were used to collect the right data. This included: household interviews, key informant interviews, focus group discussions, and secondary sources.

Primary sources

To gain a better understanding study we explored primary documents like reports (reports of ministerial audience granted by the Cameroon Minister of External Relations to different UNHCR representatives on issues relating to refugees in Cameroon), note *verbale*, and fax messages. In addition to the latter, the researcher made good use of the interview schedule as an instrument for collecting primary data. An interview schedule was prepared with questionnaires focusing on the dependent and independent variables, Face to face interviews with key informants, and observation methods to get primary data.

Questionnaires

We administered questionnaires to 80 urban refugees in Yaoundé urban areas. We used random sampling techniques to identify survey takers. Mindful of the fact that the greater percentage of refugees could not read nor write any of the two official languages of Cameroon, English, and French. We used closed questions with the answer options provided and a few open questions which gave us better insights into the situation of refugees. Urban refugees who took part in the process chose their answers among the choices provided on the questionnaire. The survey questions were translated into English and French. Open questions were limited to respondents who have attended a certain level of education because of the language barrier. The majority of the urban refugees surveyed age-wise were refugees from 15-25 years, making a total percentage of 31.3% and 7.5% within the age range of 55-65+. In terms of gender, 63.7% of the 80 surveyed were male and 43.6% female. However, about 72.5% of refugees interviewed in Yaoundé were refugees from the Central African Republic and a handful of Nigerian, Chadian, Rwanda, and Lybia refugees. The data presented in chapter four is entirely based on the result of the survey as well as a greater part of our recommendations.

Face to Face interview with Key Informant

To easily identify key informants we used snowball sampling techniques to identify study participants. In all, we carried out structured interviews with sixty-three (63) persons of concern, out of whom were 20 Nigerian refugees, 10 Central African Republic refugees, 12 Chadians (part of Chadian refugees' families who chose local integration in Cameroon), and

professionals. This included; UNHCR staff and humanitarian workers like plan international workers, Community Service Coordinator from UNHCR, Director of the Department of Cameroonian Abroad, foreigners in Cameroon, Refugees and Migration Issues, Chief of Service in charge of relations with UNHCR, and interim coordinator of the permanent Technical Secretariat, and focal point in the Ministry of External Relations, social workers from plan international, Program coordinators and trauma counselors from Trauma center - Yaoundé, Medical coordinator, community leaders from Chad and the Central African Republic. The key informants are knowledgeable on the issues of urban integration and voluntary repatriation. Some even took an active part in the organization of voluntary repatriation and resettlement of refugees.

Observation

In this method, we took a participatory stance, and visited the different urban refugee communities in Yaoundé, to observe, take notes and take a look at every activity carried out by the refugees. Through this method, we interacted with some of the refugees in the communities. This helped us to have a first-hand clue of what is happening in this community and the different livelihood opportunities for refugees. Unfortunately, we were not able to observe the recent repatriation of Nigeria and CAR refugees. However, in the course of carrying out community observation, we spoke with some CAR refugees who returned to Cameroon due to continuing violence and gross human rights violation in the Central Africa Republic.

Secondary Sources

To gain more insight into the refugee situation in Cameroon, this study makes use of secondary data and secondary literature. We review specific books written by scholars within the field of refugees in general, urban refugees in particular, and also legal instruments and policies protecting refugees in Cameroon. To collect relevant data collection we assessed diverse documents, varying from legal documents, texts, legislation, published research books and articles, journals, and chapters websites relevant to our study, international, regional, and national legal documents will be fully utilized to achieve the objective of this study.

Data Analysis Technique

Without properly analyzing and comprehending the data you collect all you have are ideas, figures, and numbers with a context. Our choice of data analysis techniques was based

on the kind of data obtained from the field, qualitative or quantitative data. However, we used two principal techniques, Content analysis, and thematic analysis techniques. These methods helped us to understand the overall themes that emerge in qualitative data. This helped us in dealing with interview data, open-ended surveys, and observatory notes. More specifically we used a Google spreadsheet to analyze the survey we did with 80 urban refugees in Cameroon. The method helped enormously to identify the most important areas to focus on to improve refugees' situation and present alternative measures that can be taken by discrete stakeholders to articulate sustainable solutions to refugees' plights in Cameroon.

VIII. THEORETICAL FRAMEWORK

We used the theory of institutionalism, burden-sharing, and securitisation to have a deep understanding of how refugees are assisted by international and national institutions to attain durable solutions.

Theory of Institutionalism

The study of international relations takes a wide range of theoretical approaches. To be able to establish convincing and objective arguments, we use international relations theories to better interpret, analyze and report the research findings. However, some theories emerge from within the discipline itself; others have been imported, in whole or in part, from disciplines such as economics or sociology. Many theories of international relations are internally and externally contested, and few scholars believe only in one or another. Despite the diversity in ideological beliefs and opinions by different theorists, we used institutionalism as one of the theories to better investigate the objectives of the research.

Institutionalism is based on the conviction that cooperation between nations is possible. The central insight is that cooperation may be a rational, self-interested strategy for countries to pursue under certain conditions. Institutionalism share many of Realism's assumptions about the international system, that it is anarchic, that states are self-interested rational actors seeking to survive while increasing their material conditions, and that uncertainty pervades relations⁷⁷ between countries. Consider two trading partners. If both countries lower their tariffs they will trade more and each will become more prosperous, but neither wants to lower barriers unless it can be sure the other will too. Realists doubt such cooperation can be sustained in the

⁷⁷ A.M Slaughter, International Relations, Principal Theories: *Max Planck Encyclopedia of Public International Law* Oxford University Press, 2011, pp.3-4. URL: www.mpepil.com

absence of coercive power because both countries would have incentives to say they are open to trade, dump their goods onto the other country's markets, and not allow any import.

Conversely, this is reflective of the relationship between UNHCR and the government of Cameroon seeking solutions to refugee problems in Cameroon. The UNHCR as an external wing of the United Nations has the mandate to protect, promote, and seek durable solutions to refugees' and asylum seekers' problems in the world. The government of Cameroon has an international obligation to accept refugees and also protect their rights within its territory. Both parties have different interests and sometimes they share differences in opinion regarding vital issues concerning refugees and asylum seekers. Sometimes the opinion of the states is guided by the need to ensure state security and maintenance of state sovereignty. Unlike UNHCR sometimes states actions toward refugees are not guided by moral values and principles. The unscrupulous relationship between both parties affects the measures employed by stakeholders to seek solutions to the refugee problem in Cameroon. Institution building arises from an inability of even the most powerful states to cope, or to do so unilaterally or at acceptable levels of cost and risk, with issues ranging from refugees, terrorism to trade, immigration to environmental threats, and from AIDS to new strains of tuberculosis⁷⁸. This explains why even though the refugee crisis in the world is not global, responsibilities for protection and solutions are globally shared. Institutionalism has three fundamental arguments governing the relationship between different actors in international relations.

Institutionalists, in contrast, argue that institutions (defined as a set of rules, norms, practices, and decision-making procedures that shape expectations) can overcome the uncertainty that undermines cooperation. First, institutions extend the time horizon of interactions, creating an iterated game rather than a single round. Countries agreeing on ad hoc tariffs may indeed benefit from tricking their neighbors in any one round of negotiations. But countries that know they must interact with the same partners repeatedly through an institution will instead have incentives to comply with agreements in the short term so that they might continue to extract the benefits of cooperation in the long term.

Second, increase information about State behavior. Recall that uncertainty is a significant reason Realists doubt cooperation can be sustained. Institutions collect information about State behavior and often make judgments of compliance or non-compliance with particular rules.

⁷⁸ O. Keohane, "Governance in a Partially Globalized World," *American Political Science Review* 95, 2001 pp. 1-13.

States thus know they will not be able to ‘get away with it if they do not comply with a given rule. This has been a central bone of contention between UNHCR and the government of Cameroon based on the treatment of Nigerian, Chadian and Central African Republic refugees within its territory. Cameroon has also been a call to order to respect international laws protecting the refugees, with the principle of *non-refoulement* being at the center.

Thirdly, Institutionalists note that institutions can greatly increase efficiency. It is costly for States to negotiate with one another on an ad hoc basis. Institutions can reduce the transaction costs of coordination by providing a centralized forum in which States can meet. They also provide ‘focal points’, established rules and norms that allow a wide array of States to quickly settle on a certain course of action. Institutionalism thus explains international cooperation based on the same theoretical assumptions that lead Realists to be skeptical of international law and institutions. At its best, however, Institutionalist insights, backed up by careful empirical studies of international institutions broadly defined, can help international lawyers and policymakers in designing more effective and durable institutions and regimes.

Paralleling the widening agenda of critical issues is the expansion of actors whose behavior can have a significant impact beyond national boundaries; indeed, the cumulative effects of their actions can have profound consequences on the international system. Thus, although states continue to be the most important international actors, they possess a declining ability to control their destinies⁷⁹. The aggregate effect of actions by multitudes of non-state actors can have potent effects that transcend political boundaries. This includes powerful supranational organisations like UNHCR, visible non-state organizations such as Exxon, the Organization of Petroleum Exporting Countries, and even shadowy ones like Boko Haram. On the other hand, the cumulative effects of decisions by less powerful actors may also have profound international consequences.

The widening agenda of critical issues, most of which lack a purely national solution, has also led to the creation of new actors that transcend political boundaries; for example, international organizations, transnational organizations, non-government, multinational corporations, and the like. In short, according to the institutionalist perspectives, analysts of a partially globalized world may incorporate elements of realism (anarchy, self-interest, rationality, etc.) as a necessary starting point, but these are not sufficient for an adequate

⁷⁹ K. J. Holsti, *The Dividing Discipline: Hegemony and Diversity in International Theory*, London, 1985, pp. 11-13.

understanding⁸⁰. The institutional models recognize that international behavior and outcomes arise from a multiplicity of motives, not merely the imperatives of systemic power balances. They also alert us to the fact that important international processes originate not only in the actions of states but also in the aggregated behavior of other actors.

Implicit burden-sharing

The theory of Implicit Burden-Sharing⁸¹ applies to the social protection of refugees in Cameroon. Thielemann and Dewan believe burden-sharing debates are becoming increasingly important in areas such as refugee protection⁸². Burden-sharing refers to responsibility-sharing or the ‘equal balance of efforts’ between States in the area of refugee protection while refugee protection is considered an international collective or public good⁸³. It follows therefore that for collectively or publicly provided goods, countries receive benefits through the overall supply of the good which is a combination of their contribution and that of others. Several scholars, most prominently Suhrke⁸⁴, have suggested that refugee protection has important ‘public good’ characteristics. Suhrke argues that the reception of displaced persons can be regarded as an international public good from which all States benefit. In this view, increased security can be regarded as the principal benefit, as an accommodation of displaced persons (refugees) can be expected to reduce the risk of them fuelling and spreading the conflicts they are fleeing from.

Boyer⁸⁵ proposed an alternative framework to explain international burden-sharing by focusing on trade in public goods, building on the Ricardian theory of comparative advantage.

On basis of these ideas, Thielemann and Dewan suggest that the provision of a collective good can be broken down into tradable components. In the context of refugee

⁸⁰ *Ibid*, p. 15

⁸¹ According to Sadako OGATA, former United Nations High Commissioner for Refugees, one of the outstanding achievements in the humanitarian field has been the establishment of the principle that the refugee problem is a matter of concern to the international community and must be addressed in the context of international cooperation and burden-sharing.

⁸² Torun Dewan and Eiko Thielemann, “The myth of free-riding: Refugee protection and implicit burden-sharing,” *West European politics*, Vol. 29 (2), 2006, pp. 351-369.

⁸³ The goods and services that governments provide in the common interest of all individuals are often called collective or public goods. Such goods are assumed to have one or both of the following characteristics: (1) non-excludability: if the collective good is provided for, everyone automatically benefits, or, in others words, non-contributors cannot be kept from benefiting from that good, and (2) non-rivalry: if the good is available to any one person/State, it is available to others at little or no additional cost.

⁸⁴ Dewan and Eiko, 2006.

⁸⁵ *Ibid*.

protection, one feasible component is the provision of protection opportunities for displaced persons. They refer to this as a reactive contribution since it deals with the problem once people have already been displaced. Other forms of contribution such as engagement in unilateral and multilateral peace-keeping and making operations are termed proactive contributions since they aim to prevent refugee flows before they occur. Peacekeeping and enforcement can be viewed as an alternative way to contribute to security by preventing or limiting uncontrolled population flows. Like the acceptance of displaced persons, peacekeeping also possesses key elements of an international public good. If intrastate and interstate conflicts have negative consequences on other countries in terms of unchecked migration flows, then peacekeeping efforts to end such wars represent a transnational public good. The peace and security provided by keeping migration flow in check through peacekeeping/making operations thus give rise to non-excludable and non-rival benefits.

At this juncture, it is important to note that for the purpose and context of this study, only the reactive contribution was evaluated since it deals with the social protection of refugees who are already in the territory of Cameroon and consequently, the unit of comparative analysis in terms of burden-sharing is not states but stakeholders in the area of refugee protection in Cameroon. It is equally worthy to note that the burden-sharing model is correlated to the liberal paradigm of international relations. Indeed, the aforementioned postulates of Suhrke are in line with the liberal principle of “collective security” while those of Boyer on trade in public goods are related to “commercial pacifism;” a precept based on the widespread ideas of liberal economists like Adam Smith, Richard Cobden, and Joseph Schumpeter that trade is not only a factor of prosperity and wellbeing but also a factor of peace⁸⁶.

A major motivation to conduct this study was the need to find out the stakeholder disproportionately shouldering the greatest burden in the social protection of refugees in Cameroon; whether it is the government of Cameroon, the UNHCR, or its implementation and operational partners. Abraham Maslow’s concept of a hierarchy of needs can equally be used to support the choice of social protection rather than the other dimensions of protection. In his 1943 paper on the “Theory of Human Motivation,” the renowned psychologist suggests that people are motivated to fulfill basic needs before moving on to other, more advanced needs⁸⁷.

⁸⁶ Cited in R. Tayimlong “social protection of Refugees in Cameroon” Pierre Moukoko Mbonjo, “Theories of International Relations,” First Semester Lecture Notes, 2010 / 2011 Academic Year.

⁸⁷ K.Cherry, “Hierarchy of Needs”. Available at <http://psychology.about.com> (Accessed 1 July 2012).

This hierarchy is most often displayed as a pyramid, with the most basic needs at the lowest levels, while the more complex needs are located at the top. Physiological needs at the bottom of the pyramid are basic requirements including the need for food and water (nutrition) while safety and security needs include health care and shelter⁸⁸. His theory also mentions involvement in social, community, and religious groups as vital needs. Though little mention is made of education, social orientation, emergency relief, etc., Maslow's concept of a hierarchy of needs⁸⁹ is related to the context of this study to a great extent.

Securitization Theory

States looked at refugees as desperate people in need of protection and assistance but today, refugees are being looked upon as a security problem and potential threats to their countries of host and the world at large. By defining security through the eyes of security theory, one will be able to understand why refugees have suddenly become a security problem to host countries and the world at large. According to securitization theory, a situation becomes a security threat within the scope of international relations not because it unavoidably constitutes an objective threat to the state but because the state has considered it a security problem⁹⁰ (, thus measures taken by the state to prevent such a threat from being accomplished.

Before looking at the theory of securitization, it will be good to briefly look at security in general as this will help to throw more light on the perception that refugees constitute a threat to national security. Security can be defined as the "object's degree of Vulnerability". Any notion of security has two main elements, that is, a threat and a referent object⁹¹ . Security has been a "contested concept" following the different ways in which the two main components of security are defined, limited and extended. Following neo-realist and realist assumptions, International relations (IR) has taken the referent object to be the nation-state and source of threat to mean military capacity⁹² . Despite this consideration by IR, other approaches to security have argued that the state might not be the only referent object and that there are other referent objects other than the state such as individuals, groups, or identities. These alternative approaches to security also argued that they are a wider range of threats above military threats,

⁸⁸ *Ibid.*

⁸⁹ Criticisms for MASLOW's theory indicate that there is little evidence for his ranking of needs and even less evidence that these needs are in a hierarchical order. However, regardless of these criticisms, his theory remains part of an important shift in human development.

⁹⁰ R.Taureck, "Securitization Theory and Securitization Studies". *Journal of international Relation and Development*, 2006, pp.53-61.

⁹¹ A.Betts, "Force Migration and Global Politics", John Wiley and Son, 2009, p.22.

⁹² *Ibid.*

for instance, economic threats, social threats, or environmental threats. All approaches to security studies have been used to address forced migration. They have been used from a more critical perspective and a traditional state-centric perspective⁹³. Great deals of scholars have been examining the empirical connection between forced displacement and security issues such as war and violence. These scholars have argued how immigration and asylum, refugees, and Internally Displaced Persons (IDPs) constitute a threat to national security.

The interpretation of refugees and security depends on which theoretical lens one uses to interpret the relationship between refugees and security. Security studies offer a variety of different ways to look at security. But as far as this study is concerned, we will look at securitization which falls under critical security studies. It has been accepted by many that refugees constitute a humanitarian problem, and represent a source of insecurity to the host country. The former United Nations High Commissioner for Refugees, Sadako Ogata has acknowledged this on several occasions: “Because if there is one lesson we have to learn out of the bloodshed and carnage in Bosnia-Herzegovina, it is this; the refugee issue is not only a matter of humanitarian concern but also of international peace and security⁹⁴”. It is this political belief or perception between refugees and security that the government of Cameroon is repatriating these Nigerian refugees found within its territory back to their home country. The government has raised the issue of national security as justification for the repatriation.

From the above observation, one can say that security must not be an actual threat but anything the state deems to be a threat, and special measures are taken to avoid such a threat from manifesting. It does not suffice for the state to perceive a threat and take extraordinary measures to avoid such a threat from execution, but the state also has to persuade its citizen to believe that there is an actual threat to the state’s integrity. This definition of security is connected to social theory and the idea of manipulation of “truth.”⁹⁵ Securitization is not an easy task; one must convince a targeted audience of the existence of a threat.

The Concept of securitization is a creation of the Copenhagen school. The Copenhagen school is conceptualized within the framework of the critical security study which is out to refute the realist views toward security by stating that a state-centric view of security does not

⁹³ *Ibid.*

⁹⁴ S.Ogata., *The Turbulent Decade: Confronting the refugees Crisis of the 1990s*, New York: WW Norton, 1993,pp.12-22.

⁹⁵B. Buzan et al., *Security. A New Framework for Analysis*, Boulder/London: Lynne Rienner, 1998, p.16.

account for all individuals.⁹⁶ According to the critical security theory, the state is not the referent object but its citizens, and as such, individuals' rights should outweigh those of the state. Also, threats can emerge from the state itself. By considering the citizens as the referent object of security, critical security studies widen the scope of threats. With this, states will be able to better understand and tackle security problems or issues. The critical security studies have gone beyond military threats to include political, economic, social, and environmental threats. Its inclusion of different aspects as security threats has made this theoretical framework useful in examining not only the security threats posed to refugees but those threats created by refugees. The critical security studies are made up of two schools of thought, the Copenhagen School and the Welsh School. The Welsh School upholds the security of the privileged elites by undermining the security of those who are politically and economically marginalized.

The Copenhagen School of thought looks at security from the same perspective: "Copenhagen School theorists argue that in international relations something becomes a security issue when it is presented as posing an existential threat to some object – a threat that needs to be dealt with immediately and with extraordinary measures."⁹⁷ According to the Copenhagen school of thought, for there to be a security issue, there must be a "designation of an existential threat requiring emergency action or special measures and the acceptance of that designation by a significant audience."⁹⁸ Securitization theory is not directed only to states as threats to other states, but also individuals and groups of individuals; like the case of Nigerian refugees in Cameroon. Thus securitization theory perceives refugees as threats to a state's identity and sovereignty. Like the theory of Realism, Securitization theory also links refugees to the idea of a threat to a state's sovereignty considering the mass movement of refugees who have been associated with wars and political instability in some host states. Policymakers are of the opinion that states hosting refugees should consider refugees as contributing factors to war, and take special measures to protect their territories from "invaders".⁹⁹

Cameroon is hosting 65.000 refugees from Nigeria and 254.000 from the Central African Republic (CAR). Refugee flows from Nigeria into Cameroon have been a great security problem. Apart from being a burden for Cameroon to provide shelter and necessities, most terrorists are disguised as refugees and have been smuggled into the Minawao refugee

⁹⁶ A.Betts, "Force Migration and Global Politics" ,John wiley and Son, 2009, p.24.

⁹⁷Wæver, Ole., *Securitization and Desecuritization*, Columbia University Press, 1995,p.16.

⁹⁸B. Buza., *Identity Migration, and the New Security Agenda in Europe*. London: Pinter Publishers,1998, pp.12-24.

⁹⁹ *Ibid.*

camp and villages in the north of Cameroon as refugees. It becomes almost impossible to distinguish who is a refugee and who is a terrorist. The presence of thousands of Nigerian refugees has been a major economic, social, political, and environmental challenge to Cameroon.

Problems Encountered

The success of this research was not without some difficulties. We encountered difficulties at different levels of this research ranging from meeting the rights informants and having access to other vital documents at the level of UNHCR and partners. Some refugees found it very difficult to answer our questions and to even listen to us without a strong conviction of their security. Beyond that more than 60 percent of these refugees' women, fathers, and teens could not read and write making issues very difficult for us at times with little or no intervention from their community leaders.

Also, the difficulties faced by many in acquiring a refugee status in Cameroon, especially in urban centers made many to be reluctant to speak to us, worst still refugees whose resident documents expired. This made most of them fear that giving out some vital information might lead to *refoulement* or illicit acts. Despite these challenges, we use empathy as soul searching means to unlock the pad of their unwillingness and also collaborate more with their leaders to convince them to provide us with relevant information. In places where the UNHCR could not talk with us, we exploited archives of relevant partners and institutions like the technical secretariat for refugees and different government bodies working with the UNHCR like MINREX, DGSN, and MINAT.

The availability of information: It was very difficult to have information from UNHCR as well as MINREX because most of this information was classified. Most of the people interviewed displayed a spirit of indifference as far as the repatriation of Nigerian refugees is concerned. They saw no need why Nigerian refugees needed to escape to Cameroon when there are states in Nigeria bigger in terms of surface area than Cameroon. The researcher was seen more or less as a spy by both the key informants and the refugee population. Much suspicion was exercised when it came to releasing information and even some legal documents. Most people the researcher sought to interview refused to grant the latter audience and those who did were so skeptical in their response.

The researcher faced difficulties in collecting adequate historical information on the Biafran refugees who came to Cameroon as a result of the Biafran war given that these refugees came to Cameroon. The reason that the UNHCR office was not yet operational in Cameroon coupled with the fact that by that time there was no department at the Ministry of External Relations to cater to the refugees.

IX. STRUCTURAL ORGANISATION OF THE STUDY

The work is divided into five chapters.

Chapter one presents the historical evolution of the concept of refugeeism and the emergence of UNHCR, a universal, international, regional, and national normative framework guiding the quest for durable solutions for refugees in Cameroon. To better comprehend the evolution of the international refugee protection norms, this chapter further looks at the 1933 Convention on the status of refugees, this is when the first-ever convention was established under the League of Nations to safeguard the rights of refugees from Russia and Armenians. Universally, we analysed the 1951 convention and its 1969 protocol, the Universal declaration of human rights, the different executive organs of the Security Council, and the UNHCR urban refugee's policy objectives. Apart from the Universal Declaration of Human Rights, this Convention and Protocol have been supplemented by subsidiary protection regimes like the Universal Declaration of Human Rights; UN executive and general assembly resolutions of refugees' issues, and the global compact for refugee status. At the regional level, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa was underpinned. The 1969 Convention sets out the standards for the protection of refugees in Africa. And lastly, at the national level, we examined aspects of the Cameroon constitution, the 1997 law on foreigners, and the 27th July 2005 law on refugees in Cameroon.

Chapter two highlights the inherent mandates of universal, regional, and national humanitarian and financial institutions toward the refugees in Cameroon. Universally, we looked at the protective role of the United Nations High Commission for Refugees, United Nations High Commission for Human Rights, UNDP, and the World Bank. At the continental level, we focused on the key roles of the African Commission on Human and Peoples' Rights (ACHPR), African Court on Human and Peoples' Rights established through a protocol to the African Charter, Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons, and Humanitarian Affairs, Refugees and Displaced Persons a division under the African commission Department of Political Affairs

Chapter three focuses on analysing the integrity and the voluntariness of different phases of repatriation organised by the UNHCR in collaboration with the government of Cameroon, Nigeria and Chad, and CAR. Regarding the repatriation of Nigerian refugees, our point of focus was on the 2004-2005 voluntary repatriation, the 2015-2017 spontaneous and forceful repatriation, and the 2019 voluntary repatriation of Nigerian refugees from Minwao refugees Camp. While as concern Chadian refugees we analyse the 2012-2013 voluntary repatriation of Chadians who were hosted in the Langui camp in Garoua and the 2019 repatriation of CAR refugees. Lastly, we investigated the origin of these displaced people and the causality of their movement and protocol followed by stakeholders.

Chapter Four assesses progress made by the UNHCR and the government of Cameroon in fostering the effective integration of urban refugees in Cameroon and how its activities help scale-up refugee durable solutions in Cameroon. The analysis was based on the fundamental objectives of the 2009 UNHCR urban refugee policy. This policy recognises urban space as a legitimate place of habitation for refugees. Our analysis was based on the result of the survey administered to 80 urban refugees from CAR, Nigeria, Rwanda, Chad, and Libya. However, the majority of refugees who took this survey were CAR refugees. This chapter also presents the personal life of urban refugees in Yaoundé. We also look at the extent to which the international, regional, and national refugee law protects refugees in urban areas.

Chapter five highlights the challenges encountered by the government of Cameroon and UNHCR in attaining durable solutions and suggest policies that can be explored and exploited to increase effectiveness. These challenges were analyzed in terms of voluntary repatriation of refugees and urban integration of refugees in Yaoundé.

CHAPTER ONE

HISTORICAL BACKGROUND AND NORMATIVE FRAMEWORK CENTRAL TO DURABLE SOLUTIONS FOR REFUGEES IN CAMEROON

Introduction

The collective responsibility of multi-stakeholders to seek durable solutions to the refugee's predicament everywhere in the world is not only fundamental but is guided by existing global, regional as well as national legal instruments representing the normative framework. To ensure the effective implementation of these norms, it is very imperative to underline the fact that the rights of refugees and UNHCR's mandated responsibilities towards them are not affected by their location, the means whereby they arrived at a border town or urban area, or their status (or lack thereof) in national legislation. More significantly the UNHCR considers rural and urban areas to be legitimate places for refugees to enjoy their fundamental human rights, including those stemming from their status as refugees. To effectively and efficiently protect, assist and provide meaningful and lasting solutions to refugees in Cameroon, UNHCR relies on some basic universal norms, and regional as well as national normative frameworks to provide solutions to the refugees' predicaments. For this study, only those directly relating to Cameroon are analyzed¹⁰⁰. While they are similar in many respects, they differ in scope in some cases and are seen in this context as complementary. This chapter begins by projecting the different historical materials upon which the refugee's concept emanated. It strives to unfold the concept of refugeeism through a narrative historical lens, and the age-long diverse normative framework enhances the need for durable solutions for refugees in the world and Cameroon in particular.

I. Historical Perspective and Evolution of the International Protection of refugees

Although the phenomenon of people being forced to flee their homes has always existed, the first true refugees recognized as such in the modern state system were the Huguenots, and French Protestants fleeing France in 1685. King Louis XIV provoked this flight

¹⁰⁰ Limiting the interpretation of these refugees' norms is vital since this study deals with the durable solution for refugees in the context of Cameroon. This only apply to Cameroon because of it ratification of this refugees founding document. The 1951 Convention is the only global legal instrument dealing with the status and rights of refugees. Apart from the 1951 convention there are other conventions, declarations, and policies of particular relevance in specific regions. An example is the Cartagena Declaration which applies only in Latin America. Such instruments cannot be analysed in this study since they do not apply in Cameroon and Cameroon is not a member of the southern American bloc who ratified this instrument.

by revoking the Edict of Nantes, a proclamation issued by Henry IV in 1598 tolerating religious minorities under Catholic rule. With the Revocation of the Edict of Nantes came royal decrees against emigration and harsh punishments for those who attempted escape; yet 200,000 Huguenots still managed to flee France to the Netherlands, Switzerland, England, Germany, Denmark, and the United States. This number constituted one-fifth of all Huguenots, and 1% of the entire French population¹⁰¹. The early modern international system went on to see the flights of many other populations in Europe, most notably during the French Revolution in 1789. The persecution of all those who stood against the egalitarian ideal of the Revolution culminated in the execution of the royal family in 1793. Many of the French aristocracies fled to Austria and Prussia, seeking refuge from certain death at home.

Such flights marked the beginning of the modern refugee movement in Europe, leading to the early formation of the international refugee regime. The regime was characterized by elements of the modern state system established at the Peace of Westphalia in 1648, firmly entrenching the concept of refugees within the territorial notion of boundaries.¹⁰² Borders may have been open for refugees to cross but each nation remained in territorial isolation, ignoring the collective and international implications of the refugee issue. No groups or policies were established to deal with refugees, and each nation reacted to them in its way and on an entire *ad hoc* basis.¹⁰³ There was no definition for a refugee in this international system and the phrase was rarely used, although the Huguenots were considered a classic version of what the term represented.¹⁰⁴ The aristocrats fleeing the French Revolution were referred to as *émigrés*, a signal of the dignity and respect accorded to their position and one that seemed to refute their desperate situation. A 1798 revision of the *Encyclopaedia Britannica* marks the first time that the term ‘refugee’ was applied to anyone other than the Huguenots, extending the term to “all such as leave their country in times of distress...” However, this extension remained generally unrecognized in popular usage.¹⁰⁵

¹⁰¹ R. M. Golden, “Introduction” in *The Huguenot Connection: The Edict of Nantes, its Revocation, and Early French Migration to South Carolina*, ed. Richard M. Golden, Dordrecht: Kluwer Academic Publishers, 1988, pp.21-26.

¹⁰² L.T. Lee, “Internally Displaced Persons and Refugees: Towards a Legal Synthesis” *Journal of Refugee Studies* 9(2), 1996, p 30.

¹⁰³ M. R. Marrus, “Introduction” in *Refugees in the Age of Total War*, ed. Anna C. Bramwell, London: Unwin Hyman, 1988, p.3.

¹⁰⁴ T. Kushner and K. Knox, *Refugees in an Age of Genocide*, London: Frank Cass, 1999, p. 127.

¹⁰⁵ M. R. Marrus, *The Unwanted: European Refugees in the Twentieth Century*, Oxford: Oxford University Press, 1985, p 9.

The refugee regime itself was based on the almost entirely *laissez-faire* attitude of nations towards the fugitives that crossed their borders. Officials did not distinguish between immigrants and refugees, treating all equally and applying few restrictions to entry. Governments tended to encourage the admission of new arrivals, recognizing the fact that those who could afford to travel would strengthen society through their presence and wealth. Frederick William, Elector of Brandenburg and Duke of Eastern Prussia, welcomed the desperate Huguenots to his territory because of their religious kinship. In these early years, refugees were rarely a cause of strain in international relations and were not considered an issue of government concern.¹⁰⁶

By the time the *émigrés* fled France in 1789 the situation had slightly changed. Now politics played a significant role in the decision to accept refugees. Austria had close ties to the French royal family and was willing to foster resistance to the revolutionary terror. The Conservative alliance of Austria, Prussia, Russia, and England was also willing to help the refugees in order to protect the balance of power in Europe by quashing the new French Republic's increasingly hegemonic goals. Although it had begun as an entirely *ad hoc* and national issue, the refugee regime began to take on an international shape as refugees came to represent potential shifts in the European power balance.

By 1815, the Concert of Europe had effectively restored the balance of power, presenting a united front for international issues in Europe. The nineteenth-century then saw a tide of nationalist and political revolutions spread across the continent, with political dissidents fleeing their homes and seeking refuge elsewhere in Europe. There was still no concrete regime established to deal with such dilemmas, and reception of the exiles and refugees remained *ad hoc* and state-centric. No legal definition of a refugee was developed to cope with the problem in a coherent fashion.¹⁰⁷ By the mid-nineteenth century, restrictions increased as the wave of revolutions grew in scale and governments began to fear the prospect of anarchy within their own borders. After the Revolution of 1848, it was clear that revolutionaries were no longer simply philosophical visionaries, but dangerous zealots who were not afraid to act violently. However, organized bureaucracy was undeveloped, and it was practically difficult for nations to block access across their borders or to track new arrivals. Even as restrictions grew in many nations, others such as England and Switzerland continued to accept them, becoming known

¹⁰⁶ *Ibid.*, p.6-7

¹⁰⁷ C. Ruthström-Ruin, *Beyond Europe: the Globalization of Refugee Aid*, Lund: Lund University Press, 1993, p.15.

as hotbeds for revolutionary exiles. Refugee issues were finally becoming an issue in international relations. At the request of Turin officials, in 1832 France expelled the Italian revolutionary Mazzini from within its borders. France and Austria also increasingly harassed England over its lax policies in harbouring exiles.¹⁰⁸ Even if no clear refugee regime was established among nations, political ideology combined with a respect for territory and balance of power began to play an important role in bringing international recognition to the problem of refugees in the international system.

i. Ramifications of World War

The creation of the League of Nations marked the next significant period in the development of refugee policy, representing the first truly international refugee regime and sparking a change that eventually led to the establishment of the United Nations High Commissioner for Refugees. The twentieth century was an “extraordinary period of movement and upheavals,”¹⁰⁹ with fewer impediments to mobility allowing population movements on a global scale. The Russian Revolution of 1917 caused the first mass exodus of the century, with Russian aristocrats and others fleeing the Bolshevik regime. More than one million people fled Russia between 1917 and 1921.¹¹⁰ Subsequently, the persecution of Jews in Nazi Germany provided another important refugee flow during the interwar period; 350,000 Jews had escaped Germany, Austria, and Czechoslovakia by 1939¹¹¹.

The League of Nations High Commissioner for Refugees was established in 1921 under the direction of Fridthof Nansen. Intended to be a temporary agency for dealing with the problem created by Russian refugees, HCR received administrative support from the League of Nations but relied on non-governmental organizations for personnel and supplies.¹¹² This was the first time that the refugee problem was recognized as an international issue, but the success of the new regime was marred by two important absences: neither the US nor the USSR, two significant world powers, were members of the League of Nations. Because the refugee problem was seen as temporary and specific, the need for more universality was not immediately apparent. HCR created no general definition for a refugee, relying instead on a category-oriented approach that identified refugees according to group affiliation and origin.¹¹³

¹⁰⁸ M.R.Marrus, *The Unwanted*, pp.17-22.

¹⁰⁹ T. Kushner and K. Knox, *Refugees in an Age of Genocide*, p.1.

¹¹⁰ D. Joly and C. Nettleton, *Refugees in Europe*, Nottingham: Russell Press Ltd, 1990, p. 6.

¹¹¹ T. Kushner and K. Knox, p.126

¹¹² Joly and Nettleton, *Refugees in Europe*, p.6.

¹¹³ M.R.Marrus, *The Unwanted*, pp.89-90.

Russian exiles were defined as refugees because a category existed specifically to grant them such status. In 1933 the position of these groups was finally regularized in the Convention Relating to the International Status of Refugees. The Convention provided a definition that based refugee status on lack of protection and effective non-nationality. Although still category-oriented, this provided a clear indication of what was required to belong to such a group. Reflecting the specific nature of such categories, however, the Convention on the Status of Refugees coming from Germany was signed in 1938 and created a stricter definition that precluded people fleeing from Germany for reasons of pure personal convenience from becoming refugees.¹¹⁴

HCR's goal was the repatriation and resettlement of refugees – Nansen concentrating on voluntary repatriation. The High Commissioner created 'Nansen passports for refugees, legal documents that gave refugees a recognizable status and allowed them to travel more freely. The League of Nations first agreed to Nansen passports at the Geneva Conference in June 1922. Again emphasizing the categorical nature of refugee status, these documents were originally issued to the Russian refugees, but were extended to Armenians in 1924, Turks, Assyrians, Syrians, Assyro-Chaldeans, and Kurds in 1928.¹¹⁵ Although no state was obliged to receive refugees who held Nansen passports, all agreed to recognize the documents as valid identity papers. This divergence between obligation and recognition emphasizes the dilemma that plagued HCR, often rendering its international measures ineffective in practical terms. This limitation is clearest when looking at Western Europe's denial of refugee status for most Jewish refugees in the 1930s. Until 1938, when the Nazi atrocities had become common knowledge, the Netherlands sent asylum seekers back to Germany unless they could prove "immediate danger to life."¹¹⁶ The new High Commissioner, James McDonald, resigned in 1935 in protest against the international community's unwillingness to help or to cope with the root of the problem by dealing with Germany itself. McDonald recognized the interdependence of global, local and national initiatives, but was stymied because it was ultimately the nation that had power to grant entry to refugees, rendering HCR powerless.¹¹⁷

¹¹⁴ P. Kourula, *Broadening the Edges: Refugee Definition and International Protection Revisited*, The Hague: Martinus Nijhoff Publishers, 1997, p.51.

¹¹⁵ Joly and Nettleton, p.6.

¹¹⁶ J. Lucassen and L. Lucassen, "Migration, Migration History, History: Old Paradigms and New Perspectives" in *Migration, Migration History, History: Old Paradigms and New Perspectives*, eds. Jan Lucassen and Leo Lucassen, Bern: Peter Lang, 1997, p. 15.

¹¹⁷ L. Barnett., "Global governance and the evolution of the international refugee regime", *New Issues in Refugee Research*, Working Paper No. 54, 2002, p.5.

In 1938, American President Roosevelt called a Conference at Evian to deal with the issue. This meeting failed, as Germany refused to let Jews leave with their assets and the countries of resettlement refused to accept any financial burden.¹¹⁸ One of the problems still facing the international community throughout this period was the economic upheaval caused by the Great Depression in 1931. Receiving nations who could not support their own people were unwilling to undertake new financial obligations. Ultimately the Jews were a victim of international complacency and diplomatic priorities. Western European receiving nations were trying to avoid a war, not provoke one. Thus many Jews were forced to stay home and face persecution in Germany, while 10,000 Jewish refugees were left unsettled at the outbreak of World War II.

The Second World War marked a new period of upheaval and displacement for the international refugee regime. When the war ended in 1945, 30 million people were left uprooted - soldiers and displaced people who did not want or could not return home because of border changes,¹¹⁹ - including more than twelve million ethnic Germans who were expelled from the USSR.¹²⁰ The League of Nations was dissolved as the war drew to a close, and the Allies created the United Nations Relief and Reconstruction Agency in 1944 to deal with the new population flows. However, UNRRA was effectively stymied by Cold War tensions and Soviet hostility, and when its mandate came to an end in 1947, the International Refugee Organization was established to deal with those left in European camps and still arriving from Eastern Europe. The IRO came formally into existence in 1948 as a temporary, intergovernmental United Nations agency created to regularize the status of World War II's refugees. Although the IRO had few members, many countries contributed to its efforts. The USSR was one significant absence and never became a member, as the Soviets felt that the IRO was merely protecting traitors and serving US policy.¹²¹ The IRO thus remained dominated by Western Europe and the US, and all cooperation on refugee issues permanently ended between the two Cold War powers.¹²² When establishing a definition for those they protected during the war, England and the US were unwilling to use the word 'refugee;' instead, they referred to

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

¹²⁰ H. Sallinen., "Intergovernmental Advocates of Refugees : The Refugee Policy of the League of Nations and the International Labour Organization in the 1920s and 1930s", University of Helsinki, Faculty of Social Sciences, Department of Economic and Political Studies, 2014, p.25.<http://hdl.handle.net/10138/41070> (accessed 21 July 29, 2020)

¹²¹ *Ibid.*

¹²² C. Ruthström-Ruin, *Beyond Europe: the Globalization of Refugee Aid*, p.7

‘displaced persons,’ implying that the individuals could return home.¹²³ When UNRRA was established it adopted this terminology; its mandate was to assist “victims of war in any area under the control of the United Nations.”¹²⁴

The IRO Constitution went further, actually defining those they protected as refugees. These were victims of Nazi, fascist, or similar regimes; victims of persecution for reasons of race, religion, nationality, political opinion; and refugees of long-standing. This definition thus included Eastern European political dissidents and the Jews who remained in Germany and Austria.¹²⁵ Finally breaking away from the categorical method of identifying refugees, the IRO definition focused on individuals and made each refugee determination on a case-by-case basis. Although it was still very Euro-centric, the IRO provided a neutral framework through which to comprehensively identify refugees.¹²⁶ The policies of these two post-war organizations were similar in scope. UNRRA’s goal was to organize relief and set up mass repatriation and resettlement. The USSR was critical of its policies, however, alleging that UNRRA prevented displaced persons from returning home. The Western powers did assist forced repatriation to the Soviet bloc until 1945, later turning from these more coercive measures to promote resettlement in host nations.¹²⁷ Taking over in 1948, the IRO’s goal was to find a solution for the 1.5 million refugees left in Europe, providing relief, repatriation, resettlement, and legal protection for the most difficult cases left by UNRRA. In the end, UNRRA helped 7 million people return to their own countries, while the IRO repatriated 70,000 mainly to Eastern European nations and settled more than one million refugees in Canada, Australia, the US, and Israel.¹²⁸ Western European countries were relatively willing to receive displaced persons and refugees during this period, as many nations suffered from depleted manpower after the war. Many Polish soldiers were permitted to stay in England due to this increased need for labour. Western countries also made an effort to support refugees from the Eastern Bloc, adopting a Cold War ideology that would dominate refugee assistance for the next forty years. Throughout their mandate, both UNRRA and the IRO were blocked by the USSR and were consequently unable to operate in Soviet-controlled Germany.¹²⁹

¹²³ Kushner and Knox, p.217.

¹²⁴ *Ibid.*

¹²⁵ G. Melander, “The Concept of the Term ‘Refugee’” in *Refugees in the Age of Total War*, ed. Bramwell, p.8.

¹²⁶ *Ibid.*

¹²⁷ Ruthström-Ruin, *Beyond Europe* p.17.

¹²⁸ *Ibid.*

¹²⁹ Kushner and Knox, p.10 and p. 217

ii. The emergence of the new refugee trend

By 1950, the international community recognized that the refugee problem sparked by the Second World War was not a temporary one. So many years after the war had ended; 1.25 million refugees were still left in Europe.¹³⁰ A new agency was established to deal with the problem on Jan 1, 1951. Taking over from the IRO, the United Nations High Commissioner for Refugees soon became a permanent body and went on to play a fundamental role in the consolidation of future developments and trends in the refugee regime. An independent, non-operation agency that worked under the UN General Assembly, UNHCR was entirely dependent on member contributions and was initially a weak organization with little staff. Then as now, this body was governed by an Executive Committee. The EXCOM's role is merely advisory but it publishes annual conclusions on international refugee protection that have a standard-setting effect.¹³¹ The United Nations Convention on the Status of Refugees was signed in July 1951, significantly regularizing the status of refugees and setting out a series of rights and obligations.

However, although this Convention guarantees refugees the right to seek asylum it cannot grant the right to obtain such asylum, as this is strictly a national prerogative. UNHCR has no formal supervisory mechanism with a mandate to review state performance. Like its predecessors, UNHCR was a product of the Cold War and was initially very Euro-centric in scope. Again, the USSR resisted the creation of the new body, pushing for repatriation rather than resettlement-oriented policies. The USSR saw the Convention as protecting people associated with “fascist and anti-democratic regimes” and accordingly never became a signatory¹³².

Article 1 of the 1951 Convention provided the regime with its first universal refugee definition, formally recognizing the permanence of the issue:

Any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable, or owing to such fear, is unwilling to return to it.

¹³⁰ Pirkko, *Broadening the Edges*, p.127

¹³¹ T. Volker, “The Role of the UNHCR in the Development of International Refugee Law” in *Refugee Rights and Realities: Evolving International Concepts and Regimes*, eds. Frances Nicholson and Patrick Twomey, Cambridge: Cambridge University Press, 1999, p. 164.

¹³² T. Spijkerboer, *Gender and Refugee Status*, Dartmouth: Ashgate, 2000, p 197.

Following the trend begun by the IRO, this definition was individual-oriented and emphasized the causes of flight rather than relying on the more categorical approach that focused on the origin of specific groups. However, this definition still focused on the European and Second World War origins of the refugee problem.¹³³ The definition had temporal and geographic limitations, only covering refugee movements provoked by events that occurred before January 1951, and giving signatory nations the option to limit the Convention refugees it accepted to those from Europe.¹³⁴ This definition also introduced a new element into the regime's formal definition of a refugee, highlighting the fact that a refugee is someone who is "outside the country of his former habitual residence."¹³⁵ This clarification emphasized the territorial nature of the refugee regime, reinforcing respect for sovereignty, and the inability of an international organization to look within a nation's borders. Today this Convention refugee definition is one of the most widely accepted international norms and remains the sole legally binding international instrument that provides specific protection to refugees.¹³⁶

In terms of its actual role, UNHCR was founded with a mandate to provide international protection to refugees and seek a permanent solution to the problem in cooperation with national governments, NGOs, and other international organizations. UNHCR's task is to protect refugees by putting together international treaties and supervising their application.¹³⁷ It promotes measures to improve the refugee situation and assists government efforts to encourage voluntary repatriation or entry and assimilation into a new country.¹³⁸ The 1951 Convention recognizes the refugee's right to remain and right to return, the principle of *non-refoulement*, and the right of the first asylum.¹³⁹ It also defines minimum standards of treatment for refugees and outlines determination procedures and eligibility criteria for refugee status. UNHCR is also authorized to lend its 'good offices' to refugees that do not fall within the Convention definition and is thus able to deal with large refugee flows and situations where

¹³³ *Ibid.*

¹³⁴ T. Volker "The Role of the UNHCR in the Development of International Refugee Law", p.161

¹³⁵ L.T. Lee, "Internally Displaced Persons and Refugees: Towards a Legal Synthesis", p.3.

¹³⁶ D.J. Steinbock, "The Refugee Definition as Law: Issues of Interpretation" in *Refugee Rights and Realities*, eds. Nicholson and Twomey, p.13.

¹³⁷ V. Türk, "The Role of the UNHCR in the Development of International Refugee Law", p.160.

¹³⁸ Kourula, pp.209-210.

¹³⁹ Guaranteed by article 33 of the 1951 Convention, *non-refoulement* refers to the policy whereby a nation cannot send a refugee back to a country where his/her life or freedom would be threatened on account of race, nationality, religion, nationality, membership of a particular social group, or political opinion. The right of first asylum means that a refugee has a right to asylum in the first Convention signatory nation he/she passes through, but any subsequent country has the right to send the refugee back to that first country of asylum

there may be no strict persecution.¹⁴⁰ In its early stages, the organization paid little attention to causes, focusing instead on the rights and obligations that arise once a refugee has left home.

Moving away from its post-World War construction, UNHCR soon became fully involved in the Cold War issues that confronted the international system. Refugees flowing into Europe and North America came mainly from countries in the Communist bloc. The Hungarian crisis in 1956 created the first mass flux of refugees from the East, followed by the Czech refugees fleeing Soviet repression of the nationalist uprising in 1968. However, the 1970s saw a shift in refugee flows as increasing numbers came from the developing world. By the mid-1970s, these new flows were larger and more complex than in the past, and the line between refugees and migrants began to blur.¹⁴¹

UNHCR began to expand as well, flourishing under the increasing support of the US.¹⁴² As the UN body got stronger, other regional groups also began to focus more attention on the refugee issue. Recognizing flaws in the UN's refugee definition and responding to changes in the international system, the Organisation of African Unity and the Organisation of American States began to shape their own policies. The OAU adopted an expanded definition in 1969, seeing refugees as:

Every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.¹⁴³

In 1984, the OAS signed the Cartagena Declaration declaring refugees to be “persons who have fled their country because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed the public order.”¹⁴⁴ These new definitions effectively recognized the need for the refugee regime to be more inclusive, getting rid of reliance on strict persecution and viewing refugees as people fleeing war, violence, and serious public disorder.¹⁴⁵ In 1967, UNHCR also responded to the globalization of the refugee issue by implementing the Protocol Relating to the Status of Refugees. This document waived

¹⁴⁰ M.R Marrus, *Refugees in the Age of Total War*, p.3.

¹⁴¹ J.Sztucki, “Who is a Refugee? The Convention Definition: Universal or Obsolete?” in *Refugee Rights and Realities*, eds. Nicholson and Twomey, p. 69.

¹⁴² *Ibid.*

¹⁴³ Kushner and Knox, p.12.

¹⁴⁴ *Ibid.*

¹⁴⁵ D.M. Meissner et al, *International Migration Challenges in a New Era*, New York: the Trilateral Commission, 1993, p. 75.

the temporal and geographic limitations that obstructed the expansion of the refugee definition in the post-World War period, allowing more universal application.¹⁴⁶

Over the years the General Assembly has also allowed UNHCR to extend its protection to those outside the official Convention refugee definition by referring to ‘displaced persons.’ Relying on a different construction of DPs than that adopted during World War II, UNHCR can use this definition to aid refugees, returnees, and internally displaced persons.¹⁴⁷ IDPs – people who would normally be considered refugees but have not crossed any national borders received their first official assistance from UNHCR in Sudan in 1972.¹⁴⁸

Although the Convention definition itself was not changed to accommodate new refugee flows, in actual practice UNHCR applied an expanded definition to deal with the larger refugee movements of the 1970s in Cambodia, Laos, and Vietnam. The organization began to recognize the need for long-term care in refugee camps and permanent refugee settlement in countries away from the wars causing the refugee movement.¹⁴⁹ However, by the mid-1970s, international economic growth had declined and unemployment grew. Countries no longer wanted an influx of labour and began raising restrictions against refugee access. Terms soon emerged to distinguish between ‘genuine’ Convention and ‘*de facto*’ refugees.¹⁵⁰ By now it was clear that the refugee regime was dependent on economic and ideological considerations. While the political machinations of the Cold War had formed refugee flows, Western host nations were welcoming. In this sense, US omnipotence within the UN had a large role to play in shaping refugee policy and it is interesting to note that until the mid-1980s, 90% of all refugees to the US were from the Eastern bloc.¹⁵¹

One of the reasons that UNHCR began to extend its influence into Africa was to block Soviet power in that vulnerable area. By the 1970s, when the majority of refugees came from the developing world, host countries were less willing to receive them, perceiving a threat to economic and political stability.¹⁵² The economic collapse of the 1970s led to tightened restrictions throughout the West, and refugees from the developing world were often seen as disguised immigrants claiming refugee status to facilitate access to receiving nations. Western Europe was particularly reluctant to help and tightened its laws against economic migrants.

¹⁴⁶ J. Sztucki, “Who is a Refugee? The Convention Definition: Universal or Obsolete?” p.56.

¹⁴⁷ Kourula, pp.177-182.

¹⁴⁸ Türk, p.155

¹⁴⁹ D.M. Meissner et al, *International Migration Challenges in a New Era*, p.75

¹⁵⁰ Sztucki, p.69.

¹⁵¹ Spijkerboer p. 197.

¹⁵² Kushner and Knox, p.11.

Refugee policy was affected by the European Community's move to harmonize immigration standards, creating a fortress mentality where internal border controls decreased but migrants from without were repulsed.¹⁵³

The Cold War was an intense time for UNHCR, witnessing the expansion of the organization and its policies, in tandem with the increasing complexity of refugee flows and a burgeoning shift of focus to the South. As domestic acceptance policies grew more restrictive, the international body grew in both scope and potential.

iii. The end of the Cold War

These trends have continued into the post-Cold War period, forcing UNHCR to seriously rethink its policies and approaches to adapt to the changing international system. The end of the Cold War sparked political and ethnic conflicts throughout the world, increasing mass migrations on a global scale. Borders became significantly easier to cross given cheaper transportation and the disintegration of many of the rigid boundaries and territories upheld by Cold War politics. As a result, asylum claims increased. In 1974 UNHCR saw 2.4 million refugees; by 1984 this number had increased to 10.5 million, and by 1996 UNHCR was dealing with 27 million refugees, IDPs, asylum seekers, and returning refugees.¹⁵⁴ The causes and context of persecution have changed, with a greater incidence of refugees from protracted civil war, communal violence, and civil disorder.¹⁵⁵ Although redrawing the European map created new states and refugees from the Commonwealth of Independent States, the refugee regime's shift towards a North-South rather than East-West focus has become particularly pronounced. The European paradigm has changed, and those typically considered persecuted along East-West lines are no longer.¹⁵⁶ Today the rapidly rising number of IDPs is also of increasing significance to the international system.

The end of the Cold War brought significant changes in the composition of UNHCR, with Russia finally joining the organization after nearly a century of refusing to cooperate with the international refugee regime. UNHCR's profile was raised during the Yugoslavia crisis in the early 1990s when the UN Secretary-General asked the agency to coordinate humanitarian

¹⁵³ *Ibid.*

¹⁵⁴ P. Hassner, "Refugees: a Special Case for Cosmopolitan Citizenship?" in *Re-imagining Political Community*, eds. D Archibugi, D Held, and M Kohler, London: Polity Press, 1998, 275.

¹⁵⁵ Sztucki, p.60.

¹⁵⁶ P. Twomey and F. Nicholson, "Introduction" in *Refugee Rights and Realities*, eds. Nicholson and Twomey, p. 6

action during the crisis, significantly broadening its scope and responsibility.¹⁵⁷ By 1993 UNHCR had a staff of 2000 with a budget of more than \$1 billion (US).¹⁵⁸ Still working with the refugee definition established by the 1951 Convention, UNHCR denounced a formal and legalistic approach to interpretation and has found that the earlier definition is vague enough to encompass many of today's new refugee flows,¹⁵⁹ demonstrating that application of the Convention depends strongly on the context in which it operates. Janice Marshall, Senior Legal Advisor at UNHCR Geneva's Department of Internal Protection holds that UNHCR's mandate is "always broader than the Convention itself ... Most people, including those at UNHCR, see refugees as those who have to flee for some reason, but the 1951 Convention had to somehow limit this broad concept. For UNHCR, refugees include others not strictly included in the Convention definition, unofficially applying a similar definition to the Cartagena Declaration and the OAU."¹⁶⁰

Despite this approach, economic refugees and IDPs are still largely ignored within the refugee regime.¹⁶¹ UNHCR has developed no definition of IDPs, partially because IDPs are so difficult to define operationally. Jeff Crisp, Head of the Evaluation and Policy Analysis Unit at UNHCR Geneva, points out that the question always asked is, "how far do you have to move to become an IDP? Most IDPs become an element of the general population, taking part in the rural to urban movement."¹⁶² Given its pragmatic and operational perspective, UNHCR provides aid to such people on a case-by-case basis depending on the needs of the situation and the degree of connection with the refugee problem.¹⁶³ Arafat Jamal, Operational Policy Officer with Crisp's Evaluation and Policy Analysis Unit, comments that on the one hand, UNHCR has "policies and guidelines that determine the contours of [its] involvement with IDPs. On the other hand, there is a very operational, 'can-do' spirit at UNHCR. If people are in need and are not being assisted, UNHCR officers on the ground find it very hard, from a moral perspective, to do nothing at all."¹⁶⁴ And yet even if the organization is now allowing more migrants to slip under the Convention definition, those who do not meet the definition do not receive the same

¹⁵⁷ Ibid

¹⁵⁸ S. A. Cunliffe and M. Pugh, "UNHCR as Leader in Humanitarian Assistance: A Triumph of Politics over Law?" in *Refugee Rights and Realities*, eds. Nicholson and Twomey, p.176.

¹⁵⁹ Ruthström-Ruin, p.14

¹⁶⁰ L. Barnett., "Global governance and the evolution of the international refugee regime", Interview with Janice Marshall, July 10, 2001,p.11.

¹⁶¹ Kushner and Knox, p.12

¹⁶²L. Barnett., Interview with Jeff Crisp, June 25, 2001,p.11

¹⁶³ Kourula, p.184.

¹⁶⁴ L. Barnett., Interview with Arafat Jamal, July 25, 2001,p.11

range of benefits as are accorded to true ‘refugees’ given the realities of the international regime.¹⁶⁵

A number of significant developments have come to characterize UNHCR in the post-Cold War world, emphasizing the changing nature of the international system. The first is UNHCR’s shift from an international refugee protection regime to focusing on security, containment, and pre-emptive humanitarian action and assistance.¹⁶⁶ Today UNHCR is more solution-oriented when confronting impending refugee crises. Turning away from its refugee-specific approach that saw problems as coming to an end once a refugee was safely settled, UNHCR is now more pro-active, preventative, and homeland-oriented; it has become a more “broadly based humanitarian agency.”¹⁶⁷ The organization has shifted towards an operational approach, fostering local civil society, building democratic governance, and working for conflict prevention. Recognizing that long-term refugee resettlement is no longer a viable option, UNHCR now attempts to provide care for refugees on location, emphasizing international presence to encourage potential refugees to stay.¹⁶⁸

Today most refugees never make it to the Western world, tending to stay in refugee camps close to or within their country. In the post-Cold War order, UNHCR no longer turns a “blind eye” to military-controlled refugee camps, increasingly dealing with such camps as human rights violations.¹⁶⁹ UNHCR’s repatriation policy is also coming back into force after the Cold War rendered it obsolete.

iv. Expanding the international refugee regime

By 1965 there were some 850,000 refugees in Africa. Although many of those who fled during the independence struggles were able to return within a relatively short period, new conflicts created further outflows, and by the end of the decade, the number of refugees in Africa had risen to around one million. In size, character, and needs, these successive refugee groups were very different from those in Europe and they called for a new approach to the question of how to determine refugee status.

¹⁶⁵ Ruthström-Ruin, p. 205.

¹⁶⁶ Twomey and Nicholson, p. 7.

¹⁶⁷ J. Crisp, “Mind the Gap! UNHCR, humanitarian assistance and the development process” *New Issues in Refugee Research*, Working Paper No. 43, May 2001, p. 7.

¹⁶⁸ *Ibid.*

¹⁶⁹ G. Goodwin-Gill, “Refugee Identity and Protection’s Fading Prospect” in Nicholson and Twomey, eds., *Refugee Rights and Realities*, p. 225.

UNHCR had to act with flexibility to assist these new refugees. The large numbers of people involved meant that it was impracticable to screen each individual in order to establish whether or not the person had a well-founded fear of persecution. UNHCR therefore resorted to a *prima facie* group determination of refugee status whereby, in the light of circumstances that led to departure from the country of origin, refugees could be identified on a group basis. These refugees were generously received in neighbouring countries but often required urgent material assistance. In many cases, UNHCR used its 'good offices' to provide emergency relief to support such refugees.

Refugees in Africa, however, did not benefit from the framework of international legal protection applicable to those refugees whom UNHCR had assisted in Europe. The scope of the 1951 UN Refugee Convention remained confined to people who had become refugees as a result of events that took place before 1 January 1951, and signatory states were given the option of limiting its geographical application to Europe. By contrast, UNHCR was given a general competence under its Statute to deal with refugee problems wherever they might arise. In Africa, the Convention's limitations, including in particular the dateline, proved an increasing obstacle. By the mid-1960s, the UN Refugee Convention did not apply to the majority of refugees being assisted by UNHCR.

African governments, which were concerned about the security problems that refugee movements could create, also had their own interests in drawing up a regional convention on refugees. They feared that refugees might use countries of asylum as bases from which to seek the overthrow of the regimes from which they had fled. UNHCR and African states both decided, therefore, that there was a need for new international legal instruments to be drawn up regarding the treatment of refugees.

When the 1951 UN Convention Relating to the Status of Refugees was adopted, those drafting it were aware of its limitations and expressed the hope that nations would extend the treatment provided by the Convention to those 'who would not be covered by the terms of the Convention'.¹⁷⁰ In 1964, this hope materialized when UNHCR's Executive Committee asked the High Commissioner what steps might be taken to expand the temporal scope of the 1951 Convention. The High Commissioner proposed a variety of ways in which the time limitation might be narrowed rather than removed. However, the legal experts from Africa, Europe, and

¹⁷⁰ Appendix to UNGA Res. 429(V), 14 Dec. 1950, GAOR, Fifth Session, Supplement No. 20 (A/1775); Holborn, *Refugees*, pp. 177–82.

North and South America who had gathered to discuss such proposals recommended that the time was ripe for its complete removal. Moreover, they urged that this be accomplished by means of a new international agreement.¹⁷¹ Instead of simply amending the Convention by removing the time limitation, this new protocol would also restate it in broader terms so that a state party to the protocol would in effect be bound by the Convention.

The legal experts suggested ways in which the protocol might be made more acceptable to states hesitant to accept responsibility for future refugees. The optional geographic restriction of the Convention would be retained, but only for those states that had invoked it when signing the 1951 Convention. Furthermore, parties to the protocol would be allowed to make a reservation refusing the compulsory jurisdiction of the International Court of Justice over disputes arising out of the protocol.

Although only opened for accession in January 1967, by September the necessary six states had accepted the Protocol, thereby bringing it into force on 4 October 1967. The procedure used to move the 1967 Protocol so quickly from idea to reality involved innovations in international law and strong personal direction by High Commissioner Sadruddin Aga Khan. It avoided the traditional amendment process which would have required calling an international conference of representatives of every government that was a party to the Convention—a process that would have taken a long time.

The resulting 1967 Protocol to the 1951 UN Refugee Convention was short and direct and as an independent international instrument came into effect after accession by only a small number of states. The most important innovation, however, was opening the Protocol for acceptance by states which had not thus far ratified the Convention. This move resulted in the accession of the United States, which had not signed or ratified the 1951 Convention. The steadily increasing acceptance of the 1967 Protocol has been of great importance to UNHCR. The Protocol expands the scope of obligations undertaken by states and has reaffirmed the obligation of states to cooperate with UNHCR.

The High Commissioner's interest in seeking the rapid adoption of the Protocol was partly stimulated by the efforts of the member states of the Organization of African Unity

¹⁷¹ G. Loescher, *Beyond Charity: International Cooperation and the Global Refugee Crisis*, Oxford University Press, Oxford, 1996, p. 80; Holborn, *Refugees*, pp. 183–94.

(OAU) to draft their regional convention on refugees.¹⁷² As early as 1963, the OAU had decided that a regional treaty was needed to take account of the special characteristics of the refugee situation in Africa. While OAU member states were quick to welcome the 1967 Protocol, they still felt that a regional convention was necessary. The decision of the OAU to draft a separate instrument initially posed a problem for UNHCR. The emergence of an instrument that in any sense competed with the 1951 Convention would impair the universal character of the Convention that UNHCR had been working to achieve since its inception. Moreover, if an OAU refugee convention did not also set the high standards of the 1951 Convention, refugees in Africa would not receive the same standards of protection.

Such concerns were allayed as UNHCR was invited to be part of the drafting process. The OAU Secretariat agreed with UNHCR that the African instrument should be a regional complement to the 1951 Convention. The Preamble to the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, therefore, recognizes the 1951 Convention as constituting ‘the basic and universal instrument relating to the status of refugees. As such, the OAU Refugee Convention, like the UN Refugee Convention, defines a refugee as someone who has ‘a well-founded fear of persecution. It also includes those who have fled as a result of external aggression, foreign occupation or domination, or events disturbing public order in their country of origin. Persons fleeing civil disturbances, violence, and war were now entitled to claim the status of refugees in states party to the OAU Refugee Convention, irrespective of whether or not they could establish a well-founded fear of persecution.

Further important additions were made. First, although no international convention had recognized an individual right to asylum, the OAU Refugee Convention affirms that states shall use their ‘best endeavours to receive refugees and to secure their settlement’. Second, it expands on the guarantee of non-*refoulement* contained in the 1951 Convention. It mentions an absolute and unqualified requirement that no refugee shall be subjected ‘to measures such as rejection at the frontier, return or expulsion, which would compel him to return or remain in a territory where his life, physical integrity or liberty would be threatened. Third, it gives unqualified expression to the principle of voluntary repatriation in an international legal context for the first time. Fourth, it defines the duties of the countries of asylum and origin, stipulating that refugees shall not be penalized for having fled and that they shall be given every possible

¹⁷² R. Greenfield, ‘The OAU and Africa’s Refugees’, in ElAyouty and I.W. Zartman (eds), *The OAU after Twenty Years*, Praeger, New York, 1984, p. 212.

assistance to facilitate their return. Fifth, in cases where large numbers of refugees are involved, states are encouraged to adopt a system of burden-sharing.

African governments were also determined to ensure that the security concerns of both countries of asylum and origin were taken into account. The OAU Refugee Convention, therefore, states that ‘the grant of asylum shall not be regarded as an unfriendly act by any Member State’. The Preamble of the Convention discusses the need to ‘make a distinction between a refugee who seeks a peaceful and normal life and a person fleeing his country for the sole purpose of fomenting subversion from outside. It also contains a pledge by state parties ‘to prohibit refugees residing in their respective territories from attacking any Member State of the OAU’. A further provision requires that refugees be settled at a reasonable distance from the frontier of their country of origin’ and that they ‘abstain from any subversive activities against any Member State of the OAU.’

The OAU Refugee Convention came into effect in June 1974. Since then, it has, together with the 1951 UN Refugee Convention and its 1967 Protocol, provided an important legal framework for all UNHCR activities in Africa. Although it was inspired by events in Africa, the norms and principles contained in the OAU Refugee Convention have set important standards for the protection of refugees in general and have often been applied in other parts of the world. With only a few exceptions, and in marked contrast to some other parts of the world, African countries have been extremely generous in receiving and hosting large refugee populations throughout the latter half of the 20th century.

The Extension of UNHCR Mission in Africa

During the 1960s, UNHCR’s focus shifted increasingly away from Europe. Since the end of the Second World War, demands for independence by countries in the colonized world had increased dramatically. By 1960, it was apparent that the end of European colonial rule on the African continent was imminent. In many cases, relatively peaceful transfers of power took place. In other instances, colonial powers refused to yield, resulting in major wars which in turn caused refugee crises.

The precursor to the wars which broke out in Africa in the 1960s and 1970s was the Algerian war of 1954–62. It was one of the bloodiest ‘wars of national liberation. UNHCR’s involvement in assisting Algerian refugees in Morocco and Tunisia, and in helping them repatriate at the end of the war, marked the beginning of much wider involvement in Africa.

UNHCR's experiences in Africa were to transform the organization. In the early 1960s, UNHCR was exposed to many new challenges and dangers as it attempted to provide protection and assistance to Rwandan refugees in the Great Lakes region of central Africa. The Rwandan refugee problem proved very different from the first two major crises in which UNHCR had been involved in Hungary and Algeria. In both those cases, lasting solutions had been found: resettlement for the vast majority of Hungarians and repatriation for the overwhelming majority of the Algerians. Addressing the problems of the Rwandan refugees was to prove far more difficult. Durable solutions had worked for Hungarian and Algerian refugees in no small part because the countries of the first asylum, Austria and Yugoslavia in the first case and Morocco and Tunisia in the second, were politically stable. By contrast, in the Great Lakes region, the countries of first asylum for the Rwandan refugees were highly volatile politically, with the solitary exception of Tanzania.

By the end of the 1960s, UNHCR was involved in assisting a number of African states in dealing with refugee problems in sub-Saharan Africa. By 1969, some two-thirds of UNHCR's global programme funds were being spent in African countries, illustrating the enormous shift which had taken place in the organization's focus in the space of a decade. Reflecting the international community's increasing awareness of the global nature of refugee problems, a new Protocol was drawn up in 1967 extending the scope of the 1951 UN Refugee Convention. In another significant development, in 1969 the Organization of African Unity, in consultation with UNHCR, drew up its own regional refugee convention.

Cameroon has a long history of hosting refugees, beginning in 1972, when it temporarily hosted 200,000 refugees fleeing Equatorial Guinea. Today, Cameroon's President, Paul Biya, frequently invokes this history of generously hosting refugees and asylum seekers as a point of pride.

As of January 2019, UNHCR officially registered around 1.2 million people of concern in Cameroon, including 256,100 CAR refugees, 136,399 Nigerian refugees, 24,875 urban refugees from Nigeria and CAR, 8,196 asylum seekers, 683,238 internally displaced persons, and 105,906 returnees (IDPs who have returned to their communities of origin).¹⁷³

Some refugees from CAR have been displaced for over a decade, and the political and security situation in CAR has not improved sufficiently to warrant their return. Initially,

¹⁷³ UNCHR. 2019. "Cameroun: Statistiques Des Personnes Relevant de La Competence Du HCR." <https://data2.unhcr.org/en/documents/download/67964>.

refugees from CAR arrived slowly throughout the mid-2000s. Renewed violence in 2013 spurred a sudden flow of refugees across the border.¹⁷⁴ While the rate of new arrivals from CAR decreased from 2014 to 2017,¹⁷⁵ violence in CAR intensified in 2018, resulting in nearly 25,000 CAR refugees crossing into Cameroon that year.¹⁷⁶ Fleeing violence and instability caused by Boko Haram, Nigerians began seeking refuge in Cameroon in 2012. In response, Cameroon established a camp in Minawao to accommodate up to 20,000 refugees,¹⁷⁷ but the camp's capacity was nearly exceeded by 2014. By the end of 2015, violence along the Cameroon-Nigeria border displaced more than 90,000 Cameroonians and refugees who had settled in these areas. Due to ongoing insecurity, many IDPs and refugees remain displaced; as of January 2019, Minawao camp hosts nearly 60,000 Nigerian refugees.¹⁷⁸ Humanitarian response in the Far North began in earnest in 2015, but access near the Nigerian border remains limited due to insecurity, heavy rains, and poor infrastructure.¹⁷⁹

Although Boko Haram attacks have specifically targeted refugees and IDPs, some members of the Cameroonian government perceive Nigerian refugees as an economic and security threat.¹⁸⁰ Reports document the forced returns of Nigerians by Cameroonian government officials since 2015; a Human Rights Watch report claims that over 100,000 Nigerians have been deported.¹⁸¹ Boko Haram's tactics of infiltrating local communities and attacking civilian targets have created tensions and mistrust toward members of ethnic groups connected to Boko Haram in Nigeria.¹⁸² An attack on Maroua, the largest city in the Far North,

¹⁷⁴ B. Veronique. 2017. "Supporting Central African Refugees in Cameroon." HPG Working Paper. ODI.

¹⁷⁵ UNHCR. 2018. "Cameroon Global Focus," accessed October 2: <http://reporting.unhcr.org/node/2525?y=2014#year>.

¹⁷⁶ UNCHR. 2019. "Cameroun: Statistiques Des Personnes Relevant de La Competence Du HCR." <https://data2.unhcr.org/en/documents/download/67964>.

¹⁷⁷ UNHCR. 2018. "Cameroon Global Focus," accessed October 2: <http://reporting.unhcr.org/node/2525?y=2014#year>.

¹⁷⁸ The number of refugees in Minawao has ebbed and flowed since its establishment. In 2017 more than 60,000 were registered in Minawao. Some refugees returned to Nigeria in 2017 and 2018, and population dipped to approximately 50,000, but as of 2019 it again approached 60,000. Mbiyozo, "Cameroon accused for Forceful Repatriation of Nigerian Refugees."

¹⁷⁹ Access differs across organizations. Some organizations which have a longer history of presence in the Far North face fewer constraints than others. In other cases, operational protocol limits the areas an organization can access without armed escort.

¹⁸⁰ A.N Mbiyozo, "How Boko Haram Specifically Targets Displaced People." Policy Brief. Institute for Security Studies, 2017, p.6.

¹⁸¹ A.N Mbiyozo, "Cameroon's Forceful Repatriation of Nigerian Refugees." Policy Brief. Institute for Security Studies. Simpson, Gerry. "They Forced Us onto Trucks like Animals' Cameroon's Mass Forced Return and Abuse of Nigerian Refugees." Human Rights Watch. 2017, pp.6-7. <https://www.hrw.org/news/2017/09/27/cameroon-mass-forcedreturn-nigerian-refugees>

¹⁸² UNHCR. 2018. "Cameroon Global Focus," accessed October 2: <http://reporting.unhcr.org/node/2525?y=2014#year>.

in June 2015 led the government to impose more restrictive security measures, which limited refugees' freedom of movement.

II: Pivotal and Contemporary Universal Instruments

The increasing rise of refugees from 1914-1933 and the complex challenges encountered by these vulnerable people have protractedly put the international community at work. Since 1933 the international community of states has acted frequently urgent in its mandate to seek lasting solutions to refugees' predicaments. This section presents the historic systematic unfolding conventions helping to foster and safeguard the secret rights of refugees. To better comprehend the evolution of the international refugee protection norms, we will go as far as 1933, when the first-ever convention¹⁸³ was established under the League of Nations to safeguard the rights of refugees in from Russia and Armenians. Though Cameroon and the greater part of Africa were not signatories, this instrument contributed to shaping the current international protective mechanisms. Cameroon is a signatory to all major international instruments on refugees without reservation, notably the Refugee Convention of 1951 and its 1967 Protocol. On a global scale, apart from the Universal Declaration of Human Rights, this Convention and Protocol have been supplemented by subsidiary protection regimes like the Universal Declaration of Human Rights; UN executive and general assembly resolutions of refugees' issues.

i. The 1933 Fundamental Convention on the International Status of Refugees

Concluded on October 28, 1933, by five countries; Belgium, Bulgaria, Egypt, France, and Norway, and subsequently adhered to by many others. The convention was the most far-reaching attempt on the part of the League of Nations to define the responsibilities of states towards refugees. It grew out of four multilateral League arrangements that were adopted between 1922 and 1928 in response to refugee problems caused by World War I and various conflicts that arose in its aftermath. The convention applied to Armenian and Russian refugees.

¹⁸³ League of Nations, Convention Relating to the International Status of Refugees, 28 October 1933, League of Nations, Treaty Series Vol. CLIX No. 3663, available at: <https://www.refworld.org/docid/3dd8cf374.html> [accessed 27 July 2020]

The Fundamental principle of *Non-refoulement*

The Convention of 1933¹⁸⁴ is a milestone in the protection of refugees and served as a model for the 1951 Convention. Its Article 3 reads:

- ✓ “Each of the Contracting Parties undertakes not to remove or keep from its territory by application of policy measures, such as expulsions or non-admittance at the frontier (*refoulement*), refugees who have been authorized to reside there regularly, unless the said measures are dictated by reasons of national security or public order.
- ✓ It undertakes in any case not to refuse entry to refugees at the frontier of their countries of origin.
- ✓ It reserves the right to apply such internal measures as it may deem necessary to refugees who, having been expelled for reasons of national security or public order, are unable to leave its territory because they have not received, at their request or through the intervention of institutions dealing with them, the necessary authorizations and visas permitting them to proceed to another country.”

The Convention of 1933 was ratified by nine States, including France and the United Kingdom, the most important powers of that time. The UK did not, however, accept the second paragraph of Article 3. Nevertheless, it was by virtue of this Convention that the principle of *non-refoulement* acquired the status of international treaty law. Mention should be made of two treaties concluded to provide protection for refugees coming from Germany: the Provisional Arrangement concerning the Status of Refugees coming from Germany, signed in Geneva on 4 July 1936,⁵ and the Convention concerning the Status of Refugees coming from Germany, signed in Geneva on 10 February 1938.¹⁸⁵ An Additional Protocol to these treaties opened for signature in Geneva on 14 September 1939, and extended them to include refugees from Austria.¹⁸⁶ As refugees from Germany were not entitled to Nansen certificates, these treaties provided for a separate identity certificate.

The Convention of 1938 was likewise modeled on the Convention of 1933. Neither the Provisional Arrangement of 1936 nor the Convention of 1938 mention the expression *refoulement*, and their provisions on asylum are weaker than those of the 1933 Convention.

¹⁸⁴ Convention of 28 October, 1933 relating to the International Status of Refugees, League of Nations, Treaty Series Vol. CLIX No. 3663.

¹⁸⁵ League of Nations, *Treaty Series*, Vol. CXCII, No. 4461, p. 59.

¹⁸⁶ League of Nations, *Treaty Series*, Vol. CSCVIII, No. 4634, p. 141.

Juridical Condition

Regarding judicial conditions, the convention warrant that the personal status of refugees shall be governed by the law of their country of domicile or, failing such, the law of their country of residence.¹⁸⁷ It further states that the validity of acts of the religious authorities to whom the refugees are subject, in countries that admit the competence of those authorities, shall be recognized by the States Parties to the present Convention. Rights acquired under the former national law of the refugee, more particularly rights attaching to marriage (matrimonial system, the legal capacity of married women, etc.), shall be respected, subject to compliance with the formalities prescribed by the law of their country of domicile, or, failing such, by the law of their country of residence, if this is necessary.

According to Article 5, subject to the provisions of Article 4, paragraph 2, the dissolution of marriages of refugees shall be governed by the law of their country of domicile or, failing such, by the law of their country of residence¹⁸⁸. Refugees shall have, in the territories of the Contracting Parties, free and ready access to the courts of law. In the countries in which they have their domicile or regular residence, they shall enjoy, in this respect, the same rights and privileges as nationals; they shall, on the same conditions as the latter, enjoy the benefit of legal assistance and shall be exempt from *cautio judicatum solvi*¹⁸⁹.

States adhering to the agreement were obliged to guarantee refugees certain rights, including access to Nansen Passports (identification and travel papers); protection of personal status rights; access to courts; freedom of labor and protection from exploitation; and access to education and welfare.

ii. The Universal Declaration of Human Rights (UDHR)

The Universal Declaration of Human Rights was adopted and proclaimed by UN General Assembly Resolution 217 A (III) of 10 December 1948. Through this declaration, the United Nations proclaimed its commitment to uphold, promote and protect the human rights of every individual¹⁹⁰, including refugees. This commitment builds on the United Nations Charter, which reaffirms the faith of the people of the world in fundamental human rights and the dignity and worth of the human person¹⁹¹. These rights are inherent in any human being despite the

¹⁸⁷ Article 4 of the 1933 convention Relating to the Status of Refugees

¹⁸⁸ Article 5 of the 1933 Convention Relating to the Status of Refugees

¹⁸⁹ Article 6 of the 1933 convention Relating to the Status of Refugees

¹⁹⁰ United Nations, “*The Universal Declaration of Human Rights at 60.*” Available at www.un.org/events/humanrights/2007/hrphotos/declaration%_eng.pdf.

¹⁹¹ Article 1 (3) of the United Nations Charter

condition events and inhuman circumstances that you find yourselves in the world including refugees in Cameroon.

The right to seek asylum, right to life, liberty, and security of all persons:

Generally, Article 14 of the declaration defines the framework for refugee protection by recognising the fact that “everyone has the right to seek and to enjoy in other countries, asylum from persecution.” Attention here is nevertheless on articles relating to the social protection of these vulnerable persons. Article 3 affirms the right to life, liberty, and security of a person for everyone. This is a combination of Articles 6 and 9 respectively of the International Covenant on Civil and Political Rights. The United Nations Human Rights Committee refers to it as “the supreme right” and insists that “it is the basis of all human rights¹⁹²” and “should not be interpreted narrowly¹⁹³.” Refugees based on the inherent fact that they are human are entitled to the right to life, liberty, and security. One of the fundamental reasons why nations came together was to ensure that they provide and preserve these rights of all citizens within their borders. These rights are very vital to the attainment of durable solutions for refugees in Cameroon. There is no voluntary repatriation if the refugees’ security is at stake or no effective integration when the refugees constantly live in fear within an urban population or community of settlement.

Freedom of movement and residence within the borders of each state: According to Article 13 (1) of this declaration everyone has the right to freedom of movement and residence within the borders of each State. This is further affirmed in Chapter three of the UN charter article 1(2) that the basis of the global union is to develop friendly relations among nations based on respect for the principle of equal rights¹⁹⁴ and self-determination of people and to take other appropriate measures to strengthen universal peace. This only concretized the fact that member states like Cameroon open their doors to a series of refugees from different nations because of their responsibility to foster friendly relationships amongst nations. Therefore seeking durable solutions to the plights of these vulnerable populations is very intrinsic to amplifying healthy relationships between friendly nations like Nigeria, Chad, and CAR.

¹⁹² UN Human Rights Committee, General Comment No. 14: Right to Life (1984), UN Doc. HRI/GEN/1/Rev.7, May 12, 2004, at 139, para. 1

¹⁹³ UN Human Rights Committee, General Comment No. 6: Right to Life (1982), UN Doc. HRI/GEN/1/Rev.7, May 12, 2004, at 128, para. 1.

¹⁹⁴ UN, article 1(2), charter, purpose and principles of the united nations

The right of everyone to leave any “country, including his own, and to return to his country” recorded in this is but a corollary of freedom of movement declared in paragraph one of the same article¹⁹⁵. In contrast, Gibney and Hansen opine that refugees are usually prohibited from leaving the refugee camp to which they have been assigned, although no provision in international refugee law instruments can justify the systematic and unfettered restriction on the refugees’ freedom of movement. In some countries, the police enforce restrictions on freedom of movement by resorting to arbitrary arrest and detention¹⁹⁶. Nonetheless, some restrictions on the freedom of movement of irregularly entering asylum-seekers are allowed pending the regularisation of States¹⁹⁷.

The right to social security: Article 22 guarantees that everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and following the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality. Social security can therefore be understood in a broad sense as referring to both ‘earned benefits and need-based assistance¹⁹⁸.’

In Article 23 (1), everyone has the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment. Concerning Article 23 (2), everyone, without any discrimination, has the right to equal pay for equal work. As proposed in Article 23 (3), everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. Regarding Article 23 (4), everyone has the right to form and join trade unions for the protection of his interests. The right to work recognises a person’s productive-creative needs. The expression “right to work” is sometimes misunderstood as guaranteeing a job for everyone. The International Labour Conference and the United Nations have discussed this many times, and in fact, what it means in international law is the right to have the opportunity to work⁸⁰. In other words, States have

¹⁹⁵ G. Melander et al., *An Analysing Account of the Conference on the African Refugee Problem*: Arusha, May 7, 1979. Uppsala: Scandinavian Institute of African Studies, 1981, p. 122.

¹⁹⁶ J. Gibney et al., *Immigration and Asylum: From 1900 to the Present*. Santa Barbara, California: ABC CLIO, 2005, p. 499.

¹⁹⁷ J. Hathaway, “The Rights of Refugees under International Law”. New York: *Cambridge University Press*, 2005, p. 412.

¹⁹⁸ R. Tayimlong in *Social Protection of Refugees in Cameroon* (2012) cited in Sheinin in *Rights* (1995), p. 159, cited in Cholewinski, Iglj 14 (2000) pp. 709, 723, cited in, Andreas Zimmermann, Jonas Dorscher, and Felix Machts, *The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol: A Commentary*. Oxford Commentaries on International Law, 2011, p. 1065.

an obligation to provide for the conditions that allow everyone (including refugees) to support themselves and their families.

The Right to nutrition, shelter, and health care: Article 25 is multidimensional, focusing on the rights to nutrition, shelter, and health care. As regards Article 25 (1), everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, medical care and necessary social services, and the right to security in the event of unemployment sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. The rights to food, clothing, housing, and medical care as stated in this article are social acknowledgments of biological-material needs¹⁹⁹. Food is considered the basic need for all human beings. Everyone requires access to food that is sufficient, balanced, and safe to satisfy nutritional requirements, culturally acceptable, and accessible in a manner that does not destroy one's dignity as a human being.

The right to education: Article 26 (1) defines the right to education for everyone. It stresses that education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all based on merit. Paragraph two of Article 26 elucidates that education shall be oriented to the full development of the human personality and the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations in the maintenance of peace.

Meanwhile, the third and last paragraph of the article guarantees the prior right of parents to choose the kind of education that shall be given to their children. The article recognises the right to self-actualisation²⁰⁰. The drafting history of the first two paragraphs is in connection with the rights to the full development of one's personality, which underlies the entire second half of the Declaration, but is specifically mentioned in Articles 22, 26, and 29²⁰¹. Paragraph 2 makes human rights education the new civics for the new world order the drafters

¹⁹⁹ L. Swepston, *The Universal Declaration of Human Rights and ILO Standards: A Comparative Analysis on the Occasion of the 50th Anniversary of the Declaration's Adoption*. Geneva: International Labour Office, 1998, p. 23.

²⁰⁰ J. Wronka, *Human Rights and Social Policy in the 21st Century*. Revised Edition, University Press of America, 1998, p. 26.

²⁰¹ J. Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent*. Philadelphia: University of Pennsylvania Press, 1999, p. 335.

envisioned while the last paragraph attaches special importance to parents who are members of a minority group²⁰².

While the UDHR is technically not a binding document, its principles have acquired international customary recognition. Together with the UN Charter, states have reaffirmed their commitment to the purposes and principles contained therein including the right to *non-refoulement*. Hence, states have the responsibility to protect refugees against *refoulement*.

The use of the word “everyone” in most, if not in all articles analysed above demonstrates the universal coverage of the UDHR to include all human beings including refugees. The Universal Declaration of Human Rights is the first comprehensive human rights instrument to be proclaimed by a universal international organisation. Because of its moral status and the legal and political importance, it has acquired over the years, the Declaration ranks the Magna Carta, the French Declaration of the Rights of Man, and the American Declarations of Independence, as a milestone in mankind’s struggle for freedom and human dignity²⁰³. It is also part of international customary law; it is the base from which all other instruments of human rights derive. There is hardly a country in the world that does not refer to in its preamble to the Universal Declaration of Human Rights.

iii. The 1951 Geneva Convention and its 1967 Protocol

The 1951 Geneva Convention was adopted by the United Nations Conference on the Status of Refugees and Stateless Persons held in Geneva from 2 to 25 July 1951. The Convention entered into force on 22 April 1954, and it has been subject to only one amendment in the form of a 1967 Protocol of New York, which removed the geographic and temporal limits of the 1951 Convention²⁰⁴. The 1951 Convention, a post-Second World War instrument, was originally limited in scope to persons fleeing events occurring before 1 January 1951 and within Europe²⁰⁵. The 1967 Protocol removed these limitations and thus gave the Convention universal coverage. Cameroon and many African countries in a humanitarian spirit acceded to

²⁰² *Ibid.*

²⁰³ T. Buergenthal, *International Human Rights in a Nutshell*. West Publishing Co., 1988, p. 25.

²⁰⁴ United Nations General Assembly Resolution 429 (V) of 14 December 1950, available at <http://www.unhcr.org/refworld/docid/3b00f08a27.html>, cited in Convention and Protocol Relating to the Status of Refugees, available at www.unhcr.org/3b666c2aa10.htm#56 [Accessed 8 October 2019].

²⁰⁵ The Convention enabled States to make a declaration when becoming a party, according to which the words “events occurring before 1 January 1951” are understood to mean “events occurring in Europe” prior to that date. This geographical limitation has been maintained by a very limited number of States, and with the adoption of the 1967 Protocol, has lost much of its significance. The Protocol of 1967 is attached to the United Nations General Assembly Resolution 2198 (XXI) of 16 December 1967, available at <http://www.unhcr.org/refworld/docid/3b00flcc50.html>.

the Convention and accepted within the framework of these instruments, the international protection of refugees as a common trust. The essential characteristic of such a trust is that responsibility for full and effective implementation of those instruments is either shared by everyone.

In Cameroon, the Convention and Protocol entered into force on 23 October 1961 and 19 September 1967 respectively. Even though both international legal treaties failed to articulate the word “durable solutions” it provides well-guiding refugee’s rights and principles that serve as a drive to the attainment of durable solutions for refugees and urban refugees in Cameroon. Without legal standards, there will be no basis for a durable solution that is Integration into asylum countries, resettlement to a third country, and voluntary repatriation to the country of origin. The emphasis here is laid on the provisions of the Convention related to fostering durable solutions for refugees in Cameroon. Being a host to so many refugees, the UNHCR and the authority of Cameroon have continued to witness the increasing flow of these groups of persons into, rural, semi-urban and urban centers.

Although most refugees stay in more rural areas, many refugees, including those from CAR, choose to move into the larger cities of Cameroon, Yaoundé, Bertoua, Garoua, and Douala. The refugees move towards the cities for many reasons, but those interviewed indicated two primary reasons for coming to Yaoundé: the first was to find work, and the second was because they already knew some people in the city, who presumably came to find work. Refugees living in urban areas have different needs and obstacles than those who live in camps or rural settlements. Many enter urban settings hoping to have the opportunity to retain self-sufficiency and earn an income to support their family, but the reality of living as a refugee in a city can be difficult without proper support mechanisms. The reality is that many urban refugees still face grave violations of rights and extreme levels of poverty. To understand the needs and protection issues for urban refugees it is important to highlight the protections given to the refugees by the 1951 Geneva Convention relating to the status of refugees²⁰⁶.

Access to Justice: As underpinned in Article(art) 16, “ a refugee shall have free access to the courts of law on the territory of all Contracting States” this provision is further strengthened by art,16(2) which states that “a refugee shall enjoy in the Contracting State in which he has his habitual residence the same treatment as a national in matters pertaining to

²⁰⁶ Matthiesen, “Because I am a stranger”,p.5

access to the courts, including legal assistance and exemption from *cautio judicatum solvi*²⁰⁷. However, art,16(3) further states that “a refugee shall be accorded in the matters referred to in paragraph 2 in countries other than that in which he has his habitual residence the treatment granted to a national of the country of his habitual residence”. This article applies to all the contracting states regardless of the location of refugees within its territorial bounds, whether in rural settlements or the Urban settlement like the case of Urban refugees in Yaoundé.

Article 17 requires States to accord refugees lawfully staying in their territory the most favorable treatment accorded to nationals of a foreign country in the same circumstances, as regards wage-earning employment. The article is a product of negotiations conducted during the serious economic conditions following the Second World War²⁰⁸. It is therefore arguable that any restrictive measures on the enjoyment of this right by refugees today and drawn from the 1951 Convention could be justified, on an exceptional basis only, according to severe financial or economic conditions equivalent to the post-Second World War environment as an implied term of Article 17 of the 1951 Convention.²⁰⁹ However, this will only be permitted if it does not defeat the object and purpose of the 1951 Convention. The preamble to the Convention recalls that the UN had ‘manifested its profound concern for refugees and endeavored to assure refugees the widest possible exercise of their fundamental rights and freedoms²¹⁰, or otherwise violate human rights obligations such as the obligation to treat individuals with dignity. The violation of the afore rights by the government of Cameroon (a contracting state to the Geneva Convention) will impede the attainment of durable solutions to refugees' predicament in Cameroon.

The Rights to shelter: The refugee's right to housing is found in article 21. It states that “as regards housing, the Contracting States, in so far as the matter is regulated by laws or regulations or is subject to the control of public authorities, shall accord to refugees lawfully staying in their territory treatment as favorable as possible, and in any event, not less favorable

²⁰⁷ “*Judicatum solvi* from a legal definition is a situation where the refugee in such an obligation is bound in payment or fulfillment of whatever may be discerned for, and he is not liberated from the obligation by the death of the principal debtor. It is a kind of caution not infrequently required. Under the civil law this caution was required of any defender who remained in possession, during the suit, of the subject which gave rise to the dispute.” John Trayner, Trayner’s Latin Maxims 292–93 (4th ed. 1894).

²⁰⁸ Zimmermann, et al. The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol: A Commentary, Oxford Commentaries on International Law, 2011, p.967.

²⁰⁹ *Ibid.*

²¹⁰ Edwards, International Journal of Refugee Law 17 (2005) pp. 293, 297 cited in ZIMMERMANN et al, op. cit., p. 967

than that accorded to aliens generally in the same circumstances²¹¹.” It is noted that the term ‘housing’ is wider than ‘housing accommodation’ and that the concept of housing ‘implies not only the obtaining of a dwelling place but also participation in schemes for financing the construction of dwelling places. However, article 23 further emphasis urban areas as a legitimate settlement space for refugees, its states that “the Contracting States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals”. This means that in times of any socio-political, economic, and financial crisis urban refugees are supposed to have the same treatment concerning humanitarian relief and assistance as the citizens of Cameroon.

Urban Refugees' Rights to Education: Article 22 focuses on public education which provides that “the Contracting States shall accord to refugees the same treatment as is accorded to nationals for elementary education.” The Secretariat draft of the article stated that elementary education is to be provided for refugees in the same manner as for nationals, because elementary education satisfies an urgent need, the reason why most states have made it compulsory, and because schools are the most rapid and effective instrument of assimilation²¹². Article 22 (2) goes further to precise that “the Contracting States shall accord to refugees treatment as favorable as possible, and, in any event, not less favorable than that accorded to aliens generally in the same circumstances, for education other than elementary education, and in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and the award of scholarships.”

In this case, the secretariat draft holds that refugees shall enjoy the most favorable treatment accorded to nationals of a foreign country, in particular as regards the remission of fees and the award of scholarships. It follows that since refugees are generally in precarious economic positions, it would be desirable to do more than merely accord them the ordinary treatment enjoyed by foreigners; otherwise in practice although secondary and higher education is open to them, they will be unable for want of money, to take advantage of it. This explains why it is proposed to grant refugees the most favorable treatment granted to nationals of a foreign country²¹³.

²¹¹ Article 21, of the 1951 Geneva convention Relating to Refugees Status.

²¹² P.Weis. “The International Protection of Refugees,” *American Journal of International Law*, Vol. 48, 1954. P.85.

²¹³ *Ibid.*, pp. 117-118

The rights to freedom of Movement: Article 26 addresses the right to freedom of movement by obliging each Contracting State to accord to refugees lawfully in its territory the right to choose their place of residence to move freely within its territory, subject to any regulations applicable to aliens generally in the same circumstances. WEIS supposes that Article 26 applies to refugees lawfully in the territory. It does not affect the conditions imposed on refugees for their admission. Special measures taken in time of war or other grave and exceptional circumstances are covered by Article 9²¹⁴. Subject to this, Contracting States may not discriminate between refugees in applying Article 26. In as much as a refugee is restricted in his freedom to seek employment, this may also entail a restriction to choosing his place of residence.

Access to travel documents: It stipulates in Article 28(1) that “The Contracting States shall issue to refugees lawfully staying in their territory travel documents for travel outside their territory unless compelling reasons of national security or public order otherwise require, and the provisions of the Schedule to this Convention shall apply to such documents. The Contracting States may issue such a travel document to any other refugee in their territory; they shall, in particular, give sympathetic consideration to the issue of such a travel document to refugees in their territory who are unable to obtain a travel document from the country of their lawful residence. In situations where refugees do not have travel documents article, 27²¹⁵ should be implemented. In addition article 28(2) further reiterated that “Travel documents issued to refugees under previous international agreements by Parties thereto shall be recognized and treated by the Contracting States in the same way as if they had been issued pursuant to this article.

The Principle of non-refoulement: Article 33 tackles the predicament of prohibition from expulsion or return also known as *refoulement*. Article 33 (1) rules out contracting states from expelling or returning (*refouler*) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion. This principle protects refugees from being expelled or *refouled* in territories where they are subject to persecution.

²¹⁴ Article 9 of the 1951 Convention states “Nothing in this Convention shall prevent a Contracting State, in time of war or other grave and exceptional circumstances, from taking provisionally measures which it considers to be essential to the national security in the case of a particular person, pending a determination by the Contracting State that that person is in fact a refugee and that the continuance of such measures is necessary in his case in the interests of national security.”

²¹⁵ Article 27 states that “The Contracting States shall issue identity papers to any refugee in their territory who does not possess a valid travel document”.

Although the concept of "persecution" is not defined in the Geneva Convention, it is generally accepted that such violations as torture, arbitrary execution or enforced disappearance constitute acts of persecution. Those at risk of such violations should be recognized as refugees and protected from *refoulement*. On this, Weis opines that the words "to the frontiers of territories where his life or freedom would be threatened" have the same meaning as in Article 31 (1)²¹⁶, that is, the same meaning as 'well-founded fear of persecution in Article 1 A (2)²¹⁷ of the Convention. It applies to the refugee's country of origin and any other country where he also has a well-founded fear of persecution or risk of being sent to this country of origin²¹⁸.

The question arises whether the provision applies to non-admittance at the frontier and extradition. The words "in any manner whatsoever" would seem to indicate that this is the case. It was ruled by the President of the Conference²¹⁹ that the article does not apply to mass migrations. In the course of drafting, other words such as "not to turn back" were used. The argument that *refoulement* entails a right to asylum is not correct.²²⁰ The State admitting the refugee is not obliged to grant him asylum, and may even expel him to another country willing to admit him (Article 31). As to extradition, it would also seem to be covered by the words 'in any manner whatsoever. Most treaties of that kind specified that not only should the fact be established *prima facie* to the satisfaction of the country receiving the extradition request, but also that the crime for which the criminal was to be returned was not political²²¹.

Article 33 (2) nevertheless limits the extent to which paragraph one of the article applies by stating that the benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community or that country. Weis²²² argues that this second

²¹⁶ The article states that the Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

²¹⁷ Under this provision, which is also incorporated into Article 1 of the 1967 Protocol, the term "refugee" also applied to any person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable or, owing to such fear, unwilling to avail him/herself of the protection of that country; or who is not having a nationality and being outside the country of his or her habitual residence is unable or, owing to such fear, unwilling to return to it home country" at article 1 of the 1951 convention, p.2.

²¹⁸ P. Weis, *The Refugee Convention, 1951: The Travaux Préparatoires Analysed*, Cambridge: Grotius Publications, 1995, p. 245 . available at www.unhcr.org/4ca34be29.pdf.

²¹⁹ United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons.

²²⁰ Weis, *The Refugee Convention, 1951*., p. 245..

²²¹ *Ibid.*, p.245

²²² *Ibid.*, p.246

paragraph constitutes an exception to the general principle embodied in paragraph one and has, like all exceptions, to be interpreted restrictively. He further argues that not every reason for national security may be invoked; the refugee must constitute a danger to the national security of the country. As to criminal activities, the word ‘crimes’ is not to be understood in the technical sense of any criminal code but simply signifies a serious criminal offense. Two conditions must be fulfilled: the refugee must have been convicted by a final judgment of a particularly serious crime, and he must constitute a danger to the community of the country. What crimes are meant is difficult to define since the principle that the criminal, not the crime, is to be punished applies. Certainly, capital crimes such as murder, rape, armed robbery, and arson are included.

However, even a particularly serious crime, if committed in a moment of passion, may not necessarily constitute the refugee as a danger to the community. On the other hand, a refugee who has committed a particularly serious crime and many minor offenses may well, as a habitual criminal, constitute a danger to the community²²³. On his part, Hathaway²²⁴ notes that in some cases, depriving refugees of the necessities of life may give rise to a breach of the duty of *non-refoulement*. Repatriation under coercion, including situations in which refugees are left with no real option but to live is a breach of Article 33 of the refugee convention. At this point, it might be worthwhile considering the argument of Hathaway that the drafters of the Refugee Convention, paid surprisingly little attention to the importance of meeting the basic needs of refugees who arrive to seek protection. While they gave detailed attention to a variety of relatively sophisticated socioeconomic rights, the Convention does not directly address the rights to food, water, or healthcare and only regulates access to public housing for refugees once they are lawfully staying in a given country²²⁵.

The attainment of durable solutions for urban refugees remains very challenging, especially in situations where refugee rights are not respected. The establishment of a policy framework by the UNHCR in 2009 laid down modalities upon which urban refugees can be well protected and assisted within a complex environment. The framework underpinned the concept that the protection, as well as assistance to refugees, does not depend on where they are located. It’s promulgating the idea that refugees settled in rural settlements, cities, or urban

²²³ *Ibid.*, p.246.

²²⁴ J.C., Hathaway, *The Rights of Refugees under International Law*. New York: Cambridge University Press, 2005, p. 464.

²²⁵ *Ibid.*, pp.464-465.

areas like the case of urban refugees are to be treated equally in dignity and with rights. It is on this basis that the need for sustainable solutions to urban refugee challenges is well attained.

However, the 1951 Geneva Convention relating to the Status of Refugees and its 1967 protocol was further strengthened by the UNHCR Executive Committee conclusion 06 (XXXVII) 1977 paragraph (c), conclusions No. 18 (XXXI) of 1980, and conclusion No. 40 (XXXVI) of 1985 and the United Nation General Assembly resolution 428 (v), which defines the fundamental principles of protection and presents concrete proposals to assist UNHCR in promoting voluntary repatriation. These instruments emphasise respect for the principle of *non-refoulement* as an indispensable catalyst in the repatriation of refugees.

iv. UNHCR Executive Committee Conclusions

The Executive Committee of the High Commissioner's Programme continues to emphasis on state's disregard for the fundamental principle of *non-refoulement* during its 28th session in 1977. The executive committee conclusion 06 (XXXVII) 1977 paragraph (c) reaffirms the fundamental importance of the observance of the principle of *non-refoulement* both at the border and within the territory of a State of persons who may be subjected to persecution if returned to their country of origin irrespective of whether or not they have been formally recognised as refugees²²⁶. The Executive Committee of the High Commissioner's Programme first examined the topic of voluntary repatriation in detail in 1980 and recognised in its Conclusion 18 (XXXI) the desirability for UNHCR, whenever necessary, to be involved in establishing the voluntary character of repatriation, cooperating with governments to assist refugees who express the wish to repatriate, arranging for guarantees to be provided by the country of origin, advising refugees of such guarantees and of information regarding conditions prevailing in their country of origin, monitoring the situation of returnees in their country of origin, receiving returnees in their country of origin and assist in their reintegration²²⁷.

In addition, the 1984 UN Convention against Torture and other cruel, inhuman treatment further strengthens this executive conclusion through article 3. The wording of article 3 of CAT is based on article 33(1) of the 1951 UN Convention but only applies to persons who face torture upon return. It provides that no state party shall expel, return (*'refouler'*) or extradite a person to another state where he would be in danger of being subjected to torture. Unlike *refoulement* in the 1951 UN Convention, CAT guarantees absolute prohibition of

²²⁶ Conclusion No. 6 (XXVIII) *Non-Refoulement* 1977, p.7

²²⁷ *Ibid*, conclusion No. 18 (XXXI) Voluntary Repatriation, 1980, p.23.

refoulement under article 2(2). Furthermore, the CAT provided a criteria for determining the actual danger or real risk of being subjected to torture.²²⁸ An important component of the CAT is the Committee against Torture, a monitoring body initiated to ensure the implementation of CAT's provisions. In addressing communications alleging violations of article 3, the Committee has concluded that *non-refoulement* applied not only to direct expulsion, return or extradition but also to indirect transfers to a third country from which the individual might be in danger of being returned to the country where he or she will be in danger of being subjected to torture. Given the lack of a monitoring body for the implementation of the 1951 UN Convention, CAT plays a vital role in protecting the rights of refugees.²²⁹ On the heels of CAT was the 1985 executive resolution.

In 1985, the Executive Committee adopted Conclusion 40 (XXXVI)²³⁰ on the same subject and significantly developed doctrine about voluntary repatriation through a clear reiteration of basic protection principles and through outlining in some detail practical ways and means of promoting this solution, and of making it truly durable through rehabilitation and reintegration assistance. In particular, UNHCR should keep the possibility of repatriation "under active review" from the outset of a refugee situation (and as appropriate actively pursue the promotion of this solution), act as an intermediary, and promote dialogue between all main parties; tripartite commissions between UNHCR, the country of origin and the country of asylum should be established, on all occasions be fully involved from the outset in assessing the feasibility and, thereafter, in both the planning and implementation stages of repatriation, together with other UN Agencies, assist returnees in their reintegration and rehabilitation, be recognised as having a legitimate concern for the consequences of return and be given direct and unhindered access to returnees.

In 1994 the Executive Committee in its 45th Session reaffirms its Conclusions No. 18 (XXXI) (1980) and No. 40 (XXXVI) of 1985 on voluntary repatriation, and underscores the leading role of UNHCR in promoting, facilitating, and coordinating voluntary repatriation of refugees conclusion 74 (XLV), in cooperation with States concerned, including ensuring that international protection continues to be extended to those in need until they can return in safety and dignity to their country of origin, assisting, where needed, the return and reintegration of

²²⁸Article 3(2).

²²⁹Article 38 of the 1951 UN Convention.

²³⁰Conclusions adopted by the Executive Committee on the International Protection of Refugees, 1975 – 2009(Conclusion No. 1 – 109): No. 40 (XXXVI) Voluntary Repatriation (1985), p.50.

repatriating refugees and monitoring their safety and well-being upon return²³¹. Reaffirming the above Conclusions, the Executive Committee in 2004 (h) evaluate the significant achievements in voluntary repatriation throughout the past year⁴ and the further potential for the sustainable voluntary return of considerable numbers of refugees, as a result of peacemaking, reconciliation, and reconstruction efforts which have contributed to the resolution of certain long-running conflicts; acknowledges the importance of ensuring the ongoing voluntary nature of refugee returns and the full and equal participation of refugee women in the pursuit of voluntary repatriation and the consolidation 2004²³².

v. The United Nations General Assembly Resolutions

The United Nations General Assembly resolution 428 (V) called on States to cooperate with UNHCR to ensure the voluntary repatriation of refugees. The general assembly resolution emphasises that the UNHCR should assist refugees' countries of origin and countries of asylum in facilitating the voluntary repatriation of refugees²³³. Any repatriation operation should then be carried out with due regard for the welfare and interests of the refugees. They underline the importance of promoting and facilitating voluntary repatriation to solve the refugee problem, provided that States themselves agree to assume the responsibilities incumbent on them.

The UN General Assembly has repeatedly reaffirmed UNHCR's role in voluntary repatriation operations generally, and in the country of origin on return in particular²³⁴. During the Algerian repatriation operation in 1961, it became apparent that UNHCR could only effectively assist in the operation if assigned a more active role in Algeria. Recognising this, the General Assembly in Resolution 1672 (XVI) 2(2), requested UNHCR to assist in the rehabilitation of Algerian refugees following their return to their homeland. This decision, which effectively broadened UNHCR's competence, has been reiterated in numerous subsequent resolutions, both in general terms and regarding specific returnee situations²³⁵. Moreover, the 1966 International Covenant on Civil and Political Rights (ICCPR) provides that no one who is lawfully within the territory of a state shall be expelled from that state

²³¹Conclusion No. 74 (XLV) General, 1994, p. 103.

²³²No. 101 (LV) – Conclusion on Legal Safety Issues in the Context of Voluntary Repatriation of Refugees, 2004, p.169.

²³³United Nations General Assembly Resolution 428 (V) of 14 December 1950, available at <http://www.unhcr.org/refworld/docid/3b00F08a27.html>, cited in Convention and Protocol Relating to the Status of Refugees, available at www.unhcr.org/3b666C2aa10.htm56 (Accessed 9 march 2017).

²³⁴UNHCR handbook on voluntary repatriation: international protection, Geneva, 1996.

²³⁵United Nation General Assembly Resolution 1672 (XVI) 2(2) of the 1951 convention and its Protocol Relating to the Status of Refugees.

without due process.²³⁶ The importance of ICCPR in ensuring respect for refugee rights including *non-refoulement* can be seen in two folds: First, it specifies what action must be taken before anyone can be forcibly expelled. Second, it has a monitoring body called Human Rights Committee, where victims may direct incidents of *refoulement*.²³⁷ This allows refugees to seek remedies in case of threats to *refoulement*.

In 2016 the UN General Assembly reaffirm the primary goal of bringing about conditions that would help refugees return in safety and dignity to their countries and emphasises the need to tackle the root causes of violence and armed conflict and to achieve necessary political solutions and peaceful settlement of disputes, as well as to assist in reconstruction efforts²³⁸. In this context, States of origin/nationality would: Acknowledge that everyone has the right to leave any country, including his or her own, and to return to his or her country; respect this right and also respect the obligation to receive back their nationals, which should occur in a safe, dignified and humane manner and with full respect for human rights per obligations under international law; provide necessary identification and travel documents; facilitate the socioeconomic reintegration of returnees; and consider measures to enable the restitution of property.

vi. UNHCR's 2009 Policy on Urban Refugees

Beginning from the 1970s onwards, UNHCR's operational activities focused predominantly on refugees in rural areas of developing countries, particularly those that ended up in refugee camps and settlements²³⁹. Even though UNHCR acknowledged the presence of refugees in urban areas, "this was based on the assumption that such refugees were more the exception than the norm"²⁴⁰. Over time, and in response to a growing awareness of the plight of refugees in urban areas, UNHCR published a "Policy for Refugees in Urban Areas" in December 1997. This represented an important first step toward recognizing both the presence and plight of refugees in cities and towns. Responses to this policy from the advocacy community tended to be critical, suggesting that it was impractical to implement and

²³⁶Article 13. ICCPR was adopted by UNGA resolution 2200A (XXI) of 16 December 1966 and entered into force on 23 March 1976. Cameroon acceded to the ICCPR on 11 September 1976.

²³⁷States that have become a party to the First Optional Protocol to the ICCPR recognise the competence of the Committee. Cameroon is not a party to the two Optional Protocols to ICCPR.

²³⁸Resolution (71/1) adopted by the General Assembly for Refugees and Migrants on 19 September 2016.

²³⁹ J.Crisp., *Refugees, Persons of Concern and People on the Move: The Broadening Boundaries of UNHCR. Refuge*, 2009, p.76.

²⁴⁰ UNHCR, *UNHCR Policy on Refugee Protection and Solutions in Urban Areas*, September 2009, para 6

characterized by a weak commitment to protection²⁴¹. In the early 2000s, an extensive review process reflected a growing awareness of the limits of this policy within UNHCR²⁴².

In September 2009, after extensive consultation with a range of stakeholders and critical reflection on its practice, UNHCR adopted a new policy on “Refugee Protection and Solutions in Urban Areas”. Fundamentally the urban Refugee Policy is based on the principle that the rights of refugees and UNHCR’s mandated responsibilities towards them are not affected by their location, the means whereby they arrived in an urban area, or their status or lack thereof in national legislation. The policy recognizes that its objectives can only be achieved through effective cooperation, especially with the governments and city authorities that host urban refugees. The publication of this new policy was reinforced by a High Commissioner’s Dialogue on Protection Challenges” shortly afterward that focused on displacement in urban areas. These developments contributed significantly towards energizing the discussion on displacement in urban areas and the challenge of developing an appropriate response. The 2009 policy represented a fundamental shift in UNHCR’s prioritization of refugees in urban areas.

The 2009 policy highlights the need for more creative and innovative responses to what appears to be a growing humanitarian challenge. Importantly, it also re-states the central applicability of UNHCR’s international mandate in urban areas and the organization’s commitment to time-honored norms and standards of refugee protection. Much of the commentary on expanding “protection space” for refugees in urban areas, for example, reinforces the point that refugees are entitled to the same levels of protection, wherever they are located. Presence or residence in urban areas should not lead to diminished forms of protection for refugees, regardless of national policies or regulations related to refugee settlement.

The Fundamental Principles: The Urban Refugee Policy is based on the principle that the rights of refugees and UNHCR’s mandated responsibilities towards them are not affected by their location, the means whereby they arrived in an urban area, or their status or lack thereof in national legislation. The policy recognizes that its objectives can only be achieved through

²⁴¹ Human Rights Watch, *Hidden in Plain View: Refugees Living Without Protection in Nairobi and Kampala*. Human Rights Watch: New York, 2002, p.13.

²⁴² S. Sperl, *Evaluation of UNHCR’s Policy on Refugees in Urban Areas: A Case Study Review of Cairo*. UNHCR, June 2001, p.15.

effective cooperation, especially with the governments and city authorities that host urban refugees. Thus, the two overarching goals of the policy are to:

1. Ensure that cities are recognized as legitimate places for refugees to reside and exercise the rights to which they are entitled.
2. Maximize the protection space available to urban refugees and the humanitarian organizations that support them²⁴³.

These include a commitment to the protection of refugee rights, highlighting the responsibility of the host state, the importance of partnerships, needs assessments, and the recognition of diversity through the organizations “age, gender and diversity mainstreaming” (AGDM). They also include a commitment to equity, interaction with refugees, and the adoption of a “community-based” approach that promotes self-reliance wherever possible.

Urban Refugee Policy Objectives: The policy outlines more specific objectives related to reception, registration, documentation, refugee status determination, access to UNHCR, positive relations, security, livelihoods, access to services and material needs, and durable solutions²⁴⁴.

The Urban Refugee Policy identifies 12 key objectives that the policy intends to attain and outlines protection strategies that country operations will employ to achieve them. Below is a summary of each of the objectives.

Providing reception facilities: UNHCR will establish accessible reception arrangements with appropriate facilities, efficient appointment and referral systems, and the provision of relevant information.

Registration and data collection: UNHCR will support the registration and collection of data on all urban refugees, not just those in capital cities, and will strive to disaggregate the data in accordance with Age, Gender, and Diversity Mainstreaming (AGDM) principles. Registration is primarily a state responsibility, but in many instances has been left to UNHCR.

Ensuring that refugees are documented: UNHCR will ensure that documents attesting to their identity and status are provided to refugees. This is primarily the responsibility

²⁴³ UNHCR policy on refugee protection and solutions in urban areas, para (23) (September 2009).

²⁴⁴ The forms of protection that refugees can expect to enjoy are summarized in Paragraph 21 of the 2009 UNHCR policy

of the state, but in situations in which the authorities are unable to do so, UNHCR will issue its documents to refugees. This includes birth registration, marriage, and death registration.

Determining refugee status: In situations in which states do not undertake Refugee Status Determination (RSD) because they have not signed the 1951 Convention or its 1967 Protocol, or where national asylum procedures are not fully functioning, UNHCR continues to determine refugee status per its mandate. In doing so, UNHCR will establish transparent and consistent RSD procedures.

Reaching out to the community: UNHCR will adopt a variety of different outreach methods to reach refugee communities including those individuals with specific protection concerns, such as women, girls, and children.

Fostering constructive relations with urban refugees: UNHCR will establish constructive dialogue and positive partnerships with refugees in urban areas, this includes the application of AGDM principles, use of the Community Based Approach, and multifunctional teams (MFT) composed of UNHCR staff with varied expertise, e.g., a Protection Officer, Health Officer, and Education Officer²⁴⁵.

Maintaining security: UNHCR will seek to avert security incidents at UNHCR premises by working with refugees and their community representatives in a spirit of understanding and cooperation. This will be complemented with appropriate security and contingency plans, effective training of guards, and capacity development for police and/or other security services.

Promoting livelihoods and self-reliance: UNHCR will support the efforts of urban refugees to become self-reliant - to the extent possible in respect of national laws—and will engage and advocate with authorities and other partners to realize that.

Ensuring access to healthcare, education, and other services: UNHCR will pursue a three-pronged strategy of:

- Advocating for refugees to have access to public services;
- Monitoring refugees' utilization of health, education, and social welfare services, with particular attention to those who are most vulnerable and have specific needs.
- Augmenting the capacity of existing public and private services.

²⁴⁵ UNHCR 2009 policy on the protection of urban refugees paras. 46, 47, etc.

Meeting material needs: When self-reliance is not a viable objective, UNHCR, in collaboration with partners, will seek to meet the needs of urban refugees by other means including collective accommodation, subsidized housing, food assistance, and non-food items, and cash transfers.

Promoting durable solutions: UNHCR will work for the early attainment of durable solutions for all refugees and will strive to ensure that all refugees within a given country and region shall enjoy similar standards of treatment and have equal access to durable solutions opportunities, including voluntary repatriation, local integration or resettlement.

Freedom of Movement: UNHCR will strive to ensure that refugees who travel to urban areas are provided with adequate documents and will advocate with the authorities and security services to ensure that they are not penalized for traveling and that they are allowed to remain in an urban area for as long as necessary.

UNHCR's 2009 policy update has been recognized widely as an important step in addressing the specific predicament of refugees in urban areas. It has, however, also been criticized for achieving only a "partial dislodging of the camp bias"²⁴⁶ in the organizations' commitments to protecting refugees in urban areas. The policy references its guiding principles, as usual – rights, state responsibility, partnerships, needs assessment, age, gender and diversity mainstreaming, equity, community orientation (previously 'people-centered planning'), and self-reliance. But it adds a new, albeit a rather odd, principle: that of 'interaction with refugees', which subtly reminds UNHCR staff that they must "interact regularly and directly" with refugees in urban areas²⁴⁷.

Overall, the new policy is ambitious in its orientation, protection-focused, broad in its coverage, yet rather vague in its specifics. It starts with a realistic set of caveats on the scope of the document, interwoven with honest statements on the inevitable constraints on UNHCR's capacity to deliver its protection mandate in urban areas. Indeed, the challenges outlined in the document concerning urban refugees provide a small window into the challenges facing the organization more generally in the 21st century²⁴⁸. At the same time as UNHCR engages in the operational delivery of refugee rights, it also plays the role of 'gatekeeper' or, in its own words,

²⁴⁶ A. Edwards, Legitimate Protection Spaces: UNHCR's 2009 Policy. *Forced Migration Review*, 2010, pp.49-50.

²⁴⁷ UNHCR 2009 Policy on the Protection of Urban Refugees paras. 46, 47, etc.

²⁴⁸ Edwards "Legitimate' protection spaces: UNHCR's 2009 policy", p.34.

it ‘polices’ the refugee population with negative attendant consequences for its relations with refugees²⁴⁹. Just like the 1951 Convention and supplemented by the 2009 policy framework on Urban refugees protection, the OAU Convention includes the individual prosecution concept in its definition of a refugee and goes further to extend this definition to include those running from foreign aggression or occupation, foreign domination or events seriously disturbing public order (OAU Convention). This convention is a complement to the 1951 Convention in Africa.

III: Other Universal Instruments Reinforcing the Durable Solutions for Refugees

The 1951 refugee Convention and its 1967 Protocol, Universal Declaration of Human Rights, and UNHCR 2009 urban refugees’ policy are not the only global legal precepts for the social protection of refugees. With the progressive development of international human rights law, there exist other international legal instruments reinforcing the UNHCR agenda toward refugees’ durable solutions. From this perspective, the International Covenant on Economic, Social, and Cultural Rights and the International Covenant on Civil and Political Rights can be noted.

i. The International Covenant on Economic, Social, and Cultural Rights (ICESCR)

The International Covenant on Economic, Social, and Cultural Rights was adopted and opened for signature, ratification, and accession by the General Assembly Resolution 2200A (XXI) of 16 December 1966²⁵⁰. The Covenant was ratified by Cameroon on June 27, 1984, and entered into force on September 27, 1984²⁵¹. This covenant is only illustrated here because Cameroon is a signatory to this covenant. These rights are not only supposed to be enjoyed by national even refugees are entitled to these rights. So the provision of long-lasting solutions to refugees’ predicament cannot be fulfilled without looking deep into this article and its connectivity with other relevant international refugee laws.

The right of non-discrimination in the application of the covenant: By extrapolation, Article 2 (2) of the Covenant includes the respect of the rights of persons with refugee status recognised in the Covenant, by stating that “the States Parties to the present

²⁴⁹ *Ibid.*, (para. 126)

²⁵⁰ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and Optional Protocol to the International Covenant on Civil and Political Rights, 16 December 1966, A/RES/2200, available at: <https://www.refworld.org/docid/3b00f47924.html> [accessed 12 June 2020]

²⁵¹ UN. “United Nations Treaty Collection (UNTC).” Available at <http://treaties.un.org> [accessed 12 June 2020]

Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or another status²⁵²”.

The right to work and enjoy a just and favourable condition at work: This is projected in article 6&7 of the covenant. These two articles are in consonance with issues of work and a favorable working environment for all. States are said to violate Articles 6 and 7 if they commit or permit workplace discrimination or violence against employees²⁵³. They also violate these provisions if they do not pass or enforce statutes, regulations, or laws to prohibit discriminatory and harmful employment practices for employees who work for any kind of employer, public or private. National laws or practices restricting women’s ability to work outside their homes constitute a violation of Articles 6 and 7. In case of effective integration, the UNHCR and the government of Cameroon have the responsibility to ensure that refugees who are employed in a formal and informal setting are not exploited by their employees²⁵⁴. A failure of both parties to ensure that private employers comply with employment standards regarding safety work may violate the “right to work” or the “right to just and favourable conditions of work²⁵⁵.”

The right to everyone to social security: Article 9 recognises the right of everyone to social security, including social insurance. An example of a violation of this right includes situations where legislation excludes foreign and migrant workers who do not have full-time jobs from social benefits and protections such as health care services, workers' compensation, unemployment insurance benefits, and financial support for other individuals and families in need²⁵⁶. However, for better comprehension, Cheinin Cholewinski succinctly summarised some important limitations of the article in shaping arguments for the protection of the rights of refugees and asylum seekers to social security that need to be kept in mind. According to

²⁵² The word as to “race” and “national or social origin” refers to refugees and asylum seekers. This mean that the government of Cameroon has an inherent obligation not only to protects and ensure the security of all refugees as mandated by the 1951 convention. They also have an additional mandate to ensure the welfare of these vulnerable population and that includes providing space for effective integration into their rural and urban centers and ensuring that those who want to return should do so in safety and dignity.

²⁵³ A. Mcchesney, *Promoting and Defending Economic, Social and Cultural Rights, A Handbook*. Washington DC: American Association for the Advancement of Science, 2000, pp. 44-45.

²⁵⁴ Article 6(2) further reiterates that “The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.”

²⁵⁵ A. Mcchesney, 2000 pp. 44-45

²⁵⁶ Ibid

him, the guarantee of Article 9 of the ICESCR is very general referring merely to ‘social security, including social insurance,’ in deference to the far more detailed provisions in International Labour Organisation instruments²⁵⁷. This article ‘primarily focuses on social security in the narrow sense: income-based and situation-based cash benefits for workers and their families.

Article 10 warrants State parties to the Covenant to recognise that the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children.

Furthermore, it insists on the accordance of special protection for mothers during a reasonable period before and after childbirth. The article requires that children and young persons be protected from economic and social exploitation. This rule is violated when governments fail to monitor and register cases of family violence against women or children, ensure appropriate punishment for those convicted of violence, or provide shelters and other protections for women and children who are victims of violence²⁵⁸. In the area of economic, social, and cultural rights, the most noteworthy contribution to the idea of human rights appears to be the protection and preservation of family life, one of the main goals of the Magna Carta²⁵⁹.

The right to food, clothing, and housing: Article 11 (1) tackles the rights to food, clothing, and housing. On housing, Rivers and Brown argue that refugee survival also depends on access to adequate shelter²⁶⁰. Even though shelter is a critical determinant of refugee health, particularly in extreme climatic conditions, it is frequently treated as a “poor cousin’ to other necessities of life¹³¹. Citing concerns of “perceived permanency” and cost, governments sometimes insist on the right to negotiate with international agencies, about whether or not refugees should be given access to housing²⁶¹. In some countries, access to reception centers is voluntary, and may even be restricted. Furthermore, Article 11 (2) expatiates on the right to nutrition by emphasizing that the States parties to the Covenant, recognising the fundamental right of everyone to be free from hunger, shall take, individually and through international

²⁵⁷ Zimmermann et al, op. cit., p. 65

²⁵⁸ Allan Mcchesney, op. cit., p. 49.

²⁵⁹ Stringham, 1966. Cited in Joseph Wronka, op. cit., p. 55. As earlier insinuated, the Magna Carta is considered a great landmark in the development of the idea of human rights. The document laid the groundwork for the many advances in human rights.

²⁶⁰ J. Rivers and G. Brown, *The Psychological Aspects of Shelter Deprivation*, in I. DAVIS ed., *Disasters and the small Dwelling*, 1981, pp.9-13.

²⁶¹ *Ibid*

cooperation, the measures, including specific programmes which are needed to improve methods of production²⁶², conservation, and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilisation of natural resources. This has to take into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

The right to enjoy the highest attainable standard of physical and mental health:

This covenant recognises the right of everyone to enjoyment of the highest attainable standard of physical and mental health²⁶³. The article lays down steps to be taken by the States parties to the Covenant to achieve the full realisation of this right including provision for the reduction of stillbirth-rate and infant mortality and the healthy development of the child; improvement of all aspects of environmental and industrial hygiene; the prevention, treatment, and control of epidemic, endemic, occupational and other diseases; the creation of conditions which would assure to all medical service and medical attention in the event of sickness. In countries whose constitutions emphasise economic and social rights, health care, for example, is paid by taxes and available for everyone. Cuba and Sweden are cases in point²⁶⁴. Those who advocate for this argue that it is meaningless, to give a person the right to participate in government if he or she is a person with disabilities and has no access to health care²⁶⁵. This demonstrates the interdependence and indivisibility of rights.

According to Reddy upholding human rights and the dignity of all human beings and adopting of intergenerational approach are important prerequisites for improving public health²⁶⁶. For implementation, Mears and Chowdhury²⁶⁷ propose that assessment must cover the following areas: the health and nutritional status of refugees, which will depend on both the history of their displacement and conditions in the camp; the risk factor in the camp environment, principally inadequate food, water and sanitation, crowded shelter, and

²⁶² Article 11(2), ICESCR

²⁶³ Article 12, ICESCR.

²⁶⁴ Joseph Wronka, op. cit., p. 5.

²⁶⁵ *Ibid.*

²⁶⁶ R. Reddy cited in C. J. Kanmony, *Human Rights and Health Care*. New Delhi: Krishan Mittal for *Mittal Publications*, 2009, p. 1.

²⁶⁷ C. Mears and S. Chowdhury, *Health Care for Refugees and Displaced People*. *Oxfam Publishing*, 1994, p. 1.

community diseases and lastly, the available health resources. Some basic preconditions must therefore be met for the implementation of any meaningful healthcare programme for refugees.

The Right to education: According to article 13, education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. It insists that primary education shall be compulsory and free to all while secondary education should be made available and accessible to all just like higher education. Meantime, it warrants that fundamental education should be encouraged or intensified for persons who have not received or completed primary education. What might be interesting to refugee parents is the fact that the article guarantees the right of parents to choose for their children, schools other than those established by public authorities. This right is considered violated when the educational system discriminates against members of minority groups like refugees in schools and university education²⁶⁸.

The bone of contention here is that while the general comment of the United Nations Committee on Economic, Social, and Cultural Rights on the right to education contained an enumeration of aspects of the minimum core content of this right, it did not further specify the scope of the minimum core content obligation²⁶⁹. In many ways, the consecration of socioeconomic rights in international law through the ICESCR signaled the commencement, rather than the conclusion of the debate regarding the practical scope and implications of these rights²⁷⁰. However, by virtue of entry into force of the ICESCR, their existence as legal rights cannot be discounted.

The Committee on Economic, Social, and Cultural Rights declared that a minimum core obligation to ensure the satisfaction of, at least the very least, minimum essential levels of each of the rights is incumbent upon every State party. Thus, for example, a State party in which any significant number is deprived of the fundamental foodstuffs, essential primary health care, of basic shelter and housing, or the basic form of primary education is, *prima facie* failing to discharge its obligations under the Covenant. If the Covenant were to be read in such

²⁶⁸ A. Mcchesney, op. cit., p. 56.

²⁶⁹ M. Dowell-Jones, *Contextualising the International Covenant on Economic, Social and Cultural Rights: Accessing the Economic Deficit (International Studies in Human Rights)*. Martinus Nijhoff Publishers, 2004, p. 25.

²⁷⁰ *Ibid.*

a way as not to establish such a minimum core obligation, it would be largely deprived of its *raison d'être*²⁷¹.

However, the Covenant provides specifically for developing countries to be able to restrict the economic rights of non-nationals subject to considerations and human rights, but no exception is permitted for developed States. The Covenant has also been interpreted as requiring that “each right should be realised to the extent that it provides the basic needs of every member of the society”²⁷². The notion of ‘minimum threshold’ of Covenant obligations as conceived encapsulates a realistic list of minimalist well-being rights’ such as food intake, access to health services, income-generating employment, and education and serves as “a platform of effective self-provision, which could put the poor on the threshold of further progressive steps of development towards the assurance of the higher standards and the long list of rights found in the economic and social Covenant²⁷³.” Yet, economic, social and cultural rights cannot be dissociated from civil and political rights in their conception as well as universality and that the satisfaction of economic, social, and cultural rights is a guarantee for the enjoyment of civil and political rights²⁷⁴.

ii. The International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights was adopted by the United Nations General Assembly on 16 December 1966 and entered into force on 23 March 1976²⁷⁵. Cameroon acceded to it on June 27, 1984²⁷⁶.

The Right to non-discrimination: Just like the International Covenant on Economic, Social, and Cultural Rights, Article 2 (1) of this Covenant can be interpreted to include the respect of the rights of persons with refugee status, by stating “each State party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the present Covenant, without distinction of any kind,

²⁷¹ *Ibid.*

²⁷² M. Graven, *The International Covenant on Economic, Social and Cultural Rights*, p. 141, cited in Dowell-Jones, *Op. Cit.*

²⁷³ A. Smith et al., *Compliance with Economic and Social Human Rights*. p. 258 cited Dowell-Jones, *op. cit.*

²⁷⁴ This view is shared by Heads of State and Government of the Organisation of African Unity in the preamble of the 1981 African Charter on Human and Peoples’ Rights.

²⁷⁵ Cited in World Health Organisation “*Health and Human Rights: International Covenant on Civil and Political Rights*.” Available at www.who.int/hhr/civil-political-rights.pdf (Accessed 13 June 2020).

²⁷⁶ United Nations Treaty Collection, *op. cit.*

such as... national or social origin...” Like the other legal instruments, the basic focus is laid on articles directly or indirectly related to the framework for durable solutions for refugees.

The Right to life: The right to life is defined by Article 6 of the Covenant²⁷⁷ to be an “inherent right” meaning that “one’s right to life cannot be taken by the State or waived, surrendered or renounced by the individual concerned, since the human being cannot be divested, nor can he divest himself of his humanity.” Most certainly, the right to life prohibits intentional killing by State authorities other than under strictest controls, and in carefully limited circumstances required by the law²⁷⁸. The bombing of refugees in flight from Sudan, the execution of Iraqi refugees by Saudi camp officials, the bombing of Rwandese refugees by troops of the Democratic Republic of Congo, and the enforced disappearance of Somali refugees by Kenyan security guards were violations of this most fundamental of all human rights²⁷⁹.

Right to non-refoulement: Article 3 (1) of this Convention states that “no State Party shall expel, return (*refouler*) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture²⁸⁰. It wouldn’t be an exaggeration to liken the demands of this article to Article 12 of the International Covenant on Economic, Social, and Cultural Rights.

Right to liberty and security of persons: Article 9 underscores the right of everyone to liberty and security of person. It forbids subjection to arbitrary arrest or detention. Deprivation of liberty is disallowed for everyone, except on such grounds and under procedures established by law. This is one of the articles with a bearing on the physical security of refugees. While subsequent paragraphs of the article define how the treatment of detained persons should be done, Sieghart²⁸¹ sensibly argues that independent meaning should be given to the guarantee of “security of person” even though its content is not textually elaborated. This approach conforms to the principle of treaty interpretation requiring good faith effort to give meaning to all parts of a treaty as codified²⁸².

²⁷⁷ Article 6 of the Covenant states that “every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”

²⁷⁸ *Ibid.*, p. 463.

²⁷⁹ The UN Human Rights Committee has required States to take effective measures to prevent the disappearance of individuals. They should establish effective facilities and procedures to investigate thoroughly cases of missing and disappeared persons in circumstances which might involve a violation of the right to life.

²⁸⁰ Convention against Torture or other Cruel, Inhuman or Degrading Treatment, 10 Dec. 1984, 1465 UNTS 113.

²⁸¹ P. Sieghart, *The International Law of Human Rights*, 1983, p. 139, cited in Hathaway, *op. cit.*, p. 457.

²⁸² Vienna Convention, Article 31 (1).

The Right to freedom of Movement: Article 12 (1) just like Article 12 of the African Charter on Human and Peoples' Rights and Article 13 of the UDHR, provides for everyone lawfully within the territory of a State, the right to liberty of movement and freedom to choose residence. The problem of the refugee has been that of the denial of freedom of movement²⁸³. Apart from the fact that refugees exercise the freedom of movement to flee, the denial of freedom of movement as a catch-all denomination merely serves to focus attention on the denial of one right to the detriment of attention on the violations of those rights which compelled flight²⁸⁴. Protection from *refoulement* can be considered a social right as it caters to the security of the person of the refugee. This is the central idea in Article 13 of the ICCPR. To avoid the debate on how far-reaching this article is, guidance can be taken from human rights instruments which also enshrine the principle of non-refoulement¹⁶⁷. Article 33 of the 1951 Convention is a case in point.

The right of the family and child: Article 23 obliges society and States, in general, to protect the family as the natural and fundamental group unit of society. Concerning this and the ICESCR, it is believed the enhancement of basic economic and social rights, including gainful employment, is essential to the achievement of self-sufficiency and family security for refugees and is vital to the process of re-establishing the dignity of the human person and of realising durable solutions to refugee problems²⁸⁵. In addition to the right of the family is the right entitled to every child, it states that every child shall have, without discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State²⁸⁶.

There is no doubt that international decisions rendered by committees on treaty provisions like the ICCPR significantly affect refugees. The Human Rights Committee issued a decision that concludes that the general obligations imposed on States under the ICCPR apply not only to citizens but also to aliens within their territory and hence to refugees²⁸⁷. This supports the assertion that refugee law and human rights law complement each other. The

²⁸³ M. Zieck, *UNHCR and Voluntary Repatriation of Refugees: A Legal Analysis*. Martinus Nijhoff Publishers, 1997, p. 453.

²⁸⁴ *Ibid.*

²⁸⁵ UNHCR Executive Committee Conclusion N° 50: *General Conclusion on International Protection*, 1998, p.16.

²⁸⁶ Article 24 of , ICCPR.

²⁸⁷ C.Lewis, *UNHCR and International Refugee Law: From Treaties to Innovation*. New York: Routledge Research in International Law, 2012, p. 146.

ICCPR as an international human rights treaty provides for interstate complaints and thus, decisions rendered by treaty bodies in such cases also bear on the rights of refugees²⁸⁸.

IV. Regional instrument

Cameroon is a state party of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. The 1969 Convention sets out the standards for the protection of refugees in Africa. The first sub-part of this chapter will focus on the regional framework.

i. The Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa

The OAU Convention is a regional complement to the 1951 United Nations Convention. It broadens the definition of a refugee²⁸⁹ and offers legal protection to a wider category of people in response to the growing refugee problem in the continent. It further states that “The wider definition has made it possible for the Convention to apply to groups of refugees as well as to individual refugees. In addition, article two para 1,2 and 3 further reiterate that “ Member States of the OAU shall use their best endeavors consistent with their respective legislations to receive refugees and to secure the settlement of those refugees who, for well-founded reasons, are unable or unwilling to return to their country of origin or nationality, Its underpinned the fact that the granting of asylum to refugees is a peaceful and humanitarian act and shall not be regarded as an unfriendly act by any member state and because of its humanitarian factor no person shall be subjected by a member state to measures such as rejection at the frontier, return or expulsion, which would compel him to return to or remain in a territory²⁹⁰”.

Most significantly the OAU Convention is a humanitarian response to the individual as well as the mass character of the refugee problem in Africa. It is a collective undertaking by the Member States of the OAU to receive and protect refugees per their respective national legislations. Cameroon like any other member State undertakes to apply the Convention to all refugees without discrimination as to race, religion, nationality, membership of a particular social group, or political opinions. All 41 States which were independent when the Convention

²⁸⁸ *Ibid.*

²⁸⁹ Article 1 para 2 of the 1969 OAU convention “The term "refugee" shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality”

²⁹⁰ *Ibid*, Article 2 para 1,2,3 .

was adopted in 1969 signed the Convention and more States have acceded to it as they became independent.

First and foremost, in the preamble of the Convention, the Heads of States and Governments recognised the need for a humanitarian approach to solving the problems of refugees. They also recognised that the Charter of the United Nations and the Universal Declaration of Human Rights has affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination.

Housing and security of Persons: With regards to housing and security of person, Article 2 (1) of the Convention requires States to use their best endeavors consistent with their respective legislations to receive refugees and to secure the settlement of those refugees who, for well-founded reasons, are unable or unwilling to return to their country of origin or nationality. In the same light, Article 2 (5) recommends that where a refugee has not received the right to reside in any country of asylum, he may be granted temporary residence in any country of asylum in which he first presented himself as a refugee pending arrangement for his resettlement.

Right to non Refoulement: Concerning *refoulement*, Article 2 (3) of the Convention states that “no person shall be subjected ... to measures such as rejection at frontier, return or expulsion, which would compel him to return to or remain in a territory where his life, physical integrity or liberty would be threatened...” Article 2 (6) goes further to state that “for reasons of security, countries of asylum shall, as far as possible, settle refugees at a reasonable distance from the frontier of their country of origin. It can be concluded that its definition of a refugee is perhaps the most important feature of the OAU Convention. While it recognizes the refugee definition found in the 1951 Convention, it includes a more context-specific consideration.

ii. The African Charter on Human and Peoples’ Rights

Adopted in Banjul on 27 June 1981 and entered into force on 21 October 1986²⁹¹, the African Charter on Human and Peoples’ Rights is equally a vital regional instrument that protects human rights in general and therefore the rights of refugees in Cameroon. Article 2 clarifies this by stating “every individual shall be entitled to the enjoyment of the rights and

²⁹¹ It entered into force in Cameroon on this date.

freedoms recognised and guaranteed in the present Charter without distinction of any kind such as ... national and social origin...”

Prohibition of exploitation, torture, cruel and inhuman: Article 5 of the Charter prohibits all forms of exploitation particularly slavery, slave trade, torture, cruel, inhuman, or degrading punishment and treatment. Capitalising on this, Beyani²⁹² argues that a violation of the article entitles the victim or survivor, including victims of sexual abuse to seek and obtain asylum in third State. According to him, the threshold or level of ill-treatment prohibited by Article 5 covers beating, corporal punishment, torture, rape, assault, sexual enslavement, and trafficking in women or men. Compliance with Article 5 is critical to the avoidance of refugee outflows from States of origin²⁹³. However, asylum seekers and refugees must not be subjected by receiving States to such ill-treatment or any other ill-treatment prohibited in Article 5 of the Charter.

The right to security of every person: Within the framework of security of person, the Charter stipulates that “every individual shall have the right to liberty and security of his person²⁹⁴.” Commenting on this, Hathaway²⁹⁵ opines that more generally, the duty to take reasonable and appropriate measures to guard against risks to the physical security of refugees calls into question the general policy of closed refugee camps, clearly proven to be breeding grounds for violence, in particular against refugee women and children. He further asserts that it most certainly requires attention to such concerns as the location of communal latrines far from refugee living quarters and inadequate lighting and patrols, all of which give rise to known risks of rape and other forms of serious harm.

Right for every individual to work under equitable and satisfactory conditions, and to receive equal pay for equal work: On its part, Article 15 provides the right for every individual to work under equitable and satisfactory conditions, and to receive equal pay for equal work. On its part, Article 18 guarantees the rights of the family, considered the natural unit and basis of society. It emphasizes that it shall be protected by the State which shall take care of its physical health and morals²⁹⁶.

²⁹² C. Beyani, *op. cit.*, p. 45.

²⁹³ *Ibid.*

²⁹⁴ Article 6 of African Charter on Human and Peoples’ Rights.

²⁹⁵ Hathaway, *op. cit.*, p. 459.

²⁹⁶ Article 18 (1) of African Charter on Human and Peoples’ Rights.

Rights to physical and mental health: Still on health care, Article 16 (1) of the Charter ascertains that “every individual shall have the right to enjoy the best attainable state of physical and mental health.” Furthermore, the Charter affirms the right of every individual to education²⁹⁷.

Freedom of movement: The African Charter avers the right of every individual to freedom of movement and residence within the borders of a State provided he abides by the law²⁹⁸. At this juncture, it seems sufficing to point out that without the 1969 OAU Convention on the Specific Aspects of the African Refugee Problem, the African Charter on Human and Peoples’ Rights remains a valid regional instrument that provides a substantial normative framework for the protection of human rights in general and refugee rights in particular.

V. National Normative frameworks

It should be noted here that Cameroon is a party to the convention of 28th July 1951 relating to the status of refugees and its protocol of 31st January 1967 as well as the OAU Convention governing specific Aspects of Refugee Problems in Africa signed on the 10th of September 1969. Cameroon as a sovereign state has added certain values to these conventions to better ensure the protection of vulnerable persons who are victims of circumstances in their countries. This is made possible by the Constitution of the Republic of Cameroon (A) and law N° 2005/006 of the 27th of July 2005 on the status of refugees in Cameroon, which culminated in the decree N° 2011/389 of 28th November 2011 on the organization, functioning, and the management of the status of refugees in Cameroon (B). This shows that added to the universal and regional instruments of refugee protection, we It also, has internal norms which protect refugees in Cameroon.

i. The Constitution of the Republic of Cameroon

The Cameroon constitution is not indifferent concerning refugee issues. To this effect, the preamble of the Cameroonian Constitution of 2nd June 1972 states that “every person shall have the right to settle in any place and to freely move, subject to the statutory provisions concerning public law and order, security and tranquility”²⁹⁹. The statement that “every person” enables us to understand that, there is no exclusion or restriction in either settlement or circulation of refugees as far as it goes in line with the norms of the state. The

²⁹⁷ Article 17 (1) of African Charter on Human and Peoples’ Rights.

²⁹⁸ Article 12 (1) of African Charter on Human and Peoples’ Rights.

²⁹⁹ Preamble of the Cameroon Constitution of June 2nd 1972.

the fact that we can find refugees even in urban areas like Yaoundé, Bertoua, Douala, and Garoua is proof that there is freedom of settlement and movement but when it comes to camp refugees like those in Lolo, movement around other parts of the country is seriously controlled for the sake of security. Again, part VI of this constitution talks about treaties and International agreements. Looking keenly at article 45 it states that, “duly approved or ratified treaties and international agreements shall, following their publications override national laws provided the other party implements the said treaty or agreements³⁰⁰”. This therefore implies that treaties and international agreements or institutions are given privileged positions. In this regard, it could be said that the 1951 Geneva Convention relating to the status of refugees and other international laws³⁰¹ fall under this range and as such Cameroon which is one of the signatories of this Convention strictly implements it. From the above article, we can therefore say that the Cameroon constitution³⁰² gives provision for the protection of refugees through interpretation.

ii. Law N° 2005/006 of 27th July 2005 on the status of refugees in Cameroon.

In July 2005, Cameroon adopted a law governing the legal framework for refugee protection within its territory. The 27 July 2005 law relating to the Status of refugees in Cameroon was enacted in 2005³⁰³ but came into force in 2011. The provisions of the 2005 refugee law are divided into two basic areas. The first focuses on the rules for establishing eligibility while the second area, which complements the first, deals with the protection of asylum seekers and refugees. Therefore, this subsection analysis the rights guaranteed by the 2005 refugee law to asylum seekers and refugees and highlights the 2009 UNHCR policy framework on Urban refugees protection.

In essence, the 2005 refugee law has incorporated the definitional elements provided for under both the 1951 Refugee Convention³⁰⁴ and the 1969 OAU Convention governing the specific problem of refugees in Africa³⁰⁵. On a positive stand, the law takes cognizance of the

³⁰⁰ Part VI of the Cameroon Constitution

³⁰¹ Universal declaration of human rights, the OAU convention governing specific aspects of refugee problems in Africa, the African Charter on human and peoples' rights.

³⁰² Law N° 96/6 of 18 January 1996, Constitution of the Republic of Cameroon.

³⁰³ Law N° 2005/006 of 27 July 2005 on the Status of Refugees in Cameroon, p.1.

³⁰⁴ According to the 1951 Geneva Convention a refugee is “any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership to a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former residence as result of such events, is unable or, owing to such fear, is unwilling to return to it”

³⁰⁵ According to article 1 of the 1969 OAU convention, the definition to include “any person who, owing to an aggression, foreign occupation, foreign domination or event that seriously undermine public order in either part

fact that violence and persecution can exist side by side. This law incorporated many international instruments relating to refugees and remains the main piece of legislation governing refugee issues in Cameroon. In Cameroon, this is the basis for determining refugee status and admitting refugees based on the collectivity circumstances of their own countries and not an individual basis as in the Refugee Convention.

The Rights to *Non -Refoulement*: According to Article 7 of law 2005/006 of 27 July 2005 “No person shall be turned back at the border or made subject to any other measure that would compel that person to return to or to live in a territory where that person's life, bodily integrity or freedom would be threatened³⁰⁶” The drafters of the 2005 refugee law prohibits the return of an individual to a country where his or her life or freedom would be at risk. The article equally denounced the refusal of non-admission of refugees into the territory. The law states that no sanction shall be taken on the ground of illegal entry against an individual who comes directly from a country where his or her life is threatened. It is not a crime against Cameroonian law to enter its territory without any legal authorization provided you are coming from a place where your life and liberty are threatened. The 2005 refugee law in Cameroon incorporates the obligations of the principle of *non-refoulement* as found in article 33 of the 1951 Convention and articles 1(2) and 2(3) of the 1969 OAU Convention. The law also makes sure that the application of the principle of *non-refoulement* in Cameroon stretches to the OAU expanded refugee definition which includes events greatly disturbing public order.

Legitimates Right: According to article 9 of the July 2005 law in Cameroon highlighted certain rights for the refugees residing in Cameroon to these including non-discrimination, freedom to practice openly one's religion, the right to property, freedom of association, access to courts, the right to employment, the right to education, the right to housing, the right to public relief and social security, freedom of movement, the right to identity papers and travel documents, the right to transfer assets, and the right to naturalization³⁰⁷. The effective protection of urban refugees and persistent search for sustainable solutions to their plights in Yaoundé can only be effective if the above-listed rights are protected. This will help

or all of his country of origin or nationality, is obliged to leave his habitual residence and seek refuge in another place outside his country or origin or nationality”

³⁰⁶ Cameroon. 27 July 2005. Loi n°2005/006 du 27 juillet 200 portant statut des réfugiés au Cameroun. [Accessed 8 Feb. 2007

³⁰⁷ *Ibid* ,Article 9

to level gigantic hilltops that will foster local integration, voluntary repatriation, or resettlement to a third asylum country.

Rights to Employment: However, other provisions of this law further broadened conditions for the effective implementation of these laws, as regards the right to employment Article 10(1) states that the right to engage in employment, paid or not, and without exemption from taxes and duties, as well as concerning the social security benefits associated with engaging in employment, persons recognized as refugees shall be accorded the same treatment as is accorded to nationals. These include refugees settled in any part of the country the case in the Yaoundé urban area. More significantly, such persons shall receive the same treatment as is accorded to nationals to access education, the payment of school and university registration fees, and the payment of student association fees³⁰⁸. Urban refugees as well as settled refugees wishing to migrate to other parts of the country to further their education, visit families, and search for better employment opportunities are sometimes hindered by the document they possess.

Rights to documentation: Sometimes the forces of law and order refuse to recognise travel documents issued by the UNHCR office. Article 13(1) of the 2005 refugee law in Cameroon states that “any person recognized as a refugee shall be issued a refugee card, the validity period and conditions for renewal of which card shall be set by decree”. It further reiterated that Refugees also have the right to the travel document set out in Article 28 of the 1951 Convention and to any other identity document required for the recording of various civil acts or for the application of internal legislation or international agreements that are instrumental to their protection.

Right to Non-Expulsion: More specifically, Articles 14 and 15 set out the following no refugee who is lawfully in Cameroonian territory including refugees in urban areas shall be expelled, save on grounds of national security or public order. The expulsion of a refugee shall be only in pursuance of a decision reached by due process of law. And the decision to expel a refugee shall be communicated to the Office of the United Nations High Commissioner for Refugees, which shall then be responsible for finding a country of asylum within seventy-two (72) hours. This expulsion decision shall also be communicated to the interested party who is under the surveillance of authorities responsible for maintaining order. More significantly expulsion of refugees shall have the effect of canceling the refugee card. Refugees expelled

³⁰⁸ Article 10 (2)

shall lose all their rights as a refugee. In consonant with paragraph (1) of Article 7, article 15 vigorously spelled out that no refugee shall be extradited, in any manner whatsoever, to the borders of a territory where his\her life might be at risk.

iii. Law N° 97/012 of 10 January 1997 on foreigners in Cameroon

On the condition of entry, residence, and departure of aliens in Cameroon, article 32 (1) No. 97/012 of 10 January 1997 refers to *refoulement* as administrative measures taken against any alien who presents himself at the border of the national territory without having fulfilled the conditions of entry provided by law. According to this law, the practice of *refoulement* applies exclusively to foreigners who want to enter Cameroon. By the promulgation of its law on the status of refugees, Cameroon prohibits the *refoulement* of refugees. According to article 7 paragraph 1 of Act No. 2005/006 of 27 July 2005, "No person shall be returned to the frontier or subjected to any other measures which would force him to return or to remain in a territory where his life or freedom is threatened for one of the reasons set out in section 2 of this Act".

Article 39 (1) No. 97/012 of 10 January 1997 ³⁰⁹defines deportation as the administrative measure taken against foreigners whose presence in the territory is a threat to national security. It is established that the presence of refugees is deemed undesirable when it undermines national security and public order, as enshrined in article 14 paragraph 1 of the 2005 Law on Refugee Status in Cameroon. (See appendix N° 40) The July 2005 law on refugees' status in Cameroon imposes many obligations on the refugees. These refugees are up against large to respect and obey the laws enforce in article 11. However, article 12 of this law forbids the refugees from carrying out any activities that will threaten the peace and security of the state of asylum, their country of origin, or any other state. The right of expulsion is "one of the attributes of the sovereignty of the State where it is exercised only to defend the country against a danger". Expulsion must take place only in the execution of a decision given under the procedure laid down by law. When this decision is made, it must be served to the UNHCR. The UNHCR has 72 hours to find another country of asylum for the person concerned. Following the international rules on the admission and expulsion of aliens. In International Law, "expulsion is not punishment, and it must be carried out with all possible care, taking into account the dignity of the person"³¹⁰ ".Extradition is the procedure whereby a State, the

³⁰⁹ Law No. 97/12 of 10th January 1997 to lay down the Conditions of Entry, Stay and Exit for Aliens, p.6.

³¹⁰Article 39 (1) of law No. 97/012 of 10 January 1997 on the right of foreigners in Cameroon.

requested State, surrenders an individual to another State, the requesting State, so that the person may be tried or sentenced. According to article 15 of the 2005 Refugee Law, no refugee may be extradited in any way to the borders of a territory where he or she will be subject to persecution.

In a nutshell, the 2005 refugee law³¹¹ is applied to the international conventions ratified by Cameroon³¹². The law considers a refugee to conform to the 1951 Geneva Convention Relating to the Status of Refugees as amended by its 1967 Protocol of New York and the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa³¹³. Within the framework of repatriation and specifically on the right to *non-refoulement* and security of person, Article 7 of the law states that “no person shall be turned back at the border ... to return to a territory where that person’s life, bodily integrity or freedom would be threatened.” Article 9, in turn, states the rights and obligations of refugees regularly based in Cameroon, and in conformity to Cameroon’s international engagements, within the limits of rights accorded to nationals.

Conclusion

The ratification of the refugees' convention and the establishment of the regional and national legal framework are evidence of members committed to fostering the UNHCR mandate of protecting, assisting, and seeking durable solutions to refugees' predicaments. The applicability of the legal framework protecting the refugees and urban refugees against the violation of socio-economic rights is a basis for articulating meaningful solutions to the plights of these vulnerable classes of people. The incredible role played by these articles of protection has bred so many global, regional and national policies in the protection of (urban) refugees like the 2009 UNHCR policy on urban refugees. Even though the international communities and member states continue to encounter numerous challenges like inadequacy of financial and basic resources to cater to these refugees, successive, visible, and realistic measures are taken at every step to ensure proper application. With these protracted difficulties, it is very significant to bear in mind that the issues of refugee protection go beyond the need to preserve asylum and so, reliable strategies and solutions can better be articulated when the burden of responsibility is collectively shared by the international Communities, regional and sub-

³¹¹ File No. 16, Law No. 777/PJL/AN/, Refugee Laws, 2005. Archive of National Assembly (ANS), File No. 89, a deliberations on the laws governing the protection of internally and internationally displaced person in Cameroon, 2011.

³¹² See Article 1 of the law.

³¹³ See Article 2 of the law

regional committees, member states, host countries and host communities, local NGO, Civil societies and Individuals. This will help the UNHCR to better achieve its mandates toward the refugees.

CHAPTER TWO

INSTITUTIONAL FRAMEWORK FOR DURABLE SOLUTIONS TO REFUGEES PROBLEMS IN CAMEROON

Introduction

The implementation of legal policies can only be possible under well-established institutions. Generally, institutions do not only play a pivotal role in ensuring the enforcement of legal norms but also a supervisory role. Institutional partnership and collaboration are positive drivers for the attainment of the collective shared- humanitarian ambition to seek and provide long-lasting solutions to refugees' predicament in Cameroon. Over the year UNHCR has established partnerships with a wide variety of international, regional, and local actors to deal with the crucial issues of refugee protection, durable solutions, and operations. To efficiently carry out its mandate, UNHCR works both with Multilateral and bilateral Donors, Implementing³¹⁴ and Operational partners³¹⁵, government³¹⁶, and other UN partners³¹⁷ for holistic efficacy. While there are specific refugee protection organs, there equally exist other treaty bodies created to promote and protect human rights in general and therefore refugee rights. This chapter highlights diverse Multilateral, bilateral United Nations, Regional and domestic institutions, contributing, supporting, and collaborating with UNHCR to find lasting durable solutions to refugees' predicaments in Cameroon. Our focus will be on highlighting

³¹⁴ These are bodies that are funded by the UNHCR to seek quick, meaningful and sustainable solutions to refugees issues. They include International humanitarian organisations like *Action Contre la Faim (ACF)*, Africa Humanitarian Action (AHA), African Initiatives for Relief and Development (AIRD), *Agence pour le Développement Economique et Social (ADES)*, CAMWATER, CARE International, Catholic Relief Services (CRS), FAIRMED, International Federation of the Red Cross (IFRC), *InterSos*, International Medical Corps (IMC), Lutheran World Federation (LWF), Plan International, *Première Urgence - Assistance Médicale Internationale (PU-AMI)*, *Public Concern and Solidarités International*.

³¹⁵ Operational partners are Institutions who do not receive funding from us but who play a major role in refugee operations. These includes: *Croix Rouge Française (CRF)*, *Médecins Sans Frontières (MSF)*; ICRC, Adventist Relief Agency (ADRA), ASOL and Red Deporte, IEDA Relief.

³¹⁶ These includes, Ministries of External Relations, Territorial Administration and Decentralization, Economy, Planning and Regional Development, Public Health, Women Empowerment and Family, Social Affairs, Justice, Basic Education, Water and Energy, Youth and Civic Education, the National Employment Fund and others.

³¹⁷ These UN Agencies includes :WFP, UNICEF, WHO, UNFPA, UN Women, FAO, UNESCO, IOM, UNDP and OCHA

the relevant universal, regional, and national institutional frameworks and their mandates towards the refugees.

I: Universal Institutional Framework for the Protection of Refugees

The examination of the Refugee's Institutional frameworks will be centered on the United Nations System and in line with the mandate of global institutions that were established based on the fundamental principles of the Universal Declaration of Human Rights created on 10 December 1948. Regarding the universal institutional framework for refugee protection, an attempt is made to illustrate the structural organization of institutions that work in this domain and are established on a global scale. At this level, these institutions can be noted (at the global, regional, and national levels) notably the United Nations High Commission for Refugees, African humans and People Rights, and the national refugee framework in Cameroon.

i. The United Nations High Commissioner for Refugees (UNHCR)

Created by the UN General Assembly on December 14, 1950, the United Nations High Commissioner for Refugees is mandated to lead and coordinate international action for the worldwide protection of refugees and the resolution of refugee problems. This mandate is defined by the 1950 UNHCR Statute. In 2003, the General Assembly extended the organization's mandate "until the refugee problem is solved³¹⁸." Since its creation, the UNHCR has helped millions of refugees, earning two Nobel Peace Prizes in 1954 and 1981. The UNHCR's most important responsibility known as "Durable Solutions," is to ensure long-lasting solutions like local integration, voluntary repatriation³¹⁹, and resettlement are provided to refugees to enable the end of the refugees' cycle. Our primary focus will be on the establishment of UNHCR Cameroon³²⁰, its geographical scope, areas of intervention, and its indispensable mandate to foster durable solutions for refugees in Cameroon.

Establishment of UNHCR - Cameroon and Specific areas of Intervention.

Established on 1 January 1951, to provide international protection, and assistance, and seek durable solutions to refugee problems, and in collaboration with the member states, UNHCR has served as a subsidiary organ of the United Nations General Assembly³²¹. It is

³¹⁸ UNHCR, "*How UNHCR is Run and Structured.*" Available at <http://www.unhcr.org/pages/49c3646c80.html> (Accessed: 17 June 2020).

³¹⁹ United Nations, *Basic Facts about the United Nations*. New York: News and Media Division, United Nations Department of Public Information, 2000, p. 41.

³²⁰ Nchinda, "UNHCR in Cameroon", p.56.

³²¹ UNHCR, *How UNHCR is Run and Structured*, pp.16-25.

within this framework that the UNHCR has been present in Cameroon since April 1980 following cooperation accords signed between the two parties in 1978 and the headquarters agreement signed on May 8, 1982³²². Headed by a Resident Representative, the representation's current main office in Yaoundé consists of six units including management, administration, programs, protection, and resettlement.

UNHCR Cameroon has a staff strength of about 272, 166 National Staff, 45 International Staff, and 61 Affiliate workforce (14 International and 47 National). With 11 offices across the national territory, Representation – Yaoundé, sub Offices – Bertoua, Meiganga, Maroua, Buea³²³, Field Offices – Batouri, Djohong, Touboro, Douala and Bamenda³²⁴, Field Unit – Kousseri. (See Map 1 for more details) The Yaoundé representation is the head office of all the UNHCR with an additional mandate to cater to urban refugees in Yaoundé through its six inter-related departments. Through its partnership with different vital humanitarian stakeholders, this organization is committed to working in Cameroon based on the followings value, Refugees rights, fostering state responsibility, partnership with other CSOs, assessing needs, age, gender and diversity, equity, community orientation, interaction with refugees and self-reliance(Uphold the social and economic standing of refugees, particularly through education, vocational training, livelihoods promotion, and self-reliance initiatives).

The UNHCR's most important responsibility known as 'international protection', is to ensure respect for refugees' basic human rights, including their ability to seek asylum, and to ensure that no one is returned involuntarily to a country where he or she has reason to fear persecution³²⁵.

³²² A. Etoga, "Le Cameroun et le Haut-Commissariat des Nations Unies pour les Réfugiés (HCR): De 1978 à nos jours." *Unpublished Maîtrise Dissertation, University of Yaoundé I, 200* pp3-9.

³²³ UNHCR, Factsheet Cameroon "As the humanitarian situation in the North-West and South-West regions of Cameroon deteriorated throughout the last quarter of 2018, with increased displacement within and across borders, the UN Humanitarian Country team unanimously approved, on 4 December, the idea of an agency-based Emergency Level 2 Declaration with the aim of possibly reaching a system wide "scale up". Clusters were already activated in October and UNHCR had assumed leadership of the Protection and Shelter/NFI clusters. UNHCR opened an office in Buea (South West region) in September 2018 and plans to open an office in Bamenda (North West region) during the first quarter of 2019. There are over 437,000 IDPs in the North West and South West regions and some 32,000 refugees in Nigeria" https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR-CMR_Factsheet---December-2018.pdf (Accessed 17 november 2019)

³²⁴ *Ibid.*

³²⁵ United Nations, *Basic Facts about the United Nations*, 2000, p. 41.

Composition

The UN Refugee Agency is governed by the UN General Assembly and the Economic and Social Council (ECOSOC). It consists of an Executive Committee, composed of 85 members, which approves the agency's biennial programmes and the corresponding budget. The High Commissioner who is appointed by the UN General Assembly is at the helm of the agency. As head of the organisation, s/he is responsible for the direction and control of the UNHCR, with the assistance of a Deputy High Commissioner and Assistant High Commissioners for Protection and Operations³²⁶. Most UNHCR operations are in the field.

This explains why the worldwide operation is highly complex. Specific departments, mostly based in the Geneva headquarters, oversee key areas, such as operations, protection, external relations, human resources, and finances. Several regional bureaux liaise between overseas offices and headquarters. There equally exist national offices. It is within this framework that the UNHCR has been present in Cameroon since April 1980 following cooperation accords signed between the two parties in 1978 and the headquarters agreement signed on May 8, 1982³²⁷. Headed by a Resident Representative, the representation's current main office in Yaoundé consists of six units including management, administration, programmes, protection, and resettlement³²⁸. There is also a sub-office in Bertoua, field offices in Garoua³²⁹ and Meiganga, and an extension office in Douala.

Procedures

The UNHCR generally helps during emergencies involving the movement of large numbers of refugees; regular programs in such fields as education, health, and shelter; assistance to promote the self-sufficiency of refugees and their integration in host communities, voluntary repatriation; and resettlement in third countries for refugees who cannot return to their homes and who face protection problems in the country where they first sought asylum. At the field level, UNHCR staff also work to protect refugees through a wide variety of activities, including, relocating refugee camps away from border areas to improve safety; ensuring that refugee women have a say in food distribution and social services; reuniting

³²⁶How UNHCR is Run and Structured, *op. cit.*

³²⁷ A.Etoga, "Le Cameroun et le Haut Commissariat des Nations Unies pour les Réfugiés (HCR): De 1978 à nos jours."

³²⁸ Interview with Valerie KOMGUEM LIENOU, Senior Protection Assistant, Protection Unit, UNHCR Cameroon (15 February 2017)

³²⁹ This was before March 31, 2013 when it was shut down following the repatriation of refugees from the Langui camp.

separated families; providing information to refugees on conditions in their home countries so they can make informed decisions about return; visiting detention centers and giving advice to governments on draft refugee laws, policies, and practices³³⁰. At the international level, UNHCR promotes international refugee agreements and monitors government compliance with international refugee law. UNHCR staff promotes refugee law among all people who are involved in refugee protection, including border guards, journalists, NGOs, lawyers, judges, and senior governmental officials³³¹. The High Commissioner reports annually to ECOSOC and the General Assembly on the work of the UNHCR. Although the mandate of the UNHCR is to protect and assist refugees, it has been called upon more and more to come to the aid of a wider range of people living in refugee-like situations. They include people displaced within their own countries; former refugees who may need UNHCR monitoring and assistance once they have returned home; stateless persons and people who receive temporary protection outside their home countries, but who do not receive the full legal status of refugees³³².

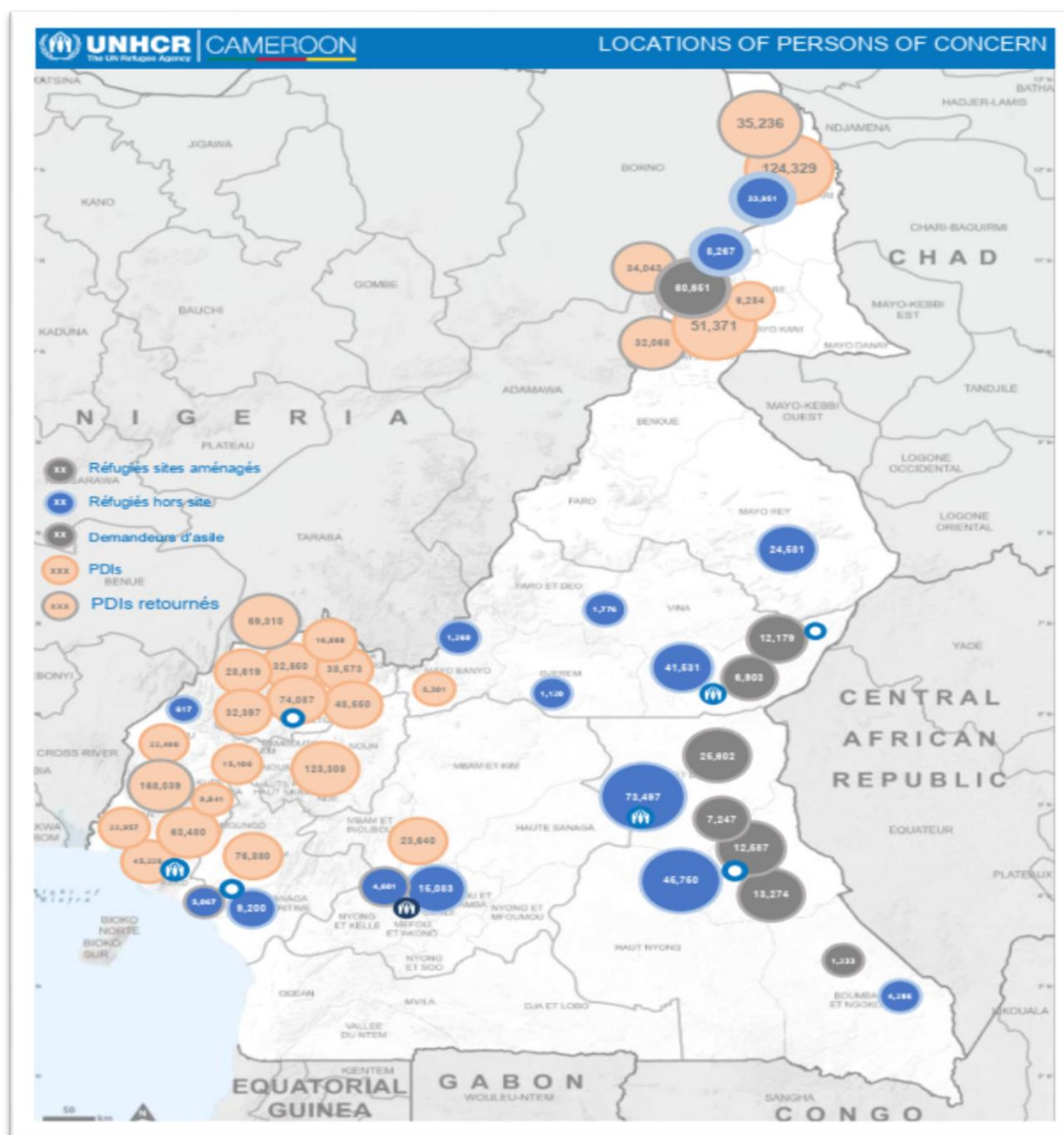
In Cameroon specifically, the representation of the UNHCR works in collaboration with government ministerial departments alongside national and international NGOs in the execution of its functions. These partners are referred to as operational and implementing partners respectively. The collaboration between the State of Cameroon and the UNHCR is in line with Article 8 (1) of the 1969 OAU Convention which urges cooperation between Member States of the OAU (now African Union) and the Office of the United Nations High Commissioner for Refugees.

³³⁰ Cited in JASTRAM *et al*, *op. cit.*, p. 21.

³³¹ *Ibid.*

³³² *Basic Facts about the United Nations*, *op cit.*, p. 254.

Map 1: UNHCR Scope and Location of Persons of Concern



Source (s): UNHCR November 2019 Factsheet.

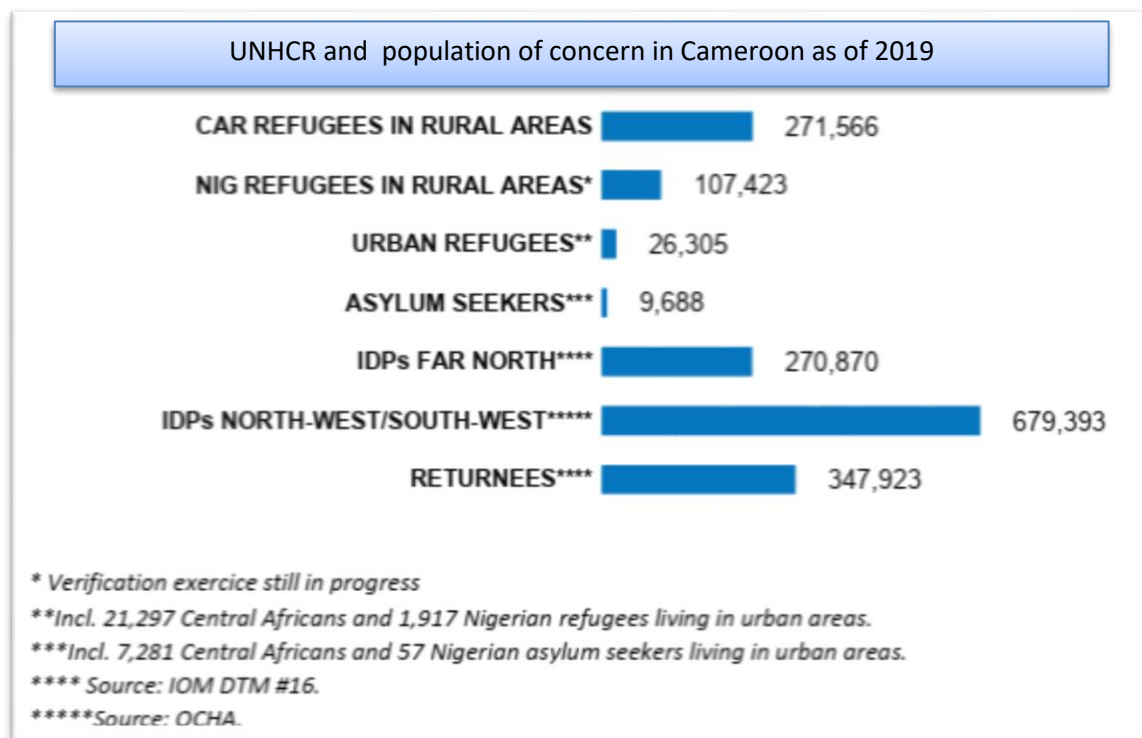
UNHCR and population of concern in Cameroon

In Cameroon the organization is committed to, assisting about 1,713,168³³³ people of concern, including 292,863 Central African and 109,340 Nigerian refugees. Most emanating from West and Central Africa and predominantly from Nigeria and CAR live in Cameroon. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that

³³³ UNHCR., Factsheets, Cameroon 28th November 2019.

while the majority of refugees in Cameroon live in Minawao Camp in the Far North and Mbele in the Eastern region of Cameroon, around 19,684 urban refugees in Yaoundé refugees³³⁴.

Figure 1: UNHCR and population of concern in Cameroon as of 2019



Source, IOM DTM#16, OCHA 2019

Although the mandate of the UNHCR is to protect and assist refugees, it has been called upon more and more to come to the aid of a wider range of people living in refugee-like situations. They include people displaced within their own countries; former refugees who may need UNHCR monitoring and assistance once they have returned home; stateless persons and people who receive temporary protection outside their home countries, but who do not receive the full legal status of refugees³³⁵.

In Cameroon specifically, the representation of the UNHCR works in collaboration with government ministerial departments, coordinated by the Minister of External Relations alongside national and international NGOs in the execution of its functions³³⁶. These partners are referred to as operational and implementing partners respectively. Since the institution of the UNHCR for refugees in 1982 in Cameroon, for more than three decades this organ has

³³⁴ *Ibid.*

³³⁵ *Basic Facts about the United Nations*, p. 254.

³³⁶ R. Tayimelong, social protection of refugees in Cameroon, p.54

helped to foster local integration, voluntary repatriation, and voluntary settlement of refugees in a country of the third asylum.

ii. The United Nations High Commissioner for Human Rights (UNHCHR)

Established in 1993 by the United Nations General Assembly (UNGA), with principal responsibility for United Nations human rights activities, the United Nations High Commissioner is charged with promoting the enjoyment by all, of civil, cultural, economic, political, and social rights of everyone including refugees.

The mandate is carried out through the Office of the High Commissioner for Human Rights (OHCHR). The OHCHR serves as the secretariat for the Commission on Human Rights, the treaty bodies, expert committees monitoring treaty compliance, and other UN human rights organs³³⁷.

Composition

The OHCHR is organised in three branches notably: Research and Rights Development, Activities and Programmes, and Support Service³³⁸. Within the framework of the United Nations Technical Cooperation Programme in the field of Human Rights, Democracy, and Rule of Law, the Centre for Human Rights and Democracy in Central Africa was created in 2001 with headquarters in Yaoundé, Cameroon³³⁹. As a regional office, the Centre covers eleven countries³⁴⁰ in the Central African sub-region including Cameroon. It consists of five branches known as “clusters,” working in specific areas. These include general human rights; democracy; gender and women’s rights; documentation, communication and advocacy, and administration and finance. Each cluster has a head and consists of national and international staff³⁴¹.

Procedures

The OHCHR acts as a focal point for all human rights activities of the UN. It prepares reports and undertakes research at the request of the General Assembly and other policy-making bodies. In her work to secure respect for human rights and prevent violations, the High

³³⁷ *Ibid.*, p. 225.

³³⁸ *Ibid.*, p. 44.

³³⁹ M. Mubala, *Le Système de Protection des Droits de l’Homme de l’ONU à l’Aube du XXIème Siècle. Yaoundé: Presses d’Université Catholique d’Afrique Centrale (l’UCAC), 2002, pp. 122-123.*

³⁴⁰ These countries include Angola, Burundi, Cameroon, Congo, Democratic Republic of Congo, Gabon, Equatorial Guinea, Central African Republic, Rwanda, Sao Tome and Principe and Chad.

³⁴¹ Interview with Robert Kotchani, Human Rights Officer, United Nations Centre for Human Rights and Democracy in Central Africa (20 February 2017).

Commissioner engages in dialogue with governments³⁴² and operates with international, regional, and non-governmental organisations for promoting and protecting human rights³⁴³. It undertakes human rights field activities and provides advisory services and technical assistance. In addition to technical assistance, field offices often carry out monitoring and protection functions such as information gathering, investigation of human rights situations, and reporting of violations. They also contribute to strengthening national capacities in human rights legislation; administration and education, helping governments take corrective measures when needed. The High Commissioner takes concrete steps to institutionalise cooperation and coordination with other UN bodies involved in human rights, notably the Office of the United Nations High Commissioner for Human Rights³⁴⁴.

On its part, as a regional office, the Centre for Human Rights and Democracy in Central Africa works in three main areas notably capacity building in human rights and democracy; dissemination of information, and lastly, advocacy³⁴⁵. In terms of capacity building, it works with human rights N.G.Os and civil society Organisations in general human rights. For advocacy, the Centre pressurizes governments in the central African sub-region including that Cameroon to ratify international human rights instruments (including those related to refugees) as well as ensure that law enforcement authorities respect human rights. And lastly, in terms of dissemination of information, the Centre allows public access to its library and documentation facilities.

As a regional office, the Centre does not officially have a protection mandate per se. Conversely, only the human rights head office in Geneva has such a mandate. Nonetheless, in line with human rights promotion in general, it maintains constant communication with the Department of Human Rights of the Cameroon Ministry of Justice, the General Delegation for National Security, and more often, the National Commission on Human Rights and Freedoms. More precisely, the Centre contributes to the promotion and protection of the human rights of everyone including refugees. It does so in collaboration with the representation of the United Nations High Commissioner for Refugees in Cameroon. The Centre, therefore, receives refugees occasionally but refers them to the UNHCR since it has the official mandate for refugee protection.

³⁴² *Basic Facts about the United Nations op. cit.*, p. 284.

³⁴³ *Ibid.*, p. 44.

³⁴⁴ *Ibid.*, p. 225.

³⁴⁵ R. Kotchani, *op. cit.*

In anticipation of refugee problems, the Centre works in collaboration with the NCHRF and the UNHCR³⁴⁶ to develop a training curriculum for law enforcement officers, notably in the gendarmerie and police corps³⁴⁷. This takes place twice or trices yearly at the *Centre de Perfectionnement à la Police Judiciaire (CPPJ)*. The main areas of concern are general human rights and refugee rights. The training provides an opportunity for the three institutions to explain their mandates and level of collaboration to participants.

To conclude, the UNHCR and the UNHCHR are not the only universal institutions that work in the domain of the integration of refugees within their host communities. Another globally established institution that is also preoccupied with refugee integration-related issues is the International Committee of the Red Cross (ICRC). In this light, Gradimir Djurovic³⁴⁸ notes that “the activities of the International Committee of the Red Cross are characterised by... intervention in favour of regrouping separated families and refugees...” The Committee on Economic, Social, and Cultural Rights and the Human Rights Committee of the United Nations can also be cited³⁴⁹. However, the UNHCR and the UNHCHR remain the most significant in the context of this study given the fact that they have direct official representations in Cameroon

UNHCHR- Cameroon and different areas of intervention

Within the framework of the United Nations Technical Cooperation Program in the field of Human Rights, Democracy, and Rule of Law, the Centre for Human Rights and Democracy in Central Africa was created in 2001 with headquarters in Yaoundé, Cameroon³⁵⁰. As a regional office, the Centre covers eleven countries in the Central African sub-region including Cameroon. It consists of five branches known as “clusters,” working in specific areas. These include general human rights; democracy; gender and women’s rights; documentation, communication and advocacy, and administration and finance. Each cluster has a head and consists of national and international staff.

³⁴⁶ Conscious of the direct relation between refugee rights and human rights, the UNHCR established a Service for the Protection of Human Rights in the Division of International Protection (Mutoy MUBIALA, *op. cit.*, p.142).

³⁴⁷ Robert KOTCHANI, *op. cit.*

³⁴⁸ Cited in Joseph OWONA, *Droit International Humanitaire*. Paris: L’Harmattan, 2012, p. 69.

³⁴⁹ These are treaty bodies created to monitor compliance with the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights respectively.

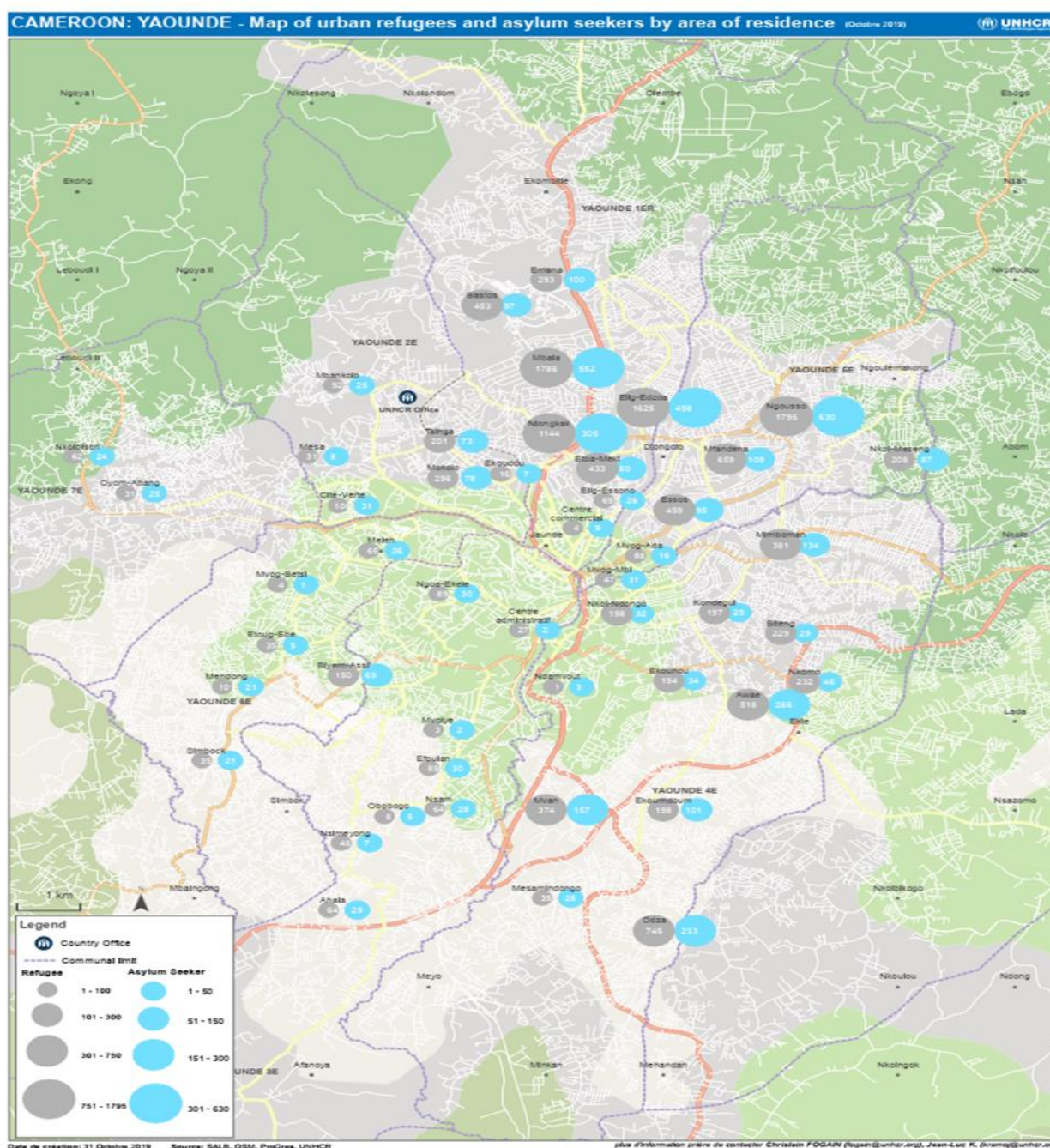
³⁵⁰ *Ibid.*

The mandate of UNHCHR in Cameroon

The organ is mandated to perform the following functions in Cameroon to protect, and promote, the rights in Cameroon, and specific urban towns of Yaoundé, Bertua, and Douala continue to broaden the mandate of this organization in Cameroon (see map 2 page 57). To achieve a common objective the organ collaborates with The UNHCR and others UN sisters organisations to foster and create more protective space for refugees despite regarding their status as well as circumstances of arrival. This includes the following,

- The OHCHR acts as a focal point for all human rights activities of the UN.
- It prepares reports and researches at the request of the General Assembly and other policy-making bodies of individuals including refugees in Cameroon. The sparse location of this population is of concern In her work to secure respect for human rights and prevent violations, the High Commissioner engages in dialogue with the government and operates with international, regional, and non-governmental organisations for promoting and protecting human rights.
- It undertakes human rights field activities and provides advisory services and technical assistance.
- In addition to technical assistance, field offices often carry out monitoring and protection functions such as information gathering, investigation of human rights situations, and report of violations.
- They also contribute to strengthening national capacities in human rights legislation, administration, and education, helping governments take corrective measures when needed.

Map 2: Urban refugees and asylum seekers by area of residence in Yaoundé



Source: SALB, OSM, ProGres, UNHCR

Date de création: 31 Octobre 2019

iii. United Nations Development Program UNDP - Cameroon

To understand UNDP's possible contributions to the advancement of durable solutions to refugee plights in Cameroon, it is necessary to get a picture of its regular, development-oriented functioning. Its history and its mission determine the official role that UNDP can play

to support and contribute to alleviating the refugees' precariousness in urban and local communities.

The UNDP emanated from the merging of the United Nations Expanded Programme of Technical Assistance, created in 1949, and the United Nations Special Fund, established in 1958. UNDP, as we know it now, was established in 1966 by the General Assembly of the United Nations with headquarters in New York.³⁵¹ In particular, the Jackson Report (1969) and the resulting consensus resolution of 1970 - GA resolution 2688 (XXV) - intended UNDP to play a central role in financing and coordinating the development cooperation of the UN system. 'UNDP was not given a specific mandate... but simply had as its framework the principles of universality, neutrality, and multilateralism. Its activities were to be based on the recipient countries' development plans.'³⁵² UNDP was supposed to become a funding organization with a large field presence, where the UNDP Country Director - officially called the Resident Representative, or briefly the Res Rep - would always be designated as the Resident Coordinator of the UN field presence. This Res Rep would thus wear two hats: the UNDP leadership and the official coordinator of all other UN organizations. To this end, UNDP, both at headquarters and in the field, also carried out administrative and supportive functions for the other UN organizations, especially for those belonging to the UN proper, such as UNFPA.

It is currently present on grounds in more than 170 countries and territories (with Cameroon inclusive) working with them on their solutions to global and national development challenges. UNDP's sustainable development rationale is connecting the sustainable development goals. The Sustainable Development Goals provide a holistic blueprint for change – an integrated plan to end poverty, protect the planet, and ensure that all people enjoy lasting peace and prosperity.³⁵³

Mandate and Governance Structure

UNDP's role is to help governments and actors throughout society to power and accelerate their progress towards the goals while keeping the global vision intact and on track.

³⁵¹ C. N. Murphy, *The United Nations Development Programme - A Better Way?*, Cambridge, 2006

³⁵² B. Wood, 'Lessons and Guidance for Donors: Key Points from the Development Assistance Committee's Guidelines on Conflict, Peace, and Development Cooperation', USAID Conference: Promoting Democracy, Human Rights, and Reintegration in Post Conflict Societies, in mimeo, 30-31 October 1997, pp.15.

³⁵³ UNDP, Annual Report, 2018, p.6. Accessed <https://annualreport.undp.org/assets/UNDP-Annual-Report-2018-en.pdf>

Combining the ambition of Agenda 2030 with the SDGs now demands a new kind of approach to development: the more disruptive we are, the more transformational the solutions will be. UNDP is the United Nations' global development network available to the UN system. Advocating for change and connecting countries to share knowledge, experience, and resources to help people build a better life.

In other to bring 2016, New York Declaration for refugees and Migrants, adopted by the United Nations General Assembly, to make bold commitments to save lives, protect rights and share responsibility on a global scale. UNDP is committed to ensuring safe, orderly, regular, and responsible migration; and, for refugees, by contributing to addressing drivers of migration and root causes of displacement, mainstreaming migration and displacement into development policies and plans, including during localization of SDGs; advocating, with partners, for the four main shifts needed³⁵⁴ to facilitate the necessary inter-agency coordination to transcend the humanitarian-development-peace divide in addressing protracted displacement and migration; and supporting affected countries, migrants, displaced people, and host communities to cope, recover and protect development gains³⁵⁵. The adoption of the Global Compact for Migration, the Global Compact on Refugees, and the GP20 Plan of Action in 2018 provides wider opportunities for UNDP to scale up its development approaches to migration and displacement.

Its program in Cameroon is focused on the implementation of programs to help improve the living conditions of the poor (and refugees) and to support the process of human development, sustainability, and equity. Anchored in the 2030 Agenda for Sustainable Development and committed to universality, equality, and leaving no one behind, the global UNDP vision through the Strategic Plan 2018-2021³⁵⁶ is to help countries achieve sustainable development by advancing the eradication of poverty in all its forms and dimensions, accelerating structural transformations for sustainable development and strengthening resilience to shocks and crises.

³⁵⁴ Four main shifts include: i) A new approach to strategic planning through joint development-humanitarian assessments, analysis, and multi-year planning and programming for collective outcomes; ii) Localized solutions, including collaboration with local governments/authorities, CSOs and the private sector to implement solutions that work and ensure that “displacement” is included in local-level plans, programs and budgets; iii) A new approach to flexible additional and multi-year financing; and iv) Strengthened policy and legal frameworks to protect and foster inclusion of refugees, IDPs and migrants.

³⁵⁵ Global Report, Development Approaches to Migration and Displacement, *Key Achievements, Experiences and Lessons Learned*, 2016-2018, Pp.6-7. _ accessed (24th July 2020)

³⁵⁶ UNDP Cameroon, <https://www.cm.undp.org/content/cameroon/en/home.html> (accessed 24th July 2020)

UNDP strategic support to Cameroon’s development agenda for the period 2018 – 2020 is based on the United Nations Development Assistance Framework (2018-2020) which articulates the UN contribution to the Country Strategy Paper for Growth and Employment for 2010-2020. UNDP support focuses mainly on the creation of inclusive jobs and resilience of the vulnerable to economic, social, and environmental shocks which are operationalized through four priority thematic areas: Democratic Governance and social cohesion; Stabilization and Prevention of Violent Extremism; Entrepreneurship and Local Economic Insertion; Environment, Natural Resources, and Climate Change.

Most importantly, the UNDP recognizes that migrants, refugees, and IDPs may face many common challenges and similar vulnerabilities³⁵⁷. They are all entitled to the same human rights and fundamental freedoms, which must always be respected, protected, and fulfilled. While they may be particularly vulnerable to the risk of violations and abuses of their rights, only refugees are entitled to additional protections under international refugee law. In line with this, UNDP’s development approach to migration and displacement focuses on four specific areas³⁵⁸ as follows: Addressing the root causes of displacement and mitigating the negative drivers of migration and factors compelling people to leave their homes; Supporting governments to integrate migration and displacement issues in national and local development plans, including during the localization of SDGs, and strengthening positive impacts of migrants/diaspora; Supporting refugees, migrants, IDPs, and host communities to cope, recover and sustain development gains in crisis and post crises (‘resilience-based development’); and Supporting national and local authorities achieve sustainable community based re/integration strengthening the evidence base for policy and programs through (joint) assessments and analysis cuts across all the four areas of UNDP’s work. Its support to individual countries is based on needs and demands from countries that are informed by analysis of the context.

Global and National Governance Structure

Globally, the United Nations General Assembly and the UN Economic and Social Council establish overall policies for UNDP. The Executive Board provides inter-governmental support and supervises the activities of UNDP. It ensures that UNDP is responsive to the needs of programme countries. The Executive Board consists of 36 members from many countries. The members are chosen on a rotating basis. The Administrator manages UNDP’s day-to-day work and is directly accountable to the Executive Board for all UNDP

³⁵⁷ Ibid

³⁵⁸ Ibid.

activities. The Administrator is the third highest-ranking official in the United Nations system after the Secretary-General and the Deputy Secretary-General. He/she is appointed by the Secretary-General for a term of four years and confirmed by the General Assembly.

In UNDP Cameroon Office, the organisation is represented by the Resident Representative (also called ‘RR’ or ‘ResRep’). He/she is ultimately accountable for the quality and sustainability of UNDP interventions in the country. The Resident Representative often serves as the UN Resident Coordinator (RC) for the entire United Nations system and sometimes as the UN Humanitarian Coordinator. We equally have a Country Director (‘CD’) who is responsible for the day-to-day management of UNDP.³⁵⁹ He/she has overall responsibility for, and coordination of, the operational and programmatic activities of UNDP. The Country Director has delegated financial authority, including project approval authority, as well as management and internal controls responsibilities. The Country Director represents UNDP with other UN Agencies, donors, and Government officials. The Country Director is typically aided by at least one Deputy Country Director. However, he/she can be responsible for UNDP’s programme in a country, UNDP’s operations, or both³⁶⁰.

Assistant Country Directors (ACD) assist Deputy Country Directors and are typically responsible for a unit (‘head of unit’) or area of work within a UNDP country office while Programme staff in a UNDP Country Office looks after planning, implementing, monitoring, and reporting on UNDP’s programme. Operations staffs are responsible for enabling the smooth running of the country office. This typically includes financial management, human resources, procurement, as well as day-to-day office maintenance and support. Junior Professional Officers (JPOs) are university graduates with under 32 years of working experience. They are usually funded by their respective government. Junior Professional Officers typically work under the supervision of a senior staff member on the identification, design, implementation, monitoring, and evaluation of UN programmes.³⁶¹

The institution equally hosts United Nations Volunteers (UNVs) who are usually hired for donor-supported projects and programmes, or based in UN country offices. United Nations Volunteers can be international or national specialists. The Country office also works with consultant who provides specific advisory and training services to strengthen national skills.

³⁵⁹ UNDP for Beginners: A Beginner’s Guide to the United Nations Development Programme, <file:///C:/Users/HP/Downloads/UNDP%20for%20Beginners%20-%205%20edition%20-%20May%202015.pdf>

³⁶⁰ In countries without a Country Director, the Resident Representative will be aided by a Deputy Resident Representative.

³⁶¹ UNDP Insights, www.jposc.undp.org

Consultants can be hired for short-term or long-term assignments and can be national or international and finally interns-these are graduate students who offer their unpaid services to support development activities while acquiring work experience. Interns can be national or international.

iv. The World Bank Group

Established in 1944 at the Bretton Woods Conference, the World Bank is one of the biggest providers of development finance. Every year, the Bank disburses about USD 50 billion to governments as well as the private sector.³⁶² It provides financing, policy advice, and technical assistance to governments in developing countries. Five institutions – the International Bank for Reconstruction and Development (IBRD), the International Development Association (IDA), the International Finance Corporation (IFC), the Multilateral Investment Guarantee Agency (MIGA), and the International Centre for Settlement of Investment Disputes (ICSID) – together make up the World Bank “Group”. The IBRD and the IDA form the core of the World Bank’s work. They provide loans and grants to states, with the IBRD focusing on middle-income countries and the IDA focusing on low-income countries. “Lower-middle income” countries, or blended economies, are eligible for both IBRD and IDA loans.

The World Bank’s two major funding instruments for refugees are the Global Concessional Financing Facility for middle-income countries and the IDA18 sub-window for refugees and host communities for low-income countries.³⁶³ Through the IDA sub-window Cameroon has received financial support from the World Bank to reinforce her refugees' integration program in the local and urban centers like Yaoundé and Douala.

The Global Concessional Financing Facility

At the World Humanitarian Summit in May 2016, the World Bank, with six other multilateral development banks, committed to strengthening contributions to meet the needs of “asylum seekers, refugees, Internally Displaced Persons (IDPs), as well as their countries of origin and host countries.” The three principal areas where the World Bank said it could contribute were: producing new data and evidence, mobilizing finance, and tying outcomes to results. Almost 90% of refugees are hosted in developing countries that are struggling to meet their development objectives. The World Bank affirms these countries hosting refugees are

³⁶² World Bank. The World Bank Investor Brief. P. 3.

³⁶³ World Bank. 2016. IDA18 Fragility, Conflict and Violence. P.18.

providing a global public good. However, for decades the World Bank has supported programs aimed at improving access to services for, and promoting self-reliance of, internally displaced people as well as supporting the reintegration of returnees.³⁶⁴

Funding Rational, Governance, and Protocol

Launched in April 2016 to support Jordan and Lebanon, the GCFF has since become global and could be available to other middle-income countries (though it was only supporting Jordan and Lebanon at the time of writing). This initiative aimed to provide \$6 billion in concessional financing for middle-income countries over five years, starting in 2016. This financing is provided in the form of loans at sharply reduced rates, and on exceptional basis grants. The purpose is to support middle-income countries experiencing severe strain on public services following large refugee influxes. The Bank selected projects with specific objectives to support refugee populations and host communities, projects that are part of the country's development agenda, and demonstrate evidence of clear development impact.

Recent financing has gone to projects in Jordan and Lebanon that support job creation, help improve infrastructure, and promote access to health and education. To be eligible for funding a recipient country must host more than 25,000 refugees, and these refugees must represent more than 0.1 percent of the host country's population. The country should have an adequate framework for the protection of refugees, based on adherence to the 1951 Refugee Convention or its 1967 protocol, or with the adoption of national policies and practices consistent with the principles within these instruments. The GCFF is a Financial Intermediary Fund (FIF), a vehicle to manage funds provided by donors for specific development activities. Donor funds are essentially used to pay interest rates on finance raised in capital markets, which are then made available to eligible middle-income countries. This way, middle-income countries get access to loans at reduced interest rates.

To trigger the release of funds, the first step is for a country to make a funding request. Funding decisions are approved by donors on the GCFF Steering Committee. Funds are disbursed to Implementation Support Agencies (ISAs) which then pass on the proceeds to benefitting countries. The World Bank acts as the GCFF "Trustee". It administers the GCFF and provides secretariat services through a Coordination Unit housed in the Fragility, Conflict,

³⁶⁴ M.P. Gomez.,. *Forced Displacement: Overview of the World Bank Portfolio*. Social Development Notes; no.122, 2009. Conflict, crime and violence. Washington, DC: World Bank

and Violence Group. The GCFE “Steering Committee” includes the GCFE supporting countries (donors), which can make funding decisions.³⁶⁵ Currently, the GCFE has ten country donors. Japan, Sweden, and Denmark are the three largest contributors. The Steering Committee also includes beneficiary countries (Lebanon and Jordan) as well as observers that are expected to provide insights, but they do not have a say in decisions. Designated observers include the International Monetary Fund (IMF), the UN Resident Coordinator (RC) of each beneficiary country, UNHCR³⁶⁶, and one other UN entity nominated by the Executive Office of the UN Secretary-General.³⁶⁷

Implementing Support Agencies (ISAs) receive and disburse the GCFE funds. They help in monitoring and evaluating overall project performance and provide progress reports biannually to the Steering Committee. They have some leverage over decisions about project planning because all funding requests made by countries must be endorsed by the associated ISA. ISAs include multilateral development banks such as the European Bank for Reconstruction and Development, European Investment Bank, Islamic Development Bank, and the World Bank. UN entities who have signed a Memorandum of Understanding with the United Nations Development Programme Multi-Trust Fund Office to administer country-level UN Multi-Donor Trust Funds, established to support UN operational activities in eligible countries, can apply to be an ISA, including the FAO, UNDP, UNHCR, the WFP, and the WHO among others. On an exceptional basis, when specifically requested by a country submitting a grant proposal, ISAs can directly receive grants to implement projects.³⁶⁸ In this case, the principal beneficiaries will be operational UN agencies.

The GCFE is specifically meant to provide financial assistance to interested middle-income countries, though not the core of this section but significant knowledge about its purpose and governance structure aid to inform resultant policies. Our core interest is in the activities of the IDA sub-Window Fund for developing countries.

The IDA18 sub-window for refugees and Cameroon

The IDA’s eighteenth replenishment (IDA18), running from July 2017 to June 2020, was the first replenishment following the adoption of the Sustainable Development Goals. It

³⁶⁵ World Bank, Concessional Financing Facility: Operations Manual, 2016. p.7.

³⁶⁶ While the UN Resident Coordinator is expected to make the link with UN country-level activities, UNHCR has been included with the intention to better coordinate with global humanitarian and development efforts.

³⁶⁷ World Bank, Concessional Financing Facility: Operations Manual, 2016, p. 5.

³⁶⁸ *Ibid.*,p.9.

provided a record level of finance, about, \$75 billion to 75 low- and lower-middle-income countries. Part of this amount was allocated under the IDA's "fragility, conflict and violence theme," which has been rising steadily, leaping six-fold in the last twenty years. Funding for this theme goes beyond \$14.4 billion,³⁶⁹ or roughly more than half that of the 2016 global humanitarian budget.

For the first time, there a specific sub-window for refugees and host communities was created by multilateral development agencies. This opens the door for developing countries experiencing constrain hosting refugees to seek funding and ease their burden.

Funding Rational, Governance, and Protocol

Generally, the fundamental aim of this global gesture was to provide \$2 billion in low-interest loans and grants for eligible low-income (IDA) countries hosting significant refugee populations, of which Cameroon was included as one of the eligible countries. Half of this amount was to be provided in the form of grants. The IDA targeted countries managing mass arrivals of refugees. The sub-window was meant to help host communities manage crises, encourage policy reforms, and enable refugees to rebuild their lives. Projects focus on the longer-term development needs of refugees and host communities, not short-term humanitarian needs. They promote refugees' social inclusion and labor force participation, help host communities deliver quality public services, and support people whose livelihood is negatively affected by refugees' presence.

In terms of eligibility criteria, Recipient countries host at least 25,000 UNHCR-registered refugees, including persons in refugee-like situations, or refugees constitute at least 0.1% of the country's population. A country must have an adequate framework for the protection of refugees. (The World Bank, in consultation with UNHCR, will determine the adequacy of a country's refugee protection framework.) In addition, countries should equally have an action plan, strategy, or similar document that describes concrete steps, including possible policy reforms toward long-term solutions that benefit refugees and host communities. IDA loans offer low-interest rates (0.75% for IDA-only countries and 2% for gap³⁷⁰ and blend

³⁶⁹ IDA18.. Towards 2030: Investing in Growth, Resilience and Opportunity. Report from the Executive Directors of the International Development Association to the Board of Governors, World Bank, 2017, p 42.

³⁷⁰ Gap countries are those whose Gross National Income has exceeded the cut-off limit to be eligible for IDA loans, but who are not yet deemed creditworthy to borrow from the IBRD

countries³⁷¹). Repayments are usually stretched over forty or so years. Allocations per country will be capped at \$400 million.³⁷²

The IDA funding pot is replenished every three years by donors and the World Bank's internal resources. Funding decisions are approved by the World Bank Board. The approval process follows a two-step process.³⁷³ During the eligibility phase, the Bank's Board reviews a country's eligibility based on the defined criteria, the specific needs of refugees and host communities, project development objectives, and proposed interventions. Once a country is considered eligible, States along with World Bank country teams identify projects, which are then approved by the Board.

World Bank Refugees Sub-Window-funded projects in Cameroon

As of March 2019, the World Bank was funding four projects to support refugees and host communities in Cameroon. Community Development Program Support Project Response to Forced Displacement (CDPSP).

The Bank's Community Development Program Support Project Response to Forced Displacement (CDPSP) is a long-running project intended to improve the delivery of social services, strengthen the ongoing decentralization process, and boost local governments' capacity to plan for and finance their nationally-mandated activities³⁷⁴. Two phases of this project have been implemented since 2004 and it is anticipated to run through 2022.

The main focus of intervention has been at the commune level, with the creation and support of commune-level planning committees. During the project's first phase (2004-2009), *Programme National de Développement Participatif* (PNDP) was established within MINEPAT; classrooms were built, and textbooks were provided to students; hospitals were built and rehabilitated; water points were developed, and roads were rehabilitated.³⁷⁵ The second phase (2010-2016) expanded these activities to a larger number of communes, assisted them in creating five-year Communal Development Plans, and provided grants to finance activities

³⁷¹ Blend country are those that, on the basis of their Gross National Income, are considered eligible for both IDA and IBRD loans

³⁷² World Bank, IDA18 Fragility, Conflict and Violence, 2016, p. 20.

³⁷³ *Ibid.*

³⁷⁴ World Bank. 2009. "Community Development Program Support Project Phase II." Project Information Document AB4223. World Bank. <http://projects.worldbank.org/P113027/cm-community-development-program-support-project-phase-ii?lang=en&tab=documents&subTab=projectDocuments>.

³⁷⁵ *Ibid.*

under these plans. The impending third phase aims to improve the financial management of communes already being supported by the project.

The IDA18 replenishment provides additional financing in the form of an \$8 million loan and a \$40 million grant from the refugee sub-window. In areas affected by displacement, the objective of the additional IDA18 sub-window financing is to support the integration of displaced people into the commune-level planning process. These commune-level committees also oversee the implementation of the other projects implemented under IDA18.

Social Safety Nets Project (SSNP)

The latest World Bank data reports that 37.5 percent of Cameroonians fall below the poverty line; the absolute number of poor people in Cameroon is 8.1 million.³⁷⁶ These rates are higher in the three regions of intervention: Far North (74.3 percent), North (67.9 per cent) Adamawa (47.1 percent).³⁷⁷ The poverty rate among refugees is even higher; 96 per cent of CAR refugees in the East, Adamawa, and North regions fall below the extreme poverty line.

To tackle these high poverty rates, the Bank is implementing the Social Safety Nets Project (SSNP), which aims to create a national safety net system, including piloting cash transfers and public works programs targeting the most vulnerable people in rollout areas.³⁷⁸ To date, the program has developed targeting and payment systems for cash transfers, emergency cash transfers, and cash-for-work programs. The government implemented emergency cash transfers in response to the influx of refugees and IDPs in the Far North. Cash transfers are intended to facilitate income-generating activities, such as raising livestock and agriculture. An evaluation of the pilot program found cash transfers improved beneficiaries' access to government services, including education, health services, and civil registration.³⁷⁹ Beneficiaries invested in income-generating activities, most frequently agricultural inputs (e.g., fertilizer, livestock vaccinations).

³⁷⁶ World Bank. 2018. "Project Paper on Proposed Additional Credit in the Amount of Eur 24.6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of \$30 Million to the Republic of Cameroon for the Social Safety Net Project." Project Paper PAD2744.

³⁷⁷ *Ibid.*

³⁷⁸ *Ibid.*

³⁷⁹ World Bank. 2018. "Project Paper on Proposed Additional Credit in the Amount of Eur 24.6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of \$30 Million to the Republic of Cameroon for the Social Safety Net Project." Project Paper PAD2744. Beneficiaries sent more children to school and visited health centers more regularly. They also registered for national identification cards.

The original project was financed by a \$50 million IDA loan. Additional financing, including a \$30 million IDA loan and a \$30 grant from the sub-window will extend the coverage of existing activities through 2022 to vulnerable populations in refugee-hosting areas. Health System Performance Reinforcement Project (HSPRP) Cameroon’s National average rate of maternal mortality (782 deaths per 100,000 live births) and child mortality (103 deaths per 1,000 live births) exceed peer countries like Uganda.³⁸⁰ Access to care and health outcomes are poorer in underserved regions.³⁸¹

Malnutrition rates illustrate these dynamics: nationally 32percent of children are stunted, with higher rates in the Far North (44 per cent), North (40 per cent), Adamawa (40 per cent), and East (38percent).³⁸² Refugees face a higher disease burden compared to their hosts. The most prevalent diseases are upper respiratory tract infections, malaria, intestinal worms, and diarrheal diseases. Contributing to these health issues is a lack of access to potable water—only 28 percent of refugees living in the North, East, and Adamawa regions have access.³⁸³ In December 2016, the Bank’s board approved the Health System Performance Reinforcement Project (HSPRP) to increase access and quality of health services, with a focus on reproductive, maternal, child, and adolescent health and nutrition services.³⁸⁴ As of writing, the project had already reached 100 percent coverage of districts in the North, East, and Adamawa regions and 41 percent coverage in the Far North.

The existing project is funded by \$100 million loans and \$27 million grant. Additional financing from a \$6 million loan and a \$30 million grant from the IDA18 refugee sub-window supports the expansion of this project to include refugees and to geographically cover the entire country. It also devotes \$4 million to strengthen civil registration by supporting the recently created National Bureau of Civil Status (*Bureau National de l’Etat Civil, or BUNEC*), which

³⁸⁰ World Bank. 2018. “Project Paper on a Proposed Additional Credit in the Amount of \$6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of SDR 20.8 Million to the Republic of Cameroon for the Health System Performance Reinforcement Project.” Project Paper PAD2735.

³⁸¹ Child mortality rates in the North and Far North regions are 173 deaths and 154 deaths per 1,000 live births, respectively. World Bank, p.15.

³⁸² World Bank. 2018. “Project Paper on a Proposed Additional Credit in the Amount of \$6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of SDR 20.8 Million to the Republic of Cameroon for the Health System Performance Reinforcement Project.” Project Paper PAD2735.

³⁸³ UNICEF. 2017. “Cameroon Humanitarian Situation Report.” <https://reliefweb.int/report/unicef-cameroon-humanitariansituation-report-september-2017>.

³⁸⁴ World Bank, “Project Paper on a Proposed Additional Credit in the Amount of \$6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of SDR 20.8 Million to the Republic of Cameroon for the Health System Performance Reinforcement Project,” Project Paper (World Bank, March 30, 2018), 1.

is intended to coordinate interventions from different ministries related to civil registration, including birth certificates, marriage licenses, and death certificates.³⁸⁵

Education Reform Support Project (ESRP)

The government's current education system strategy, drafted before the height of the displacement crisis, does not address the needs of refugees or IDPs and has not been updated to do so.³⁸⁶ The government has stated its commitment to ensuring refugees' access to host community public schools, but this has not yet been implemented.³⁸⁷ There are large regional disparities in school enrollment in Cameroon. The national enrollment rate in secondary education is 50.4 percent for girls and 55 percent for boys, but these numbers are much lower in the Far North (16.2 percent for girls; 31.8 percent for boys) and North (18.4 percent for girls; 36.2 percent for boys).³⁸⁸ In the Far North, 92 preschools and primary schools remain closed due to insecurity, and 23,000 children – including refugees, IDPs, and host communities – are not in school.³⁸⁹ Non-state armed groups have called for a ban on government-run schools, attacked schools, and threatened those who violate their boycott.³⁹⁰

Donors and NGOs that provide education to refugees focus predominantly on access within refugee camps. Schools operate in the Far North's Minawao camp, but many children do not attend; instead, they work to help provide basic needs for their families. In 2017, approximately 16,000 children were enrolled in schools in Minawao camp, but in 2018 just 7,000 were enrolled. This drop-in enrollment was primarily because many parents stopped sending their children to school in anticipation of returning home after the Tripartite Agreement was signed and voluntary return appeared possible.³⁹¹

³⁸⁵ World Bank. 2018. "Project Paper on a Proposed Additional Credit in the Amount of \$6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of SDR 20.8 Million to the Republic of Cameroon for the Health System Performance Reinforcement Project." Project Paper PAD2735

³⁸⁶ World Bank. 2018. "Project Appraisal Document on a Proposed Credit in the Amount of Eur 80.3 Million and a Proposed Grant in the Amount of SDR 20.6 Million from the IDA18 Refugee Sub window to the Republic of Cameroon for an Education Reform Support Project." Project Paper PAD2366

³⁸⁷ Ibid.

³⁸⁸ World Bank. 2018. "Project Appraisal Document on a Proposed Credit in the Amount of Eur 80.3 Million and a Proposed Grant in the Amount of SDR 20.6 Million from the IDA18 Refugee Sub -window to the Republic of Cameroon for an Education Reform Support Project." Project Paper PAD2366.

³⁸⁹ Norwegian Refugee Council. 2018. "Thousands of Children out of School." <https://www.nrc.no/news/2018/june/thousands-of-children-out-of-school/>.

³⁹⁰ T. Modibo., "Cameroon: North-West and South-West Crisis Situation Report N1.", 2018, p.16. https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ocha_cameroon_situation_report_no1_sw-nw_november_2018_en_final.pdf.

³⁹¹ M.E Kindzeka, "Concern Voiced About Education of Refugee Children in Cameroon - Cameroon." *ReliefWeb*. 2018, p.6. <https://reliefweb.int/report/cameroon/concernvoiced-about-education-refugee-children-cameroon>

Aligned with Cameroon's commitments at the Leaders' Summit, the government and Bank are implementing a new education project, the Education Reform Support Project (ESRP), which aims to improve equitable access to quality basic education in disadvantaged areas.³⁹² The project is funded by a \$100 million loan, supplemented by a \$30 million grant from the IDA18 sub-window. These disadvantaged places include refugee-hosting areas, including the Far North, North, Adamawa, and East regions. At least 300 schools serving 20,000 refugee children are expected to be supported by this project. The project trained primary and pre-primary teachers in a new curriculum, provide textbooks to primary schools, and send government-recruited teachers to primary schools where more capacity is needed.

Decision-making around IDA18 RSW projects

The selection and negotiation of projects funded under the IDA18 sub-window resulted from a close consultation between UNHCR, the World Bank, and MINEPAT. The consultation was centralized and largely limited to representatives of these three actors.³⁹³ According to both the World Bank and UNHCR, the selection of projects was pragmatic; expanding existing projects expedited approval processes within the World Bank. Negotiations among the World Bank, UNHCR, and the government remained largely uncontentious, with the exception of geographic targeting of the additional financing. The Government of Cameroon did not want to target specific areas; however, UNHCR successfully advocated targeting assistance to areas with the highest refugee-hosting burden. Due to its longstanding relationship with the World Bank and other development actors, MINEPAT has advocated in favor of these projects within the central government.

UNHCR and the government have agreed to set up a Steering Committee and Technical Secretariat, with regional and commune level committees for implementation (see **Figure 2**). This agreement was signed in October 2016, but it is being renegotiated, and the coordinating structures may change due to the recent reshuffling of ministerial authority.³⁹⁴ The coordination structure is meant to support the World Bank's "integrated approach," in which multiple programs are targeted in the same geographic areas using a unified results framework.

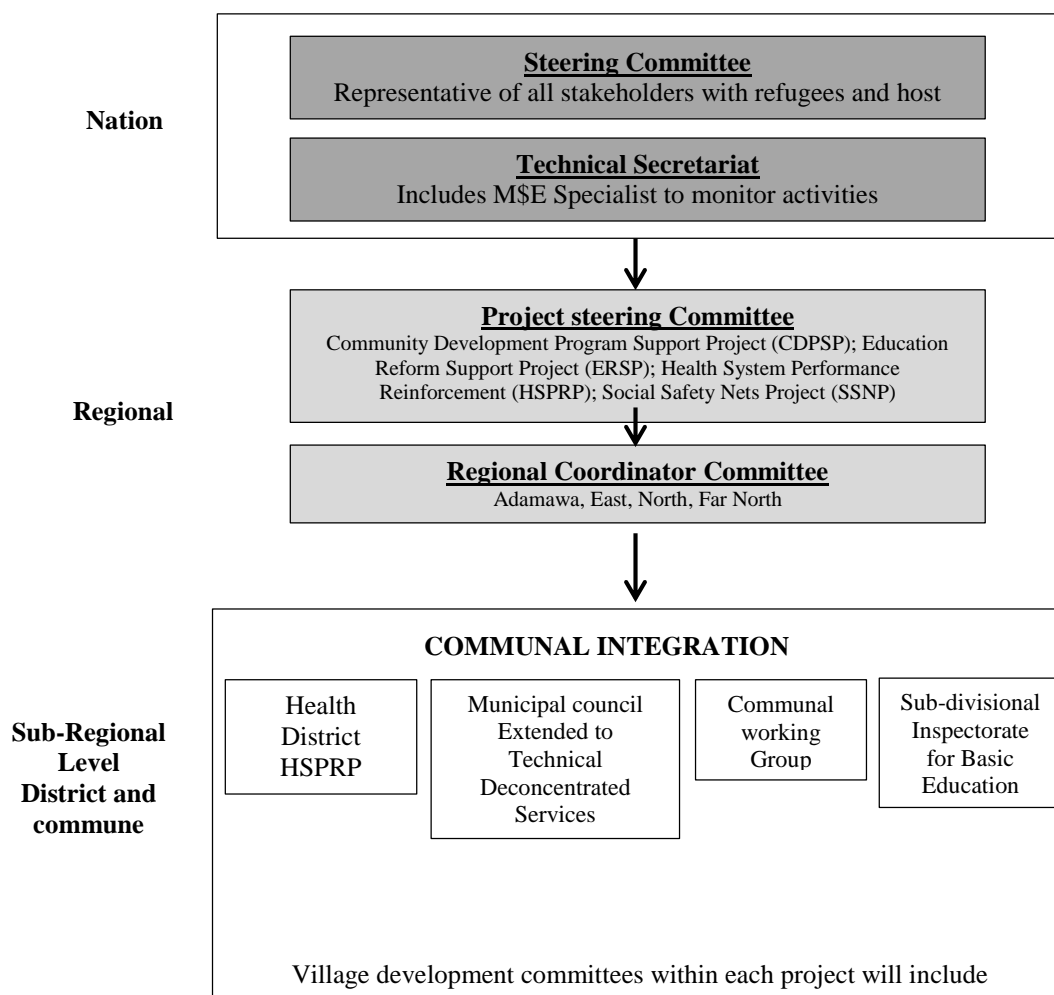
³⁹² World Bank. 2018. "Project Appraisal Document on a Proposed Credit in the Amount of Eur 80.3 Million and a Proposed Grant in the Amount of SDR 20.6 Million from the IDA18 Refugee *Sub-window* to the Republic of Cameroon for an Education Reform Support Project." Project Paper PAD2366.

³⁹³ The agreement between UNHCR and MINEPAT ended on 31 December 2017 and was not renewed, primarily because UNHCR is not a development actor not contributing with an important development budget.

³⁹⁴ MINEPAT's authority over commune-level development spending was recently reduced and transferred to a new ministry, *Ministere de la Development* (MINDEVEL).

Although a departure from the World Bank’s typical way of working, there is substantial support and enthusiasm within the Bank, particularly by staff in Washington, to take an integrated approach.

Figure 2: Institutional Arrangements and Coordination Framework of IDA18 RSW Projects



Source: World Bank. 2018. “Cameroon – Community Development Program Support Project Response to Forced Displacement Project: additional financing (English).” Washington, DC: World Bank Group, Adapted by the author.

Commitments to refugee protection

Negotiating the terms of the Bank-funded projects provided an opportunity for UNHCR and the World Bank to secure explicit government commitments to refugee protection. The government articulated three commitments in its Letter of Development Policy, which requested the sub-window financing: 1) issuing biometric identity cards to refugees, 2) issuing

birth certificates for children of refugees born in Cameroon, and 3) strengthening the capacity of the Technical Secretariat to register asylum seekers and make decisions on refugee status.³⁹⁵ Although consistent with existing legal frameworks, these explicit commitments would likely be absent if the World Bank and UNHCR representatives had not pushed for them.

The World Bank Board of Directors approved all four projects in May 2018. However, the approval process proved more difficult than expected. Several weeks before the board meeting, in April 2018, UNHCR published a statement calling attention to the continued occurrence of forced returns of Nigerian refugees.³⁹⁶ Verification of a sufficient protection environment is one of three key eligibility requirements for the IDA18 sub-window.

At the request of the World Bank, UNHCR assessed the adequacy of the refugee protection framework and attested to its adequacy. UNHCR committed to monitoring protection for the duration of the sub-window projects. The agency will provide updates to the World Bank when protection incidents occur and issue semiannual reports to the Bank and MINEPAT. UNHCR, in consultation with the government and World Bank, identified key protection indicators on which these reports will be based.

II Regional mechanisms for Refugees Durable solutions

There exist well-established and influential institutions at the regional level protecting the rights of people including the rights of refugees and other persons under its jurisdiction. These regional bodies also assist to provide durable solutions to refugees at the regional level. At the regional level, we have the following institutions protecting and promoting human rights including the rights of refugees these include: the African Commission on Human and Peoples' Rights (ACHPR), African Court on Human and Peoples' Rights established through a protocol to the African Charter, Special Rapporteur on Refugees, Asylum Seekers, Migrants, and Internally Displaced Persons, Humanitarian Affairs, Refugees and Displaced Persons a division under the African commission Department of Political Affairs and African Humanitarian Agency (AHA).

³⁹⁵ World Bank. 2018. "Cameroon – Community Development Program Support Project Response to Forced Displacement Project: additional financing (English)." Washington, DC: World Bank Group. <http://documents.worldbank.org/curated/en/182641525399305603/Cameroon-Community-Development-Program-Support-Project-Response-to-ForcedDisplacement-Project-additional-financing>.

³⁹⁶ UNHCR. 2018. "Cameroon: Far North Region Update on Returns." Relief web. <https://reliefweb.int/report/cameroon/cameroon-far-north-region-update-returns-april-2018>

i. The African Commission on Human and Peoples' Rights (ACHPR)

Established by the African Charter on Human and Peoples' Rights which came into force on 21 October 1986 after its adoption in Nairobi (Kenya) in 1981 by the Assembly of Heads of State and Government of the Organization of African Unity (OAU.), the African Commission on Human and Peoples' Rights is charged with ensuring the promotion and protection of Human and Peoples' Rights throughout the African Continent³⁹⁷. The Commission has its headquarters in Banjul, the Gambia. As far as refugees are concerned, it is most appropriate to cite the Special Rapporteur on Refugees, Asylum Seekers, Migrants, and Internally Displaced Persons.

Composition

The Commission consists of 11 members elected by the African Union Assembly from experts nominated by the State parties to the Charter. Nevertheless, the African Commission on Human and Peoples' Rights is a very broad structure with many sub-structures specialised in handling specific issues.

As far as refugees are concerned, it is most appropriate to cite the Special Rapporteur on Refugees, Asylum Seekers, Migrants³⁹⁸, and Internally Displaced Persons. It was established by the ACHPR at its 35th Ordinary Session in Banjul, The Gambia³⁹⁹. Resolution 72 adopted at the 36th Ordinary Session held in Dakar, Senegal from 23 November to 7 December 2004 laid out the mandate of the Special Rapporteur⁴⁰⁰. It is called to seek, receive, examine, and act upon the situation of refugees, asylum seekers, and internally displaced persons in Africa; undertake studies, research, and other related activities to examine appropriate ways to enhance the protection of refugees, asylum seekers, and internally displaced persons; undertake fact-finding missions, investigations, and visits to refugee camps and camps for internally displaced persons; assist Member States of the African Union to develop appropriate policies, regulations, and laws for the effective protection of refugees, asylum seekers, and internally displaced persons; cooperate and engage in dialogue with Member

³⁹⁷ Factsheet: African commission on Human and Peoples Rights. Available at <https://www.justiceinitiative.org/uploads/a6396ca7-b03f-40f7-8fe8-ed6e51ebd15/fact-sheet-african-commission-human-peoples-rights-20130627.pdf> (accessed January 14, 2020).

³⁹⁸ Resolution 95 of the 39th Ordinary Session, held in Banjul, The Gambia in May 2006, extended the mandate of the Special Rapporteur to also include migration issues.

³⁹⁹ The 35th Ordinary Session held from 21 May to 4 June 2004.

⁴⁰⁰ ACHPR, "*Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons.*" Available at <http://www.achpr.org/mechanisms/refugees-and-internally-displaced-persons/> (Accessed: 8 February 2013).

States, national human rights institutions, relevant intergovernmental and non-governmental bodies, and international and regional mechanisms; develop and recommend effective strategies to better protect rights; raise awareness and promote the implementation of the UN Convention on Refugees of 1951 as well as the OAU Convention governing the Specific Aspects of Refugees Problems in Africa; and submit reports at every ordinary session of the African Commission on the situation of refugees, asylum seekers and internally displaced persons in Africa⁴⁰¹.

The institution of the Special Rapporteur on Refugees, Asylum Seekers, and Internally Displaced Persons is the result of collaboration between the UNHCR and the African Commission⁴⁰². One of the reasons for the furtherance of this relationship was the lack of enforcement mechanisms under the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa and the hope that the African Commission may be able to fill part of this role⁴⁰³.

Procedures

The African Charter makes provisions for the procedures of the African Commission in Chapter three⁴⁰⁴. In addition to the procedures set out in the Charter, the Commission is empowered to lay down its procedures in executing its mandate spelled out by the Charter⁴⁰⁵. In this vein, the Commission gets its basis from general international law on human and peoples' rights⁴⁰⁶. The Commission has specific areas of its promotional and protective mandates⁴⁰⁷. There exist State reporting and communication procedures respectively.

The State reporting procedure is of promotional and protective importance. It is aimed at ensuring that state parties to the Charter comply with the basic requirements in terms of their domestic legislative (and other) instruments⁴⁰⁸. Article 62 obligates Member States to submit every two years, a report on the legislative or other measures taken with a view of giving effect

⁴⁰¹ *Ibid.*

⁴⁰² Malcolm Evans and Rachel Murray, *The African Charter on Human and Peoples' Rights: The System in Practice 1986 – 2006*. Cambridge: Cambridge University Press, 2008, p.365.

⁴⁰³ Report on the Meeting of Experts of the first A.U Ministerial Conference on Human Rights in Africa, (paragraph 40 (2)). Draft report of the Consultative Meeting between the African Commission on Human and Peoples' Rights and the United Nations High Commissioner for Refugees, 20 – 21 March 2003, Addis Ababa, Ethiopia.

⁴⁰⁴ Articles 46 to 59 of the African Charter on Human and Peoples' Rights.

⁴⁰⁵ Article 42 (2) of the African Charter on Human and Peoples' Rights

⁴⁰⁶ Articles 60 and 61 of the African Charter on Human and Peoples' Rights.

⁴⁰⁷ O. Nmeihelle, *The African Human Rights System: Its Laws, Practice and Institutions*. Martinus Nijhoff Publishers, 2001, p. 187.

⁴⁰⁸ *Ibid.*, p. 187

to the rights and freedoms recognised and guaranteed by the Charter. It enables the Commission to monitor the implementation of the Charter and identify challenges impeding the realisation of the objects of the Charter. States can take stock of their achievements and failures in the light of the Charter⁴⁰⁹.

On the other hand, within the framework of the communication procedure, cases are brought to the Commission in the form of complaints and petitions⁴¹⁰. Such communications could come from States against other Member States; or what is referred to as “other communications,” depicting individual or non-State communications. The bulk of activities regarding the Commission has been on “other communications” rather than on those from States parties. Refugees ‘whose rights are violated by a Member State, either country of origin ... [or] host State, can have recourse to the African Commission ... under the individual communications procedure⁴¹¹.’ Article 48 prescribes the mode of resolving the dispute giving rise to the above procedure without involving the African Commission if possible.

The African Court on Human Peoples’ Rights is intended to add strength to the protection of human rights in Africa⁴¹². Under Article 2 of the Protocol⁴¹³ establishing the court, it shall complement the protective mandate of the African Commission. NGOEPE argues that there are several African instruments that the Court can make use of for the protection of refugee rights⁴¹⁴. The most notable he argues, is the African Charter on Human and Peoples’ Rights itself, the Convention governing the Specific Aspects of Refugee Problems in Africa, amongst others.

ii. Special Rapporteur on Refugees, Asylum Seekers, Migrants, and Internally Displaced Persons.

The Special Rapporteur on Refugees, Asylum Seekers, Migrants, and Internally Displaced Persons is one of the special mechanisms overseen by the African Commission on

⁴⁰⁹ *About ACHPR, op. cit.*

⁴¹⁰ Articles 47 to 59.

⁴¹¹ B. Nyanduga, ‘Refugee Protection under the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa’ (2004) 47 *German YB Intl L* 85. Cited in Marina SHARPE, “*Engaging with refugee protection? The Organisation of African Unity and African Union since 1963*,” *New Issues in Refugee Research*, Working Paper N° 266, Geneva: UNHCR, 2011, p. 26.

⁴¹² C. Beyani, *Protection of the Right to Seek and Obtain Asylum under the African Human Rights System, op. cit.*

⁴¹³ The protocol establishing the court was adopted at an OAU Summit in Ouagadougou, Burkina Faso in June 1998 and entered into force in 2000 under the auspices of the newly established African Union. Cameroon is yet to ratify the Protocol.

⁴¹⁴ B. Ngoepe, “*The Role of the African Court on Human and People’s Rights in the Protection of the Rights of Refugees*”: Blend, Slovenia: 7 - 9 September 2011 IARLJ Conference, p. 4 of his paper. Bernard NGOEPE is a South African Judge at the African Court on Human and Peoples’ Rights.

Human and Peoples' Rights. The Special Rapporteurship was created in 2004 during the Commission's 35th Ordinary Session to protect the rights of refugees, asylum seekers, and internally displaced persons⁴¹⁵. In 2006, the mandate was extended to include migrants as well. Its purpose is to investigate and improve the treatment of refugees, asylum seekers, migrants, and internally displaced persons throughout the African Union (AU) Member States. The Special Rapporteur undertakes a number of duties vital in promoting the rights of refugees likewise urban refugees and these including

Evaluating States' domestic laws and compliance with international standards:

This institution encourages the states to better align with their obligations under the African Charter on Human and Peoples' Rights and other international standards by making recommendations on efficient strategies that they can implement to better protect the rights of refugees, asylum seekers, migrants, and internally displaced persons including urban refugees⁴¹⁶.

Conducting visits to the Member States: During its periodic visits, the Special Rapporteur examines human rights conditions, particularly in refugee camps and camps for internally displaced persons. The Special Rapporteur then makes recommendations to the State on how to improve these conditions⁴¹⁷. According to Rule 60 of the Commission's Rules of Procedure, after the completion of a mission, the Special Rapporteur has a duty to publish a Mission Report, which may usually be found on its website⁴¹⁸.

Receiving Information: The Special Rapporteur is responsible for seeking and receiving information from individuals, governmental and non-governmental organizations and institutions, and other stakeholders concerning cases or situations that involve refugees, asylum seekers, migrants, and internally displaced persons⁴¹⁹. The Special Rapporteur often

⁴¹⁵ A CommHPR, Resolution 95, Resolution on the Renewal of the Term and Extension of the Mandate of the Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa.

⁴¹⁶ M. Sahli-Fadel, Report of the Mechanism of the Special Rapporteur on the Rights of Refugees, Asylum Seekers, and Internally Displaced Persons and Migrants in Africa Since Its Creation, Intersession Activity Report, 52nd Ordinary Session (2012).

⁴¹⁷ See ACommHPR, Resolution 72, and Resolution on the mandate of the Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa, 7 December 2004.

⁴¹⁸ However, as of October 2014, the Special Rapporteur had not posted any Mission Reports on its website

⁴¹⁹ Zainabo Sylvie Kayitesi, Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons, Intersession Activity Report, 50th Ordinary Session (2011). https://ijrcenter.org/regional/african/special-rapporteur-on-refugees-asylum-seekers-migrants-and-internally-displaced-persons/#Country_Visits (Accessed January 14 2020)

coordinates these activities with civil society organizations, National Human Rights Organizations, and relevant actors within the United Nations

The institution of the Special Rapporteur on Refugees, Asylum Seekers, and Internally Displaced Persons is the result of collaboration between the UNHCR and the African Commission⁴²⁰. One of the reasons for the furtherance of this relationship was the lack of enforcement mechanisms under the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa and the hope that the African Commission may be able to fill part of this role⁴²¹.

iii. African Court on Human and Peoples' Rights

The African court complements the African commission for human and people's rights in fostering some of its vital goals. The African Court on Human and Peoples' Rights (African Court) was established through a Protocol to the African Charter. The Protocol on the Establishment of an African Court on Human and Peoples' Rights was adopted in Ouagadougou, Burkina Faso, on 9 June 1998 and entered into force on 25 January 2004. The Court was established to complement the protective mandate of the Commission. Its decisions are final and binding on state parties to the Protocol.

More specifically the court cases concerning the judgment of the African Commission on Human and Peoples' Rights v. Kenya landmark, the Court elaborated on this concept of peoples' rights and demonstrated its willingness to recognize and enforce them against powerful state interests. The application was brought on behalf of the Ogiek peoples, who are an ethnic group of hunter-gatherers, indigenous to the Mau Forest in Kenya. The Ogiek claimed that they had been unlawfully evicted from the forest, which they consider their ancestral home, by the Kenyan government who had sold off much of the land to corporations for commercial use⁴²². To date, no specific cause has been handled by case concerning urban refugees.

⁴²⁰ M. Evans et al, "The African Charter on Human and Peoples' Rights": The System in Practice 1986 – 2006. Cambridge: *Cambridge University Press*, 2008, p.365.

⁴²¹ Report on the Meeting of Experts of the first A.U Ministerial Conference on Human Rights in Africa, (paragraph 40 (2)). Draft report of the Consultative Meeting between the African Commission on Human and Peoples' Rights and the United Nations High Commissioner for Refugees, 20 – 21 March 2003, Addis Ababa, Ethiopia.

⁴²² The Court held that as the Ogiek people are an ethnic group that are part of the Kenyan population, they are therefore "peoples" for the benefit of the Banjul Charter. The Court moved on to state that by evicting the Ogiek peoples from the forest, the Kenyan government had deprived them of the abundance of food it provides and thus had prohibited them from freely disposing of their natural resources contrary to Article 21 of the Banjul Charter.

However, creating a comprehensive environment for multi-stakeholders and competent to submit communications to the Court is evidence of the court's openness to promote, defend and protect the rights of any group of persons including Urban refugees. For example, the African Commission, state parties to the Court's Protocol, African Inter-governmental Organisations, and NGOs with observer status before the Commission, and individuals including urban refugees can submit a case file to the court.

The African Court on Human Peoples' Rights is intended to add strength to the protection of human rights in Africa. Under Article 2 of the Protocol⁴²³ establishing the court, it shall complement the protective mandate of the African Commission. NGOEPE argues that there are several African instruments that the Court can make use of for the protection of refugee rights. The most notable he argues, is the African Charter on Human and Peoples' Rights itself, the Convention governing the Specific Aspects of Refugee Problems in Africa, amongst others.

iv. The African Union Commission (AUC)

Apart from the African Commission on Human and Peoples' Rights, the African Union Commission is the main institutional mechanism with a specific department that handles issues relating to the protection of refugees and urban refugees from a regional perspective. The Commission is made up of a portfolio amongst which is the Department of Political Affairs⁴²⁴.

Composition

As the Secretariat of the African Union entrusted with executive functions, the African Union Commission is composed of ten officials including a Chairperson, a Deputy Chairperson, eight Commissioners, and Staff members⁴²⁵. The Commission is made up of portfolios amongst which is the Department of Political Affairs. Under the supervision of the Director of Political Affairs, the Humanitarian Affairs, Refugees and Displaced Persons Division (HARDP) is the organ directly in charge of refugee issues. HARDP functions as a

⁴²³ The protocol establishing the court was adopted at an OAU Summit in Ouagadougou, Burkina Faso in June 1998 and entered into force in 2000 under the auspices of the newly established African Union. Cameroon is yet to ratify the Protocol.

⁴²⁴ African Union, "Structure of the African Union Commission." Available at http://www.africaunion.org/Structure_of_the_Commission/depPOLITICAL%20AFFAIRS%20DIRECTORATE.htm#HUMANITARIAN (Accessed 22 April 2019)

⁴²⁵ African Union, "Structure of the African Union Commission." Available at http://www.africaunion.org/Structure_of_the_Commission/depPOLITICAL%20AFFAIRS%20DIRECTORATE.htm#HUMANITARIAN (Accessed 10 February 2017)

secretariat to all African Union bodies dealing with refugees, facilitating their activities, decision making, and policy development.

Procedures

The duties of HARDP include analysing and monitoring all aspects of humanitarian affairs, refugees, returnees and displaced persons and formulating strategies aimed at finding durable solutions to the problems relating to them as well as combating humanitarian crises such as man-made and natural disasters; providing advice on policy, protection, advocacy and operations to Member States and also to African Union partners and other relevant organisations; enhancing cooperation and collaboration with AU partners and other humanitarian organisations; providing technical advice on all issues relating to the work of the Division; harmonising policies and activities among Member States and regional economic communities (RECs), including the repatriation and resettlement of displaced persons; promoting International Humanitarian Law; conducting liaison and coordination functions with relevant departments of the Commission, Member States, UN Agencies, AU partners, NGOs and other relevant organisations; assisting in keeping Member States and the international community at large, informed about the consequences of movements of refugees and internally displaced persons and lastly, producing and submitting periodic reports on activities and specific missions⁴²⁶. Its main activities are described as presumably undertaken with a view to discharging the above functions as visiting AU Member States affected by displacement, participating in meetings and seminars, and monitoring humanitarian crises that produce mass movements of the population on the continent⁴²⁷.

According to Tigere and Amukhobu⁴²⁸, HARDP is central to the “coordination, documentation and liaison of the work of the AU Commission, AU organs and other partners on matters related to forced displacements.” As Nyanduga maintains, “the continued use of the African Commission as a forum for discussing refugee rights issues is an important protection mechanism for refugees⁴²⁹.” Under the supervision of the Director of Political Affairs, the Humanitarian Affairs, Refugees and Displaced Persons Division (HARDP) is the organ directly in charge of refugee issues.

⁴²⁶ African Union, “*Head of Division (Humanitarian Affairs, Refugees and Displaced Persons)*.” Available at www.africaunion.org [Accessed 10 February 2013].

⁴²⁷ Cited in M. Sharpe, *op. cit.*, p. 30.

⁴²⁸ P. Tigere and R. Amukhobu, “The African Union’s Institutional Framework for Responding to Forced Displacement in Africa” (2005) *Conflict Trends* 48. Cited in M. Sharpe, *op. cit.*, p. 30.

⁴²⁹ M. Sharpe, *ibid.*, p. 35.

v. Humanitarian Affairs, Refugees and Internally Displaced Persons (HARDP)

HARDP seeks to provide continental direction to the achievement of durable solutions for addressing humanitarian crises caused by conflicts, and man-made and natural disasters. This includes identifying and advocating for early warning and early interventions to address the root causes. It also includes pursuing actions to alleviate the plight of refugees, returnees, and internally displaced persons (IDPs), including meeting their immediate protection and assistance needs and supporting conditions and activities for voluntary repatriation, as well as local integration and resettlement in and outside Africa. HARDP also coordinates the work of AU on the Special Emergency Assistance Fund for Drought and famine in Africa (SEAF) as well as the AU Agenda on Free Movement of Persons and the African Passport.

vi. Africa Humanitarian Action (AHA)

Created in 1994 with an Afrocentric vision to advocate for an African continent with open borders, completely free of refugees, stateless persons, and internally displaced persons or forced migrants, AHA continued to live up to its founding vision. Its first humanitarian operation was in Rwanda in 1994⁴³⁰, Uganda in 1998, and Angola in 1995. AHA is one of the oldest operating partners of UNHCR since 1995.⁴³¹ Over the years AHA has built up many strong and effective partnerships and we continue to emphasize the importance of a common effort to prevent suffering and affect positive change for vulnerable communities. It continues to be UNHCR's largest indigenous partner in Africa and it equally works closely with the African Union and many other humanitarian actors.

Even though it was founded to respond to the atrocities of the Rwandan genocide, to date AHA continues to provide life-saving humanitarian assistance, development, and advocacy services to refugees, internally displaced persons (IDPs), and local communities across Africa. To date, more than 25 million people affected by crisis have benefited from the support of AHA, in 20 different countries: Algeria, Angola, Burundi, Cameroon, Chad, Congo (DR), Djibouti, Ethiopia, Guinea (Rep), Kenya, Liberia, Namibia, Rwanda, Sierra Leone, Somalia, South Sudan, Sudan, Uganda, and Zambia.⁴³²

⁴³⁰ AHA 1995 Annual Report p. 6. <file:///C:/Users/HP/Downloads/Annual%20Report%201995.pdf>

⁴³¹ *Ibid*, p.7

⁴³² AHA 2021 annual Report p. 5 <https://africahumanitarian.org/wp-content/uploads/2020/07/AHA-2019-R10-Final.pdf>

Mandate and Governance Structure

AHA, having been launched in the Ethiopian capital, Addis Abeba, in 1994, saw action for the first time in Kigali, Rwanda, starting in August of that year. Due to the ongoing emergency in Rwanda at that time, the focus of our intervention was on health and the reconstruction of health infrastructures destroyed during the civil war. Those who created AHA, professionals in the areas of health, relief, and disaster management and sustained grass-roots development, were disappointed that all the forecasts relating to growth in Africa had fallen far short of expectations, even by the turn of the 1990s. They were appalled in particular that in 1994, 35 million people remained at risk from famine; 20 million others were displaced by conflict and natural disasters while millions more were succumbing to treatable diseases.

AHA founders felt that the answer to these problems was not to pack up and flee Africa in search of greener pastures but to stand up and be counted. They thought it more important to live with their conscience by making an attempt at redressing Africa's ills. To that end AHA was founded with the following objectives in view: provide humanitarian relief and sustained development support to distressed communities in Africa; equip displaced people and refugees with the basic skills necessary to deal with disaster situations; develop indigenous capabilities in disaster prevention, preparedness, relief management, and recovery; create and assist independent, nonprofit, nonsectarian and nongovernmental organizations in Africa that embrace their ideals and objectives; research, develop and disseminate information and policies involving governments, institutions and local communities aimed at reducing the scope and scale of conflict as well as their prevention and resolution; set up a database of readily available African professional resources for relief and sustainable development initiatives⁴³³.

Today, AHA has widened, scaled, and improved its mission to respond to crises, conflicts, and disasters relating to refugees and returnees; displaced persons, and migrants irrespective of the origin or cause of their needs; Inform and advise the international community, governments, the civil society, and the private sector on humanitarian issues of concern to Africa; and promote collaboration among them accordingly; Build partnerships and collaboration with national and local authorities, non-governmental organizations civil society and academia in Africa; Aspire to build and maintain African early warning capacity, regional rosters of competent disaster personnel, enable and empower local organizations.

⁴³³ AHA, 1995 annual report

AHA's founders are convinced that the fundamental responsibility of alleviating the worsening crisis in Africa lies on Africans themselves, although they do not reject indeed welcome the collaboration of their international partners. The AHA Head Office is guided by a Secretariat headed by the President who works with an Executive Board – setting strategic priorities and monitoring and evaluating performance, standards, and results. The Board is appointed by AHA's International Assembly of trustees, whose members determine AHA's general policies and ensure quality and accountability to both affected populations and donors. The President, as senior management is ultimately responsible for the implementation of all Assembly decisions and has a supervisory role in AHA's Country Offices and programmes.

The Executive Director appointed by the Board and with guidance from the President ensures the effective, efficient, and economic running of the Head Office and its field organisation; and produces systems and procedures for its functioning. The Executive Director is responsible for the overall management and implementation of decisions by the Assembly, the Board, and the President. Each of our field offices is supported by a Country Office, which is backed by the Head Office team in Addis Abeba, Ethiopia. The Country Offices have a direct implementation role of AHA's programmes and services in their respective countries and monitoring/reporting functions.

On 23 October 2019, AHA held its Assembly of Trustees in which its highest governing body took a close look at the organisation's past performance, achievements, and challenges. After a thorough assessment of AHA's current policies, programmes, and financial standing, the Assembly recommended strategies for a renewed way forward. It resolved to revitalise the existing statutory bodies and the overall vision and mission of AHA⁴³⁴.

Following the Assembly, Trustees, friends of AHA, AU member states, and UNHCR delegates visited the Gashora Transit Center about 60kms outside of Kigali where AHA provides comprehensive health and nutrition services. This Emergency Transit Mechanism (ETM) was set up through a responsibility-sharing agreement between the Government of Rwanda, the African Union (AU), and the United Nations High Commissioner for Refugees (UNHCR) to provide urgent and life-saving assistance to African refugees and asylum-seekers currently held in detention centers in Libya.

⁴³⁴ AHA, "Future Focus: Africa Humanitarian Action Marks 25 Years", AHA's 25th Anniversary highlights the role of African NGOs and civil society in the search for durable solutions for forced displacement in the continent, Addis Abeba, 30 October 2019

On the evening of October 23, AHA commemorated its 25-year journey with a recognition reception in which it honoured Ms. Sadako Ogata, UNHCR High Commissioner from 1991 to 2000, as a Luminary Humanitarian for the leadership she provided in some of the largest crises of that decade, including the Rwanda genocide against Tutsis, which gave birth to AHA's first response. AHA also honoured its Chair, Co-Chair, Founder, Co-Founders, Trustees, and pioneer staff. The recognition reception was attended by delegates from the Government of Rwanda, UNHCR, AU member states, various non-governmental organisations, and members of the private sector.

From October 24 to 25, AHA co-hosted a Continental Consultative Meeting (CCM) with the AU, UNHCR, and the International Council of Voluntary Agencies (ICVA) which was attended by some 170 delegates from AU member states, civil society, and relevant actors from the humanitarian community. Convened on the occasion of the AU 2019 theme of the year, the CCM aspired to strengthen solidarity and responsibility-sharing to tackle root causes of – and find durable solutions to – forced displacement in Africa.

In her opening remarks, the Hon. Minister Germaine Kamayirese, Minister in Charge of Emergency Management, highlighted the Government of Rwanda's responsibility-sharing work as a host nation to more than 190,000 refugees and asylum seekers. She underscored the urgent need for a "more equitable sharing of responsibility for hosting and supporting refugees, but most importantly to tackle the root causes of forced displacement and find solutions." This notion was reiterated by many participants at the meeting. The meeting also shed light on the important role of civil societies. AHA President, Dr. Dawit Zawde in his panel contribution on the role of African civil society organisations in humanitarian action, emphasized that "local CSOs have proven comparative advantages in tackling complex humanitarian needs", and offered concrete suggestions to design lasting and relevant programmes for strengthening the capacity of African CSOs. AHA's 25-year journey and the role it played in Pan-African humanitarianism were recognised by all throughout these events

AHA Intervention in Cameroon

Since the commencement of its operation in 2010, AHA Cameroon in partnership with the UNHCR and with the support of the government of the Republic of Cameroon has been delivering comprehensive health care, nutrition, and infrastructure development services to refugees in Kette, Ndelele, and Batouri health districts, Kadey Department. In early 2014, following the crisis in the neighboring Central African Republic (CAR) which resulted in the

migration of refugees crossing the border and seeking stability in Cameroon, AHA expanded its activities to Lolo and Mbile refugee sites. AHA also operates in Batouri, Yokaduma, and Kentzou health districts; providing refugees and the communities in the vicinity with health care and nutrition services.⁴³⁵

AHA's strategic approach in Cameroon is to support government health facilities within its area of operations. AHA achieves this by seconding its personnel to government health centers in consultation with the ministry of health. Since May 2015, AHA's intervention areas have expanded to 7 health districts with 51 health facilities. Throughout 2018, AHA Cameroon supported directly 19 governmental health facilities namely 1 regional Hospital, 4 district hospitals, 13 Integrated Health Centers, and 1 Health Post at Gado Site which is entirely under AHA responsibility. These health facilities are settled in 6 health districts (Garoua Boulai, Betare Oya, Bertoua, Batouri, Ndelele, and Yokadouma). Our operation covers 4 sites (Lolo, Mbile, Gado, and Ngarisingo) in which approximately half of the beneficiaries are settled. In 2018, AHA has contributed to the improvement of the capacity and working conditions of some health facilities by making their extensions such as Mandjou Integrated Health Center (IHC), and Gado IHC, and providing medical equipment to some health facilities such as Mandjou IHC and Garoua Boulai DH. AHA reimburses also the health care fees for refugees.

The nutrition programme is one of AHA's priorities. In the year 2018 under the scheme, community mobilization and village level malnutrition screening, community awareness on malnutrition, and infant/young child feeding practices, more than 15,000 children, pregnant women, and mothers have benefited. AHA has also continued monitoring the malnutrition status in refugee sites at Lolo and Mbile and intensified supplementary feeding programmes also for the benefit of the surrounding communities.⁴³⁶ In 2018, in partnership with UNHCR, community screening had taken place reaching 12,904 children aged from 6-59 months who have been screened on monthly basis. To support the community management of acute malnutrition as well as the stabilization centers, 1,859 children with severe acute malnutrition and 187 children with severe acute malnutrition associated with medical complications have been treated. In the past nine years of service. AHA has made significant positive changes in reducing under-five morbidity and mortality rates by increasing immunization coverage and improving accessibility of primary health care and nutrition services.

⁴³⁵ Mr. MELIA Ghislain, Nurse, African Humanitarian Action (AHA), 21st October 2019.

⁴³⁶ T.Z CHU, The Management of Central African Republic Refugees in Cameroon. Case Study: UNHCR and partners at the Lolo refugee site in the East Region of Cameroon, p.62.

In the domain of Health Care, since AHA started delivering its services in early August 2010, the number of outpatient consultations in the health centers has more than tripled. According to the newly adopted health and nutrition strategy, AHA continues to deliver health, RH&HIV/AIDS, communicable diseases, and nutrition services. The delivery and amelioration of primary health care services being one of AHA's main objectives, AHA has coordinated with the national health care system for effective implementation of its programmes. AHA maintained its support to the ministry of health through public health facilities by providing qualified healthcare professionals (medical doctors, nurses, laboratory technicians, midwives, nutritionists, and psychologists) to improve the quality of healthcare services. It is currently assisting refugees from the Central African Republic (CAR) integrated within primary health care services in the 19 villages and settlements in the Kadey departments. These services are also extended to the local population- Gbakim, Mboumama, Toktoyo, Gbiti, Kole, Nyabi, Mbile, and Kentzou are amongst the 13 villages inhabited by CAR refugees. It is estimated that more than 105,333 CAR refugees have benefited directly or indirectly from the health services given by AHA in the year 2018. Figures for the year 2018 were: Consultation: 97,396 to 4,254 referrals from Integrated health centers to district hospitals, patients and attendants feeding: Total of 87,153 food rations in Bertoua hospital and patient shelter.

In addition, AHA has assessed the needs of the local health centers and has devised a programme to train the medical personnel, supply missing items such as laboratory equipment, and assist in consultations and other clinical activities. With technical assistance from UNHCR, AHA supported facilities, to develop improved clinical case management strategies to provide adequate healthcare and nutrition services. In the year 2017, AHA Cameroon finalised the construction of maternity block with an operating theatre in Mandjou health center, fully equipped with medical equipment. AHA Cameroon also trained and supported government health facilities to strengthen health systems and improve coverage of treatment for malnutrition. HIV/AIDS and communicable disease prevention AHA's interventions focus on the prevention of STI and HIV/ AIDS. In this regard, AHA organises campaigns to provide education and offers sensitization on the prevention, care, and treatment of HIV/AIDS in all AHA-supported health facilities. Distribution and demonstration of condoms were parts of the campaigns' programmes.

AHA has also facilitated the opening of two new HIV/AIDS management units at Batare Oya and Kette District hospitals. Moreover, AHA strengthened the community sensitization and mobilization programme on disease prevention. Much emphasis was also

placed on administering public health education about malaria, TB, and other communicable diseases. Similarly, the distribution of mosquito nets and the fixing of these nets in the homes were carried out. Reproductive health services AHA works hard to ensure access to information and the services the population needs. It supplies health centers with reproductive health facilities, AHA trains and sets up capacities in reproductive health (medical staff and traditional midwives), and conducts sensitization campaigns.

AHA also assists the local health centers in providing supplies of pre-packed delivery and baby kits. These act as an incentive for women to make prenatal visits and to give birth at the health centers. Figures from April 2019 were: Antenatal care: 699 total. 78.5% (549) of pregnant women who received their first antenatal care benefited from pre and post-HIV test counseling during their visit Deliveries: 95.6% of deliveries have been attended by a qualified health professional (refugees). – Total deliveries: 392 – Assisted deliveries: 375 capacity development AHA has assessed the needs of the local health centers and has devised a programme to train the medical personnel, supply missing items such as laboratory equipment, and assist in consultations and other clinical activities. With technical assistance from UNHCR, AHA supported facilities, to develop improved clinical case management strategies to provide adequate healthcare and nutrition services. In the year 2017, AHA Cameroon finalised the construction of maternity block with an operating theatre in Mandjou health center, fully equipped with medical equipment. AHA Cameroon also trained and supported government health facilities to strengthen health systems and improve coverage of treatment for malnutrition.

III National Institutional Framework for the Protection of Refugee

The national institutional framework for the social protection of refugees refers to institutions concerned with refugee protection at a national level. In order to meet up with its robust objective to increase protection and seek durable solutions for refugees in Cameroon, the UNHCR works in collaboration with Key Government Partners: Ministry of Territorial Administration (MINAT), Ministries of External Relations (MINREX), Ministry of Economy, Planning and Regional Development (MINEPAT), the Directorate of General National Security (DGSN), Public Health, Women Empowerment, and Family, Social Affairs, Justice, three Educational sectors. We will focus more on the first four. Despite two decades of experience with forced displacement, coordination at the central government level for meeting

displaced people's needs remains disjointed.⁴³⁷ MINADT is the focal ministry for humanitarian affairs and plays a central role in the government's management of refugees in rural areas through local government representatives, governors, or *prefets* and *sous-prefets*. However, refugee issues, including status determination, are managed separately by a technical secretariat within MINREX. The provision of identity documents for all residents of Cameroon, including refugees, is managed by a separate structure, the Directorate of General National Security (DGSN) and the Ministry of Economy, Planning, and Territorial Administration (MINEPAT). This section, therefore, lays emphasis on institutions limited to the territory of the Republic of Cameroon.

i. Organs for the Management of the Status of Refugees in Cameroon

Within the framework of the implementation of Law N° 2005/006 of 27 July 2005, the President of the Republic signed into law Decree N° 2011/389 of 28 November 2011 on the organisation, functioning, and rules of procedures of two commissions; notably the Commission of Eligibility for the status of refugee and a Commission of Appeals. These two organs are the gateway to the social protection of refugees in Cameroon. This is because their decisions determine whether or not a refugee is eligible to benefit from protection in general. Article 1 (2) of the decree establishes the Commission of Eligibility and Appeals at the Ministry of External Relations. Just like other mechanisms in the institutional framework for protection, the Commissions of Eligibility and Appeals are well structured and have rules of procedure.

Composition

The Commission of Eligibility comprises eight members including a representative of the Ministry of External Relations as President and a representative of the Ministry of Territorial Administration and Decentralization as Vice-President. Other members of the Commission include a representative each from MINREX, MINAS, DGSN, the National Gendarmerie, the General Directorate of External Research, and NCHRF respectively. A representative of the UNHCR takes part in the work of the Commission⁴³⁸ as an observer with a consultative voice. Meantime, the President of the Commission can invite any person, because of competence to take part in the work of the Commission with a consultative voice⁴³⁹.

⁴³⁷ Barbelet, Veronique. 2017. "Supporting Central African Refugees in Cameroon." HPG Working Paper. ODI. United States Department of State, "Country Report on Human Rights Practices for 2017: Cameroon," Country Reports on Human Rights Practices for 2017 (Washington, DC: Bureau of Democracy, Human Rights and Labor, n.d.), 20.

⁴³⁸ Arête No. 014/DIPL/CAB of 06th August 2012 Notifying the Composition of the Refugee Appeals Commission.

⁴³⁹ See Article 2 of 2011 decree.

On its part, the Commission of Appeals is composed of five members including a representative of the Presidency of the Republic as President and a representative of the Prime Minister's Office as Vice-President⁴⁴⁰. Other members include a representative each from MINJUSTICE, MINREX, and MINATD. Just like the Commission of Eligibility, a representative of the UNHCR can be invited to take part in the work of the Commission as an observer with a consultative voice⁴⁴¹.

Procedures

In principle, as far as the Commission of Eligibility is concerned, it is notified of any application for eligibility and decides in first resort to grant or refuse the status of refugee to the applicant for asylum. Any application for asylum is addressed to the President of the Commission of Eligibility and is received by the technical secretariat⁴⁴². As a result of this rule, applications deposited at the UNHCR are transmitted to the technical secretariat. However, when the UNHCR is notified of an application for asylum, it can assist the applicant in the accomplishment of relative formalities.

From the registration of the application for asylum at the technical secretariat, the file goes through a process of preliminary inquiry and is transmitted to the President of the Commission (Eligibility). In view of inquiry, the applicant for asylum is summoned to the technical secretariat for an interview with a dully qualified agent charged with proceeding with all necessary investigations and gathering all complementary information useful for the applicant's situation. The convocation is addressed to the applicant for asylum at least two weeks from the date of his interview. In the course of his interview, the applicant is assisted by an interpreter if need be. The fee for this is not charged to the applicant. In the case of the auditioning of a non-accompanied child, the presence of a social assistant is necessary⁴⁴³. The auditioning of a female applicant is done by a competent agent of the same sex if this is desired. At the end of the interview and subsequent investigations, a report on the asylum application is prepared. It contains an exposé of facts, a legal analysis based on instruments relative to the

⁴⁴⁰ Arête No. 0013/DIPL/CAB of 06th August 2012 constituting the composition of the Refugee Status Eligibility Commission.

⁴⁴¹ See Article 3 of 2011 decree.

⁴⁴² Decree No 2011/389 of 28th November 2011 relating to the organisation and functioning of Managing organs of the Status of Refugees in Cameroon, p.3.

⁴⁴³ This requirement set out in Article 9 (5) of the 2011 decree demonstrates the need of social assistance to children even before the granting of refugee status.

status of refugees, and a state of the social situation of the applicant for asylum⁴⁴⁴. Until the transmission of the file to the President of the Commission, the technical secretariat has for inquiry, a time limit of two months, renewable three times.

When the Commission of Eligibility receives the inquired file and is delivered reports by the technical secretariat on the application for asylum, it has a maximum time limit of two months to make a ruling. This time limit is renewable once. The Commission of Eligibility can order the personal appearance of the applicant for asylum and prescribe any other measure of useful inquiry.

Once the Commission of Eligibility is notified of facts susceptible to provoking the exclusion of the loss of the status of refugee⁴⁴⁵ in the application of Articles 3 and 4 of the 2005 law, it makes a ruling on the case, with respect to conditions provided by the 2011 decree and other pertinent texts. In the case of the massive arrival of persons in pursuit of asylum, and notably with the material impossibility of determining their status on an individual basis, the Commission of Eligibility can decide to recognize their refugee status *prima facie* with the reservation of later case by case verification.

Any challenge to the decision of the Commission of Eligibility is taken to the Commission of Appeals. The Commission of Appeals rules as a last resort. The appeal is introduced to the Commission of Appeals directly or through the UNHCR. The Commission pronounces within a maximum time limit of two months after it is notified. It can in any case order the personal appearance of the applicant for asylum and prescribes any other measure of useful inquiry.

⁴⁴⁴ This requirement set out by Article 9 (7) of the 2011 decree also clearly underscores of the importance that the government of Cameroon places on awareness and response to the social situation of applicants for asylum and therefore refugees.

⁴⁴⁵ Articles 3 and 4 of the 2005 law concern provisions which exempt certain categories of persons from benefitting from the status of refugee. This includes persons considered to have committed crimes against peace, war crimes and crimes against humanity; persons who have committed serious non-political crimes outside their country of refuge before and after admission to countries of refuge; persons considered guilty for acts contrary to the purposes and principles of the African Union and contrary to the purposes and principles of the United Nations; persons who have voluntarily re-availed themselves of the protection of the countries of their nationalities; persons having lost their nationalities, have voluntarily reacquired them; persons who have acquired new nationalities and have availed themselves of the protection of the countries of their new nationalities; persons who have voluntarily re-established themselves in the countries which they left or outside which they remained owing to fear of persecution; persons who can no longer, because of the circumstances in connection with which they were recognised as refugees have ceased to exist, continue to refuse to avail themselves of the protection of the countries of their nationalities; etc.

The appeal has to consist of an exposé of the new means invoked and a copy of the decision of the Commission of Eligibility. The introduction of an appeal suspends all measures of national expulsion. Like with the Commission of Eligibility, the provisions relating to the auditioning of a non-accompanied child, a female applicant, the legal analysis of instruments relative to the status of refugees, and a state of the social situation of the applicant for asylum also apply to procedures of the Commission of Appeals⁴⁴⁶.

At this juncture, it is meaningful to note a couple of provisions that are common to both the Commissions of Eligibility and Appeals. According to Article 4 of the 2011 decree, proposals in view of appointments of members of the Commission of Eligibility and that of Appeals are made by the administrations and institutions to which they belong. Members of each commission are appointed by the Minister of External Relations. No appointed member can be part of the two Commissions at the same time. In case of temporal absence or unavailability of a permanent member, a supplementary member is appointed as a replacement.

Similarly, in case of death in the course of a mandate or in any case where a member cannot exercise his mandate, a replacement is made for the period of his mandate that remains to be covered. Members of the Commissions generally have a mandate of three years, renewable once. Article 5 provides that before taking office, the members of the Commissions take oath at a High Court. The President of the High Court oversees the oath-taking ceremony⁴⁴⁷.

The Commissions meet upon convocation by their respective presidents at least once a month and in time of need when the circumstances warrant. Furthermore, the Commissions can only sit and deliberate in the presence of an absolute majority of the members. For the accomplishment of their mission, the Commissions of Eligibility and Appeals have a technical secretariat. The technical secretariat⁴⁴⁸ is charged with the registration of application for asylum; preparation of files to submit to the Commissions; dispatch of convocations to sessions; elaboration of agenda of sessions of the Commissions; writing decisions and minutes of the Commission; transmission of copies of decisions to all concerned authorities; hosting and preservation of documents of Commissions; presentation of reports of its activities to the Ministry of External Relations and the United Nations High Commissioner for Refugees once

⁴⁴⁶ See Article 13 (7) of Decree N° 2011/389 of 28 November 2011.

⁴⁴⁷ See Article 5 (3) of 2011 decree.

⁴⁴⁸ File No. 66/2014, A Special Report on Commission and Duties, Yaounde, 2015.

a month and whenever the need arises. The task of the technical secretariat is ensured by the Service in charge of Refugees at the Ministry of External Relations.

The decisions of both Commissions are taken by the simple majority of the members present. In the case of equality in votes, that of the president is preponderant. The decisions of the Commissions are motivated. They are notified of the diligence of the technical secretariat. The time limit for appeals is thirty days from notification. From the recognition of the status of refugee, the technical secretariat delivers “attestation of refugee” to the beneficiary as well as all minor and major members of his family within the framework of Article 5⁴⁴⁹ of the 2005 law, which enables them to obtain “refugee cards” from competent authorities as provided by Article 13 (1)⁴⁵⁰ of the 2005 law. The duration of the validity of the refugee card is two years renewable according to the regulation in force. With reservations to provisions of Article 4 of the 2005 law, the said card is renewed with the full right following its expiration.

In case of loss or refusal of the status of refugee, except for reasons imperious to national security, a time limit of six months is accorded to the concerned person to find a host country⁴⁵¹. Any person who has lost the status of refugee and has not obtained a new one and has not left the territory of Cameroon within the six months, except in special cases, is considered a foreigner in a situation of irregularity within the framework of Law N° 1997/012 of 10 January 1997 on the Conditions to Entry, Residence, and Departure of Foreigners from Cameroon. Meantime, the 2011 decree grants holders of momentary identification documents issued by the UNHCR a time limit of six months to conform to provisions of the decree.

The resources of the Commissions of Eligibility and Appeals come from credit registered annually in the budget of the Ministry of External Relations; the contribution of the UNHCR and different donations and residuary bequests. The functions of the President, Vice-President, and members of the Commissions are free. However, the Presidents, Vice-

⁴⁴⁹ The article states that the members of family of a person considered as a refugee who accompany or reunite with him are equally considered refugees, except they are of a nationality different from that of the refugee and enjoy the protection of the country of which they are nationals (Article 5 (1)). Once the quality of a refugee has been recognised on the head of the family and the family cohesion ruptured by a divorce, a separation or death, the members of his family to whom the status of refugee had been accorded by virtue of Article 5 (1) continue to enjoy protection with reservations to provisions of Article 4 of the law discussed above (Article 5 (2)). The members of family of a person considered a refugee include spouses, minor children and the other members of the family of the refugee who are under his care (Article 5 (3)). Any decision taken in application of provisions of Article 3 and 4 of the law (discussed above), does not automatically affect the other members of family as defined by Article 5 (3).

⁴⁵⁰ According to Article 13 (1), any person recognised as refugee receives a refugee card whose duration of validity and modalities of renewal are fixed by decree. This duration is fixed by Article 16 (2) of the 2011 decree.

⁴⁵¹ See Article 17 (1) of 2011 decree.

Presidents, members, personalities invited for consultations, as well as personnel of the technical secretariat benefit from an indemnity of session whose amounts are fixed by joint accord of the Ministry of External Relations and the UNHCR.

A conclusion can be made by taking stock of the state of the art. The Commissions for Eligibility and Appeals exist only in principle and therefore not yet operational⁴⁵². While the structures are been put in place, the Office of the United Nations High Commission for Refugees in Cameroon assumes some, if not all the functions of the Commissions. After the signing of the 2011 decree, the government of Cameroon expressly requested the UNHCR to continue the process of refugee status determination. This is a function entrusted to it since the early 1990s⁴⁵³. However, the members of the Commissions have been appointed by the Minister of External Relations while they are yet to go operational⁴⁵⁴. Structural problems are cited as the major reason why the work of the Commissions is delayed; notably the absence of adequate premises capable of hosting them⁴⁵⁵. Once an appropriate location is found, the technical secretariat of the Commissions will be transferred from its current side to the central services of the Ministry of External Relations. The function of determining refugee status will then cease to be incumbent on the UNHCR.

Consequently, beyond the task of refugee status determination, MINREX through the Service of Refugees and Migrants⁴⁵⁶ has been the main government ministerial department charged with protecting and assisting refugees. Therefore, all refugee problems - be it education, healthcare, nutrition, and shelter are handled by MINREX. However, MINREX executes these functions by liaising with other government ministerial departments⁴⁵⁷, depending on the area concerned. For example, when it concerns basic education, MINREX liaises with the Ministry of Basic Education (MINEDUB); when it concerns health care, it liaises with the Ministry of Public Health (MINSANTE) and when it concerns physical protection, it liaises with the General Delegation for National Security (DGSN)⁴⁵⁸.

⁴⁵² Interview with Richard ETOUNDI, Chief of Service of Refugees and Migrants, MINREX; Coordinator of the Technical Secretariat of Organs for the Management of Refugee Status (10 January 2017).

⁴⁵³ *Ibid.*

⁴⁵⁴ See appendices four and five.

⁴⁵⁵ *Ibid.*

⁴⁵⁶ The Service for Refugees and Migrants has been transformed by Decree N° 2013/112 of 22 April 2013 (on the organisation of the Ministry of External Relations) into the Service for Relations with the UNHCR.

⁴⁵⁷ MINREX is not directly involved on the field as far as the protection of refugees is concerned. It however liaises with the United Nations High Commissioner for Refugees and other government ministerial departments depending on the issue. Its role is therefore much more collaborative or operational as the UNHCR puts it.

⁴⁵⁸ Interview with Richard ETOUNDI, MINREX, *op. cit.*

ii. Ministerial Departments and Ad-hoc Institutional Frameworks for the Integration of Refugees in Cameroon

Refugee integrative issues handled by the UNHCR are made possible through collaboration with the Cameroonian Government through its Ministerial departments as well as ad-hoc institutions charged with the management of emergency situations concerning refugees in Cameroon.

Ministerial Departments

For the integration of refugees in their respective host communities to be made easier, it is possible through some permanent ministerial departments to assist the UNHCR in the integration process of these refugees. In Cameroon, the entry of foreigners is governed by different structures such as the Delegation of National Security, Emi-Immigration, Ministry of Territorial Administration and Decentralization, and The Ministry of External Relations⁴⁵⁹. For this category of foreigners who are classified as refugees, we have the Ministry of External Relations and the Ministry of Territorial Administration and Decentralization are directly involved.

iii. The Ministry of External Relations (MINREX)

In conformity with the Decree N°2005/286 of 30th July 2005 on the organisation of the Ministry of External Relations, there exist within this said ministerial department structures charged with handling refugee issues. In this light, we have the *Department* of Cameroonian Abroad, Foreigners in Cameroon, Refugees and Migration Issues which is referred to in the ministerial jargon as – D9, and within which we have a Service in charge of Refugees and Migrants. This department has many attributions of which, we have a key one in relations to refugees viz; ‘the follow-up of refugee issues, the UNHCR and the International Organisation of Migration (IOM) activities’.⁴⁶⁰ This department is made up of three sub-departments;

- The sub-department of Protocol and Diplomatic Ceremonies;
- The sub-department of Consular Affairs and Refugees;
- The Protocol and Consular antenna.

⁴⁵⁹ Presidential Order No. 269 on 13th March 2014 setting up an Inter-Ministerial committed to handle very urgent issues concerning Refugees in Cameroon.

⁴⁶⁰ Article 121(1) of the decree no. 2005/286 of 30 July 2005 on the organisation of MINREX

In relation to refugees, the Sub-department of Consular Affairs and Refugees is made up of many Services, among which is the Service of Refugees and Migrants. As concerns the Service of Refugees and Migrants, it has two main missions viz; the follow-up of issues in relation to foreigners and migrants; follow-up the activities of the UNHCR and the IOM, in cooperation with the concerned administration. This service is made up of two bureaus;

- The bureau of refugees and migrants and
- The bureau for the follow-up of the activities of UNHCR and IOM.

The above structures are an integral part of the MINREX architecture and thus function permanently.

vi. The Ministry of Territorial Administration and Decentralisation (MINATD)

The MINATD is one of the ministerial departments that are involved with the integration and management of foreigners on Cameroonian soil, amongst which are the refugees. The main attributions of this department include; ‘It is responsible for the preparation, implementation, and assessment of Government policy on civil protection’. Thus in this capacity, MINATD shall; Prepare and Implement regulations and standards for the prevention and management of risks and natural disasters, in conjunction with the relevant Government services and Coordinating national and international actions in case of natural disasters.

Thus the *Department of Civil Protection* which is considered to be one of the major departments in the MINATD is headed by a Director and is made up of two sub-departments amongst which are coordination and intervention and has as attribution amongst others;

- General organisation of civil protection through the natural territory, in conjunction with the relevant ministries;
- Supervising the use of aid;
- Coordinating the resources deployed for civil protection in the form of relief, rescue, logistics, and the use of auxiliary forces and corps
- Monitoring the management of aid.

As regards its Sub-department of Coordination and Intervention, which is headed by a Sub-director who is assisted by two chiefs of Services. They head the Services of Intervention and the Service of Coordination. The Coordination Service is in charge of the coordination of actions in the events of crisis and the service of intervention is involved in assistance and intervention in the light of proposing solutions or methodology of action during a crisis. This

is so because they do not have the necessary means to realize this intervention. With the outbreak of a crisis, they are the first to be on the field and then prepare a situation report for the hierarchy to take action. This sub-department also receives applications for assistance from individuals who have been affected by disasters of all types.

v. General Delegation of National Security (DGSN)

According to the Decree n ° 2002/003 of 4 January 2002 on the organisation of the DGSN, "national security is a body of command and administration placed under the authority of the President of the Republic," article 2 (1). The General Delegation to the National Security includes several Directorates, including that of the Border Police (DPF). This leadership plays a leading role in the refugee repatriation process.

It is responsible to: apply the laws and regulations concerning the emigration, immigration, entry, residence, and departure of aliens on Cameroonian territory, carrying out the repressions, escorting them back to the border and evictions; liaising with other administrations and agencies located in airports and ports; to contribute at the level of borders to the fight against cross-border crime and in particular against terrorism and other trafficking; participate in joint committees related to border policy; and direct the activities of the Immigration, Ports and Airports Commissions, as well as the National Security Border Crossings; control the foreign bookstore.

The Directorate of Border Police comprises several sub-directorates, including the Emi-Immigration Branch. The 2002 text stipulates that the immigration department of this sub-directorate is responsible for issuing exit visas. Under section 29 (1) of the 1997 Law on the Conditions of Entry, Residence and Exit of Foreigners in Cameroon, "any alien who holds a residence or residence permit is obliged to take Exit visa when leaving the national territory, unless a special agreement provides otherwise ". UNHCR is working with the Immigration Department of the Border Police in that it requires an exit visa for refugees in the process of repatriation. In addition to this legal protection, refugees seeking repatriation also enjoy material assistance.

vi. The Ad-Hoc Institutions

In the integration of refugees alongside the permanent institutions, we also have the ad-hoc institutions which here include organs at the Ministerial Department. Law No. 2005/006 of 27th July 2005 on the refugee status in Cameroon in its article 16 creates Eligibility and an Appeal

Commissions for the functioning, organisation, and fixing of the procedural rules or modalities for refugees acceptance in Cameroon. The 2011 Decree, clearly spells out these principles. As such we shall examine the Eligibility and Appeal Commissions lodge at MINRE and the Inter-Ministerial Ad-hoc Committee charged with the Management of Emergency Situation Concerning Refugees in Cameroon.

Eligibility and Appeal Commissions lodge at MINREX

One of the major innovations as far as refugee integration in Cameroon is concerned is the creation under Law No2005/006 of 27th July 2005 of the Eligibility and the Appeal Commissions. Article 2 of Decree No 2011/389 of 28 November 2011 on the organisation and functioning of the organ charged with the management of refugee status in Cameroon, states;

- i-** The Eligibility Commission is made up of eight (08) members sub-divided as follows;
 - President (A representative from the Ministry of External Relations, MINREX);
 - Vice President (A representative from the Ministry of Territorial Administration and Decentralisation, MINATD);
 - Members (a representative from MINREX, A representative from the Delegation of National Security; DGSN, A representative from the Delegation of External Security; DGRE, a representative of the National Commission of Human and Liberty Rights).
- ii-** A representative of the United Nations High Commission for Refugees; UNHCR, will assist as an observer with a consultative voice.
- iii-** The President can invite all persons as per their competencies to assist in the work of the eligibility commission.

We see here that this commission regroups diverse administrations which are susceptible to intervene in immigration matters. Thus, the Appeal Commission examines appeals formulated after the decisions of the Eligibility Commission are contested. It acts as the last resort to appeals by unsatisfied parties after the decisions of the eligibility commission. According to Article 3 of the decree of 28 November 2011, the appeal commission is composed of;

- i-** The Appeal Commission is composed of five (05) members sub-divided as follows;
 - President (A representative of the Presidency of the Republic);
 - Vice President (A representative of the Prime Minister's Service);
 - Members (a representative of the Ministry of Justice),
 - Representative of MINREX

- Representative of MINATD.
- ii- A representative of the UNHCR could be invited to assist during working sessions in the capacity of an observer and with a consultative voice.

These organs herein composed, functions on the basis of procedures spell out by the Presidential decree of 2011. The Eligibility and Appeal Commission enjoy specific competencies as far as the procedure of refugee status determination is concerned, but are governed by common principles in relation to their entering into force and the daily functioning of their services. Being a member of any of these commissions you are bound by certain conditions. Members are proposed by the institutions to which they belong in the light of their appointment. This is followed by a decision from the Minister of External Relations who now constitutes the composition of each Commission. These members are bound to take an oath before going operational. Article 5(1) of the 2011 decree states that; ‘Members of these Commissions must take an oath before the President of the Court of First Instance prior to them entering into function’. The President of the court of first instance thus takes cognisance of the Oath taking, and a ‘*procès verbal*’⁴⁶¹ is drawn up.

The functions of either of these commissions are non-remunerative. The different actors all have the same benefits from sitting allowances whose amount is fixed through a common accord between the MINREX and the UNHCR. These commissions instituted at the level of MINREX are to carry out status determination of refugee and does not work perpetually. The frequency or regularity of meetings is spelled out in Article 6(1) of the Decree of 2011.⁴⁶² These Commissions enjoy the services of a Technical Secretariat for the realisation of their missions whose activities are realised by the service in charge of refugees of MINREX which also benefit from support from the UNHCR. To this, we have the Inter-Ministerial Ad hoc Committee charged with the Management of Emergency Situation Concerning Refugees in Cameroon.

vii. The Inter-Ministerial Ad-hoc Committee charged with the Management of Emergency Situation Concerning Refugees in Cameroon

This Committee was put in place by Presidential Decree N^o. 269 of 13 March 2014⁴⁶³, following the disturbing number of Central African Refugees inflow into Cameroon this year

⁴⁶¹ A written record of an official proceeding; minutes.

⁴⁶² ‘They meet on the convocation of their respective Presidents at least once a month and in the case of need or as circumstances demands’.

⁴⁶³ The Inter-ministerial Ad hoc Committee charged with the Management of Emergency Situation Concerning Refugees in Cameroon

2014 as a result of the failed State in CAR. This Inter-ministerial committee testifies to the importance the Government of Cameroon pays to the Protection and Assistance of refugees within its territory. It shows the Head of States' Commitment to seeing to it that refugees are well treated as he is informed on a weekly basis on the evolution of the refugee situation in the Country. We shall look at the attributions and the composition and Functioning of this committee.

The Attributions of the Inter-ministerial Ad hoc Committee

According to Article (2) of the Presidential Arrêté No. 269 of 13 March 2014, The Committee is placed under the authority of the Minister of Territorial Administration and Decentralisation, with attributes to⁴⁶⁴;

- To examine the humanitarian, socio-economic, sanitation, and security challenges arising from the massive presence of refugees in Cameroon, so as to propose to the government the necessary measures to address the situation;
- To serve as a consultative platform for government and International Institutions, for harmonious management of refugees situation, taking into account the legitimate concerns of the local host communities;
- To propose all other useful measures within the framework for the management of emergencies concerning refugees in Cameroon.

The Composition and Functioning of the Inter-ministerial Ad hoc Committee

Presidential Arrêté No.269 of 13 March 2014, in its Chapter II, Article 3, spells out that the committee is composed of; the President: The Minister of Territorial Administration, and Decentralization Members: ⁴⁶⁵

- The Minister of External Relations;
- The Minister Delegate at the Presidency in charge of Defense;
- The Minister of Public Health;
- The Minister in charge of Special duties at the Presidency, Permanent Secretary of the National Security Council;
- The Secretary of State at the Ministry of Defense, in charge of the Gendarmerie;
- The Delegate-General of National Security;
- The Director-General of External Research.

⁴⁶⁴ Article 2, Arête No.269 of the 13 March 2014, on the Inter-ministerial Ad hoc Committee charged with the Management of Emergency Situation Concerning Refugees in Cameroon

⁴⁶⁵Chapter II, Article 2 & 3, ibid

The President of this Committee can invite any other person, National or International Institutions, due to their expertise, competence, or field of action, for the examination of the points inscribed on the agenda. The Secretariat of the Committee is ensured by the Department of Civil Protection, of the Ministry of Territorial Administration and Decentralization.

The Committee meets weekly upon convocation by the President.⁴⁶⁶ After every sitting, a report is produced and sent to the Secretary-General of the Presidency of the Republic.⁴⁶⁷ The expenses for the functioning of the Committee will be borne by the State budget, under the diligence of the Minister of Territorial Administration and Decentralisation.⁴⁶⁸ The function of the President and his members is free, but all the same they and any other person who takes part in meetings as consultants are to benefit from indemnities previewed for by the texts in force.⁴⁶⁹ Also close to these organs we find the Joint Local Committee and the Technical Teams working or contributing to refugee management and thus humanitarian crisis management.

In all, for the accomplishment of their mission, the Commissions of Eligibility and Appeals have a technical secretariat charged with the registration of applications for asylum; preparation of files to submit to the Commissions; dispatch of convocations to sessions; elaboration of agenda of sessions of the Commissions; writing decisions and minutes of the Commission; transmission of copies of decisions to all concerned authorities; hosting and preservation of documents of Commissions; presentation of reports of its activities to the Ministry of External Relations and the United Nations High Commissioner for Refugees once a month and whenever the need arises. The task of the technical secretariat is ensured by the Service in charge of Refugees at the Ministry of External Relations.

viii. Ministry of Economy, Planning, and Territorial Administration (MINEPAT)

Ministry of Economy, Planning and Regional Development (MINEPAT) is responsible for land use planning at the national level, public investments, and the control and evaluation of development programs. This Ministry has a strong mandate and can carry out activities that require inter-ministerial collaboration. It also coordinates industrial, commercial, and trade matters and liaises with various public and private sector organisations to facilitate the implementation of government sector policies related to trade and industry. This is in line with

⁴⁶⁶ *Ibid*, Article 4.

⁴⁶⁷ *Ibid*, Article 5.

⁴⁶⁸ *Ibid*, Chapter III, Article 6.

⁴⁶⁹ *Ibid*, Chapter III, Article 7.

the Ministry's mission statement. The Ministry is in charge of matters related to development, including all World Bank projects.

In the area of the economy MINEPAT is in Charge of preparing the multi-annual investment programme of the State; ensuring coherence of sector strategies for the development of the country; coordinating and pooling studies on projects of national economic interest; pooling projects and managing the project bank in conjunction with the administrative services concerned; promoting public investments; preparing Medium-Term Expenditure Frameworks and the Public Investment Budget; managing the public investment budget in conjunction with the Ministry of Finance; exploring, negotiating, concluding and monitoring execution of loan agreements and conventions in conjunction with the Ministry of External Relations and the administrative services concerned; analyzing economic trends in the short and medium terms; fundamental guidelines and strategies for the rehabilitation and privatization of public corporations in conjunction with the Ministry of Finance; monitoring coordination of the Government economic and social development policy; monitoring coherence and coordination of actions committed with the various international and bilateral partners in the implementation of economic programmes; monitoring and controlling investment programmes and projects in conjunction with line ministries and the Ministry of Finance; coordinating and monitoring implementation of the growth and employment strategy as well as the Vision 2035; monitoring economic trends in conjunction with the Ministry of Finance; Monitoring multilateral cooperation notably with the World Bank, the African Development Bank, the Islamic Development Bank and the European Union in conjunction with the Ministry of Finance and the Ministry of External Relations; monitoring economic and technical bilateral, sub-regional, regional and international cooperation notably, with the Central African Economic and Monetary Community (CEMAC), the Economic Community for Central African States (ECCAS), the United Nations Economic Commission for Africa (ECA) and the United Nations Development Programme (PNUD) in conjunction with the Ministry of External Relations and the administrative services concerned.

In the area of planning, it's equally responsible for preparing an overall framework for the strategic planning of the country's development; conducting studies and forward-planning analyzes on the country's development in the medium and long term; planning human resources; coordinating studies, and monitoring population issues.

While in the area of regional development coordinating and conducting regional development studies at national and regional levels; monitoring the preparation of regional development standards and rules and controlling their implementation; monitoring and controlling the implementation of national, regional, and local development programmes; Monitoring sub-regional organizations in charge of development in conjunction with the ministries concerned.

The Ministry of the Economy, Planning and Regional Development also follow the activities of the Lake Chad Basin Commission (CBLT) and the Niger Basin Authority (ABN); It ensures supervisory authority on development and planning authorities as well as on the National Institute of Statistics (NIS); the Sub-regional Institute for Statistics and Applied Statistics (ISSEA); the Pan African Institute for Development (PID); the Central Bureau for Census and Population Studies (BUCREP); the Support Council to the realisation of Partnership Contracts (CARPA).

The Technical Committee for Preparation and Monitoring of Economic Programmes is attached to this ministry. The ministry co-chairs the inter-ministerial committee charged with the privatisation and rehabilitation of public corporations. The minister in the execution of his duty is assisted by a Minister Delegate in charge of planning⁴⁷⁰.

ix. The National Commission on Human Rights and Freedoms (NCHRF)

The National Commission on Human Rights and Freedoms is an independent institution with headquarters in Yaoundé, for consultation, monitoring, evaluation, dialogue, concerted action, promotion, and protection in the domain of human rights⁴⁷¹. The Commission was initially enshrined in Presidential Decree N° 90/1459 of 8 November 1990⁴⁷². It was subsequently revived by Law N° 2004/016 of 22 July 2004⁴⁷³ and an implementation Decree N° 2005/254 of 1 July 2005⁴⁷⁴. The Commission works to protect the rights of all persons in the territory of the Republic of Cameroon, including urban refugees.

⁴⁷⁰ Decree of the Head of State No2011/408 of 09 December 2011 to organise the Government.

⁴⁷¹ Article 1 of Law N° 2004/016 of 22 July 2004.

⁴⁷² Article 29 of the 2004 law brought an end to the 1990 decree on the creation of the National “Committee” on Human Rights and Freedoms.

⁴⁷³ This law focuses on the Creation, Organization and Functioning of the National Commission on Human Rights and Freedoms.

⁴⁷⁴ It concerns the modalities of application of Law N° 2004/016 of 22 July 2004.

The structural organization of the (NCHRF)

According to Article 6 (1) of the 2004 law, the Commission comprises thirty members including a President assisted by a Vice-President. Other members consist of two magistrates representing the Supreme Court; four deputies representing the National Assembly; two lawyers representing the Bar Association; two professors of law; three representatives of religious groups; two representatives of regularly constituted women's organizations working in the domain of human rights; two representatives of non-governmental organizations and associations working in the domain of human rights; two representatives of workers syndicates; one representative of the National Order of Cameroon Doctors; two journalists representing the private and public press respectively and four representatives of public administrations charged with social affairs, justice, penitentiary affairs, and female conditions respectively.

The members of the Commission are appointed by decree of the President of the Republic on the proposition of administrations, associations, and socio-professional organisms to which they belong, by the diligence of the President of the Commission⁴⁷⁵. The President, Vice-President, and members of the Commission are appointed for a mandate of five years, renewable once. For the accomplishment of its mission, the Commission has a Permanent Secretariat managed by a Secretary-General, appointed by decree of the President of the Republic on the proposition of the President of the Commission⁴⁷⁶.

The Permanent Secretariat consists of the following divisions: Protection and Promotion of Human Rights and Freedoms; Cooperation, Documentation and Research Service; General Affairs; Translation and Interpretation Service and lastly, Reception, Mails, and Liaison Service⁴⁷⁷.

NCHRF Mandates towards the protection of urban Refugees

In the accomplishment of its mission, the Commission amongst others receives claims of violation of human rights and freedoms; conducts inquiries and investigates cases of violation of human rights and freedoms and reports to the President of the Republic; informs authorities on cases of violation of human rights and freedoms; visits detention centers, police stations and gendarmerie brigades in the presence of the competent State prosecutor or his

⁴⁷⁵ Article 6 (2) of the 2004 law.

⁴⁷⁶ See Article 11 of the 2004 law. The permanent secretariat, amongst others, coordinates the activities of structures of the Commission, oversees the training of personnel of the Commission and executes all other missions assigned to it by the President (Article 3 of the 2004 law).

⁴⁷⁷ Article 4 of the 2005 decree.

representative; visits which might lead to the writing of a report to be addressed to the competent authorities⁴⁷⁸. The Commission also studies all issues relating to the promotion and protection of human rights and freedoms; proposes to public authorities, measures to be taken in the area of human rights and freedoms; vulgarizes, by all means, instruments relative to human rights in the public by teaching, information and the organization of conferences and seminars; receives and disseminates international documentation relative to human rights and freedoms; ensures the liaison with non-governmental organizations working for the promotion and protection of human rights; and lastly, maintains relations with the UNO, international organizations as well as foreign committees and associations pursuing similar goals; in so doing informs the Ministry of External Relations⁴⁷⁹.

To achieve its task, the Commission can, according to modalities fixed by internal regulations summon for auditioning, all parties and witnesses; request competent authorities to carry on the search and demand the presentation of any document or proof in conformity to the common law; inform the Minister of Justice for infractions of the law in question; use mediation and conciliation between parties in non-repressive fields; provide judicial assistance or take measures for the furnishing of any form of assistance, conforming to the law in force and intervene in any situation to defend the interests of victims of human rights violations⁴⁸⁰.

The Commission can only deliberate in the presence of two-thirds of its members. In addition to this, each member has one vote, and decision is taken by a simple majority of members present⁴⁸¹. It addresses an annual report to the President of the Republic, President of the National Assembly, and President of the Senate⁴⁸². The deliberations, recommendations, opinions, and reports are made public, by the diligence of its President⁴⁸³. The Commission, therefore, monitors compliance with human rights by the government and public agencies, as well as private institutions, businesses, and individuals. Article R 370 of the Cameroon Penal Code provides sanctions for persons summoned and who refuse to submit themselves following the convocation of the NCHRF⁴⁸⁴.

⁴⁷⁸ Article 2 of the 2004 law.

⁴⁷⁹ *Ibid.*

⁴⁸⁰ Article 3 of the 2004 law.

⁴⁸¹ See Article 15 (1) and (2) of the 2004 law.

⁴⁸² See Article 19 (2) of the 2004 law. This is commendable as it enables the executive and legislative bodies take stock of the problems related to the human rights situation in the country in order to take appropriate measures to redress them at their respective levels.

⁴⁸³ See Article 19 (4) of the 2004 law.

⁴⁸⁴ See Article 28 (1) of the 2004 law.

The procedures followed by the Commission generally depend on the type of problem brought to its attention. However, with regards to its activities on refugees, it is twofold. On the one hand, the Commission carries out sensitization campaigns relating to the execution of refugee law. This is mainly done through training workshops on human rights which usually take place at the Centre de *Perfectionnement à la Police Judiciaire in Yaoundé* on January 25, 2013. As earlier noted, the main participants in these workshops are law enforcement officers comprising police officers, captains, gendarmes, and colonels. The training workshops are organized in collaboration with the United Nations Centre for Human Rights and Democracy in Central Africa and the United Nations High Commissioner for Refugees. These three institutions meet prior to the training workshop to agree on certain issues concerning the workshops⁴⁸⁵. Again, the focus of these workshops is respect for national and international human rights laws in general and refugee laws in particular. In the same vein of sensitization, the Commission trains interns and volunteers on different aspects of the protection of refugees.

On the other hand, within the framework of its protective mission, the Commission receives complaints from refugees and asylum seekers in Cameroon denouncing the UNHCR for denial of refugee status⁴⁸⁶. The Commission in turn intervenes through field inquiries through the results that are not always favorable to the plaintiffs. Usually, the Commission gets justifications from the UNHCR for the denial of refugee status and helps the refugees find another host country. In other cases, the Commission intervenes for refugee status to be issued. Between 2011 and 2012, the Commission is said to have handled three refugee cases⁴⁸⁷.

At this juncture, it is important to underscore the fact that while the Promotion Unit of the Commission carries out sensitization campaigns, the Protection Unit is in charge of protection. However, the consolidation of human (and urban refugee) rights promotion mechanism in Cameroon is based on strengthening the capacity and the means available to the NCHRF to operate effectively, establishing an efficient network of human rights NGOs and associations as well as a coordination platform to facilitate their interaction with public authorities and the NCHRF in addition to compliance with the relevant international conventions. The effective and efficient implementation of its mission is accelerated through

⁴⁸⁵ The current level of collaboration between the NCHRF, the United Nations Centre for Human Rights and Democracy in Central Africa and the Representation of the United Nations High Commissioner for Refugees is commendable (Victor SINSAL, NCHRF).

⁴⁸⁶ *Ibid.*

⁴⁸⁷ This limited number is justified by the fact that most refugees and asylum seekers directly refer to the UNHCR.

its collaboration with the organ for the management of the status of refugees in Cameroon charged with a regular mandate to protect refugees (Urban refugees).

Conclusion

The institution of these bodies at the global, regional and national levels is vivid evidence of the nation's commitments and efforts to address the challenges of refugees. However, despite differences in internal arrangements, an institutional framework plays a very vital role in ensuring the holistic implementation of the refugees' durable solution normative framework in Cameroon. Even though these institutions especially at the national level continue to face structural and financial problems, the bold step taken by the government of Cameroon to take full responsibility for the management of refugees cannot be downplayed. For instance, the provision of travel documents to refugees, and status determination, and regular registration. To an extent; this demonstrates the commitment of the UNHCR and the government of Cameroon to design comprehensive and inclusive strategies to articulate edifying and appropriate solutions to (urban) refugee problems.

CHAPTER THREE

LEVERAGING VOLUNTARY REPATRIATION TO ENHANCE DURABLE SOLUTIONS FOR REFUGEES IN CAMEROON.

Introduction

Since the beginning of the new millennium, Cameroon has been working with different national and institutional partners to seek permanent solutions to the plights of Nigerian, Chadian, and Central African Republic (CAR) refugees who fled to its territory in search of better social protection. Between April 2005 to June 2019, the Cameroon government subscribed to repatriation as a durable solution to end its refugee problems by agreeing to a tripartite agreement between itself, Nigeria, Chad, the Central African Republic, and the United Nations High Commissioner for Refugees (UNHCR) which facilitated the voluntary repatriation of refugees living in Cameroon.

The crux of the agreements stipulates that refugees be returned to their countries of origin without the application of force; rather on the free will of the refugee. As indicated by UNHCR the terms for repatriation are supposed to be voluntary and carried out in a safe and dignified manner back to their country of origin (Nigeria, Chad, and CAR), when the main reason for their flight to exile is no longer in existence. As such refugees are not to be repatriated to a place where their lives or freedom will be threatened⁴⁸⁸. Despite Cameroon's efforts to maintain her refugee's open-door policy, the recent repatriation of Nigerian refugees by Cameroon in 2017 is bedeviled with a lot of controversies as UNHCR 2017 reports show that the Cameroon government has been prematurely repatriating refugees found within its territory⁴⁸⁹.

To better scan or x-ray the repatriation of refugees from Cameroon and the relevance of the process to finding long-lasting solutions to refugee predicament, this chapter examines

⁴⁸⁸ M. Gerver, Refugee repatriation and the problem of consent. *British Journal of Political Science*, 2016, pp. 1-21.

⁴⁸⁹ N.Musa & O. Richards, (2017). UN opposes forced return of Nigerian refugees from Cameroon, *The Guardian*, 2017, p.6. Retrieved from: <https://guardian.ng/news/un-opposes-forced-return-of-nigerian-refugees-from-cameroon/>. (Assessed: 17 July, 2018)

the voluntary repatriation of Nigerians, Chadian, and CAR refugees in Cameroon: the 2004-2005 voluntary return of Nigerian Refugees, alleged 2015, 2016 and 2017 forceful repatriation of Nigerian refugees, 2012 - 2013 voluntary returned of Chadian refugees, and the October 2019 voluntary returns of CAR refugees. These four cases provide a good sample of the diverse variety of repatriation that has occurred in Cameroon, that is, voluntary repatriation, non-organised and spontaneous repatriations.

I. The repatriation of Nigerian refugees from Cameroon

At the early start of 2001, unprecedented clashes occurred within the Sardauna local government region between Fulani cattle herders and Mambillas ethnic groups in the state of Taraba, Eastern Nigeria. These are two different groups with different cultures and religious ways of life. Many lose their lives and property and about 38,000 Nigerians streamed to Cameroon in search of social protection. Before this movement, for years, Cameroon has been a haven for Nigerians and other African refugees since October 1961 when it became the Federal Republic. To better understand the repatriation of refugees in Cameroon, Barry Stein suggested a matrix for analyzing voluntary repatriation operations and according to him, voluntary repatriation must be understood based on the vital change in circumstances in the refugee's country of origin, the level of organization, and actors involved, the degree of voluntariness and the latitude implementation of tripartite agreements between parties⁴⁹⁰.

According to Hakata Kie,⁴⁹¹ while most of today's conflicts arise within a State, it would be essential to resolve structural violence upstream and to create a peaceful space within a State. In April 2005, the Nigerian government, after considering that calm had returned to Taraba State, initiated a tripartite memorandum of understanding with Cameroon and the UNHCR/Cameroon (**see appendix 68**). Within two decades Cameroon, Nigeria, and UNHCR have negotiated two historic tripartite agreements central to this study. These two agreements are a crystal indication of Cameroon's commitment to facilitating durable solutions to refugees' predicament in Africa and the global community in general. The first tripartite agreement was signed to enhance the 2004 -2005 voluntary repatriation of Nigerian refugees who came to Cameroon as a result of the conflict in the Taraba North Eastern State of Nigeria and the second

⁴⁹⁰ B. Stein, « *Repatriation under conflict* », *world refugee survey, US committee for refugees disponible sur en ligne université du Michigam* « <http://www.msu.edu/course/pls/461/Stein/Uscr91-98.htm> » consulté le 15 décembre 2008.

⁴⁹¹ H. Kei, « *les problèmes humanitaires des réfugiés en Afrique à la lumière de l'Etat africain : politique et diplomatie de la coexistence* », *Enjeux n°8 juillet-septembre 2001*, p.44.

was signed in 2017 (see **appendix 47**) to guide the voluntary returns of Nigerian refugees who fled to Cameroon as a result of the Boko Haram terrorist activities in Northern Cameroon. Since then, many activities have been undertaken to facilitate the return of Nigerians. This case study helped us to critically analyze these criteria by first looking deep at the origin and causality displacement of Nigerian refugees.

i. Historical and catalyst of force movement to Cameroon

Since the resumption of democratic governance on the 29th of May 1999, no security issues have threatened the territorial integrity of Nigeria compared to the inter-ethnic conflict in the Taraba state and Boko Haram insurgency since Biafra tried to create a separate state in the late 1960s. Cameroon has been experiencing the movement of Nigerians into its territory long before the second half of 2009. Between 2001 – 2002, Cameroon received an estimated 60,380 Nigerian refugees, and in 2009-2015 about 44,800 Nigerian refugees flee to Cameroon as a result of ethnic conflict between Hausa-Fulani herdsmen and Mambila farmers and Boko Haram insurgences respectively. Nigeria has enjoyed favourable political stability, but with the usual partisan contestations and security challenges typical of a growing developing nation's democracy. Nigeria has enjoyed over 18 years of civil political democracy, with over 5 political transitions that include the 2015 defeat of an incumbent administration, yet followed by a peaceful and amicable handover of power. The peaceful political transition and administrative stability have not only been at the federal level but also at all levels of the states and local governments. However, here are two principal catalysts that account for the displacement of Nigerian refugees to Cameroon. This includes inter-ethnic conflict in the Taraba State in 2001 and the Boko Haram insurgencies.

Inter-ethnic Conflicts in the Taraba State

Taraba State is the second-largest state in Nigeria in terms of landmass and the most culturally diverse state in the Federation, accommodating the largest number of ethnic groups in Nigeria (**See Map 3 below**). Since the creation of this state in 1991, there has been a lot of ethnic and communal conflict between the various ethnic groups and communities. These conflicts have contributed enormously to the death of so many local populaces, destruction of

properties⁴⁹², and displacement of thousands of people within and without the state including Cameroon.

There have been disputes over the boundary between Benue and Taraba States, leading to disregard for boundary demarcations and unstable political control of the border towns and villages. The Jukun claimed to be the original inhabitants of Taraba State, or “indigenes,” and consider the Tiv as settlers. The Tiv rejected this view, on the basis that they too have been living in the area for several generations and therefore have equal rights. The Tiv complained of being marginalised in Taraba State. Likewise, the Jukun minority in Benue State also complained of marginalisation, lack of employment opportunities, and insecurity. There has been periodic fighting between these groups since the late 1950s, and sporadic fighting in 1964, 1976, and again in 1990-1992. In 1991/92 there was serious conflict between Tiv and Jukun. Militia groups set up checkpoints along the road, stopping vehicles and killing along ethnic lines.

Apart from the conflict between the Tiv and Jukun, the Mambilla-Fulani ethnic conflicts of 1997 to 1998 also push so many Nigerians to seek refuge in Cameroon. These Fulanis brought in mercenaries from Niger and Chad Republics to assist them in fighting against indigenous groups, causing displacement of the indigenous groups within and outside the state. Provoked by the scramble over grazing land⁴⁹³ between local farming communities and Fulanis in Tonga Maina village on the Mambilla plateau, in January 2002, this dispute displaced hundreds of people⁴⁹⁴.

Many Fulani herdsmen fled across the border into Cameroon for fear of reprisal attacks⁴⁹⁵ (IPCR, 2006). According to the United Nations High Commission for Refugees (UNHCR), an estimated 17,000 Nigerians fled to the Republic of Cameroon in the wake of the conflict⁴⁹⁶. Most of the ethnic/communal clashes in Nigeria emanated from a land disputes.

⁴⁹²E.D.,Oruonye, and A. Bashir .*The Geography of Taraba State, Nigeria*. LAP Publishing Company, Germany, 2011, pp.22-24.

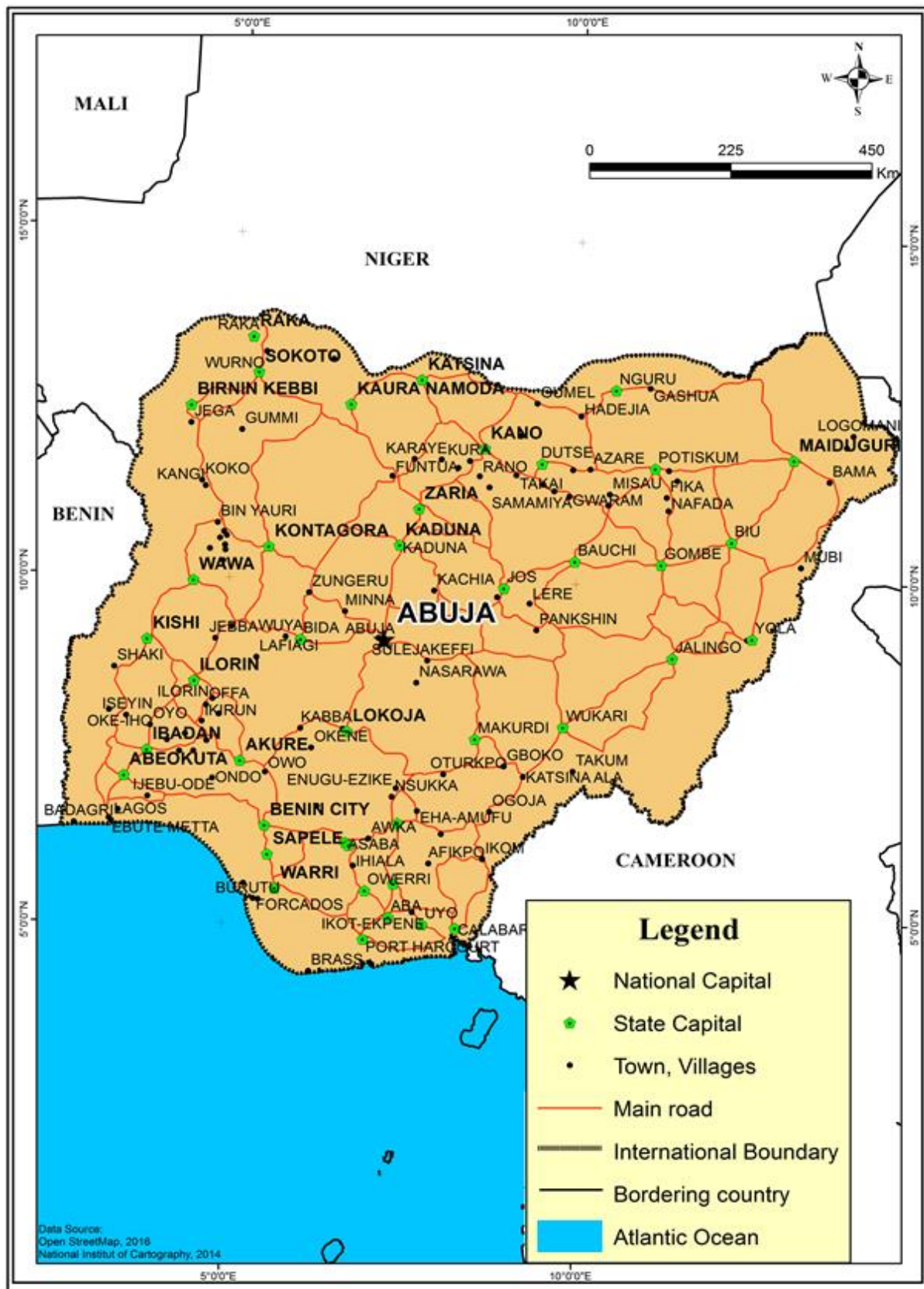
⁴⁹³E.D.,Oruonye,“ Land and Compensation Issues in Resettlement Scheme”: A case study of the Lake Chad resettlement scheme. *The Knowledge Review*. Vol.19 (1) ,2009, pp. 16-22.

⁴⁹⁴*Ibid*.

⁴⁹⁵IPCR (Institute for Peace and Conflict Resolution), “Home Sweet Home,: Exploring Issues Related to the Repatriation of Nigerians Affected by Land Related Conflict on the Mambilla Plateau” , 2006.

⁴⁹⁶A Report of the UNHCR Sponsored Research/Intervention Programme on the Repatriation of Nigerian Refugees from Cameroon to Taraba State, Abuja, Nigeria.

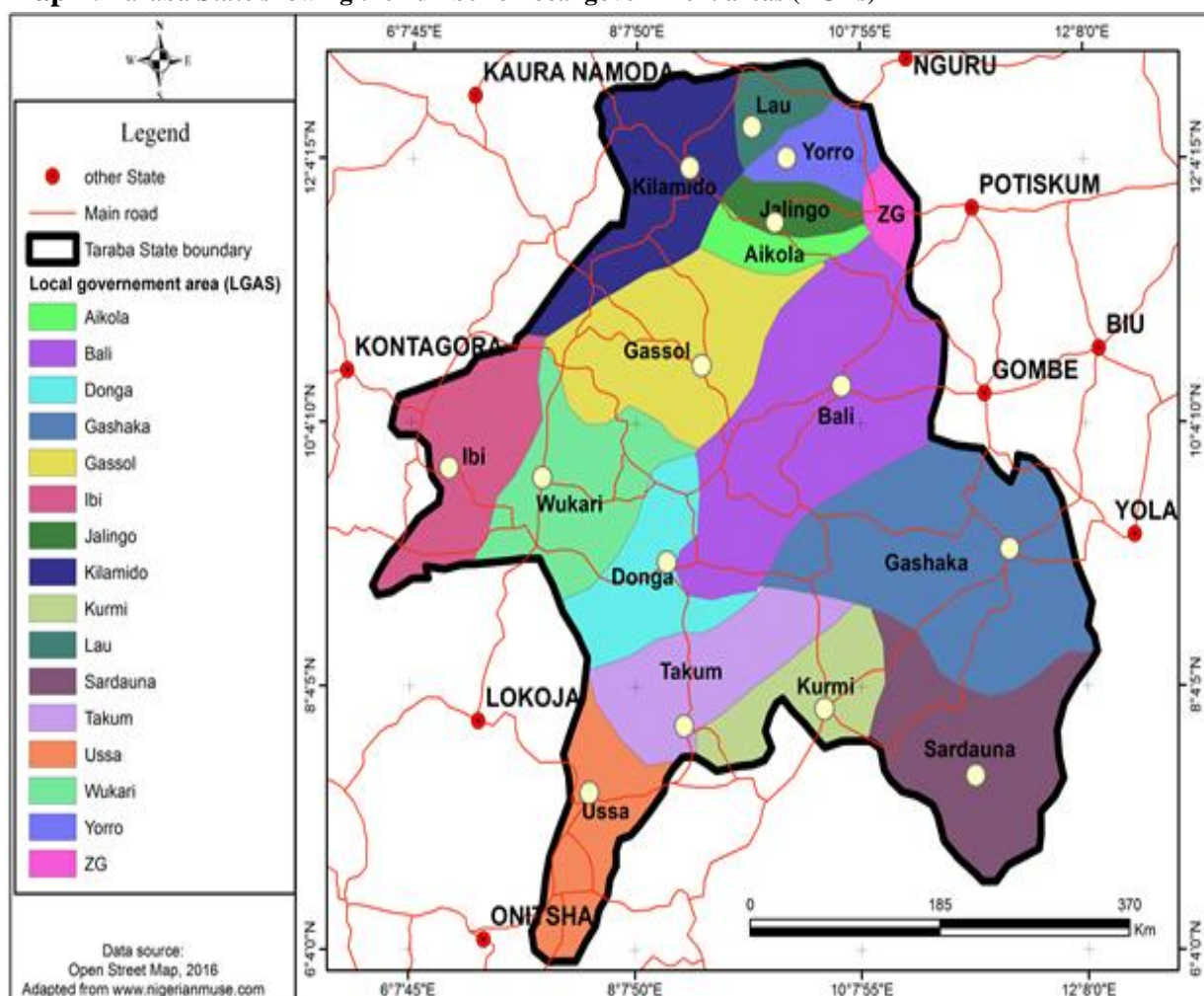
Map 3: Map of Nigeria showing Taraba State



Source: Open Streetmap, 2016, National Institut of Cartography, 2014

On July 10, 2011, at about 12:30 pm, another ethnic conflict broke up between the Kona and Minda communities. It extended to five other local government areas in northern Taraba (such as Kona Garu, Sambe, and Yelwa Abare) (See Map 4 below) and resulted in loss of lives, properties, and displacement of thousands of people to neighboring countries like Chad, Niger, and Cameroon in particular. The main source of conflict was a dispute over land ownership dispute between two individuals in the neighbouring communities of Minda and Kaudad⁴⁹⁷. The Kona people claimed that the farmland in question was their ancestral land which they lease out to a Mumuye settler. The Mumuye settler (Minda) has used the land for decades and after his death, his children wanted to transfer the right over the land to another person by selling it.

Map 4: Taraba State showing the number of local government areas (LGAs)



Source: Open Street Map, 2016, adopted from www.nigerianmuse.com.

⁴⁹⁷E. D., Oruonye ‘‘The Socio-economic Impact of Land resource Conflict in Taraba State: A Case Study of Kona – Minda crisis in Northern Taraba’’, Department of Geography, Taraba State University, P.M.B. 1167, Jalingo, Taraba State, Nigeria, *International Journal of Environmental Sciences* Vol.1 No.2. 2012. pp. 46-49.

The Kona people insisted otherwise, claiming that the land was not sold but given to their father on lease and as such, they only have a useful right over the land and cannot transfer or sell it. The children of the Mumuye settler (Minda community) insisted that their father had used the land for decades before they now inherited it and as such, they have the right to do whatever they wanted to do with the land including selling it. It is this dispute that escalated into a communal conflict between the Kona and Minda communities (Jalingo LGA) and Kaudad (Lau LGA) settlements⁴⁹⁸. The conflict spread to neighbouring settlements such as Kona Garu, Sambe, and YelwaAbare (both Kona and Mumuye) in Ardo Kola LGA and Lankaviri in Yorro LGA with each group launching attacks and counter-attacks on each other, selectively killing along the ethnic line. Other settlements affected include Yaukani (Kona), JauroShambai (both Kona and Mumuye), Marbai (Kona), Kashab (Kona), and Jauro Awe⁴⁹⁹. Many Kona people living among the Mumuyes in other settlements fled their homes for safety as each group attacked and burn the houses of known members of these two groups even in Jalingo town leading to the displacement of so many people in the Northern part of Cameroon. The inter-ethnic conflict in the Taraba state is the genesis of the migration of Nigerians to Cameroon as refugees. Coupled with the rise of Boko Haram insurgences in Northern Nigeria, more than 68700 Nigerians escaped to Cameroon as refugees.

Boko Haram Terrorism

The influx of refugees since 2009 has been on the increase but the number tripled in 2013 when the government of Nigerian in counteraction to the Boko Haram raids passed a state of emergency in Yobe, Adamawa, and Borno.⁵⁰⁰ Boko Haram retaliated against the government's decision by destroying public and private institutions; killing civilians, and kidnapping. Boko Haram has successfully instilled fear in the hearts of the Nigerian people, but most of all has put the people in anguish. The suffering was unbearable as they had lost all their source of livelihood and feared for their lives such as seeking refuge in Cameroon and other neighboring countries.

However, the presence of these Nigerian refugees in the country has resulted in great insecurity at the border including endless attacks by this armed group from Nigeria. The insurgents from Nigeria pose serious risks of targeted violence. This has pushed the

⁴⁹⁸*Ibid.*

⁴⁹⁹*Ibid.*

⁵⁰⁰A.S. Alanamu, "Violence and Politics in Nigeria, 1999-2003: Evidence from Kwara State" in *Issues in Political Violence in Nigeria*. (Ed. Alanamu, A.S), Hamson Printing communications, Ilorin, 2005, pp 122-124.

government of Cameroon to be repatriating some of these refugees back to Nigeria and narrow opportunities for entry.

Boko Haram best Known as a Salafi-jihadist terrorist organization is said to be based in the North East of Nigeria. Its origin dates back to 1995. Other schools of thought hold that the insurgent group was founded in 2002 by an Islamist cleric known as Mohammed Yusuf. Boko Haram is not the name chosen for itself. It was given by observers and outsiders trying to understand its ideologies. Boko means “book” and Haram means “forbidden” in Arabic. Taken together Boko Haram means “Western education is forbidden.”⁵⁰¹ The official name of the group Boko Haram is Jama’atu Ahlis Sunna Lidda’awatiwal-Jihad, which refers to “People committed to jihads and the propagation of the prophet’s teachings”.⁵⁰² Even though it is believed that Boko Haram was created in 2002, it has its roots right back in the 1980s during the Maitatsine riots in northern Nigeria. Mohammed Yusuf’s uncle served as a lieutenant in the riots. He survived a military attack carried out by the riots of General Muhammadu Buhari and later went on to train his nephew Mohammed Yusuf who later on took after him. The group considers Western principles, institutions, and ways to be against Islam and aims to create an Islamic State with a strict application of Sharia law. 2009 marked a shift in Boko Haram’s strategy when it carried out attacks on police stations and government buildings in Maiduguri⁵⁰³.

Mohamed Yusuf, was the first leader of Boko Haram, under his leadership, the group established a “state within a state” in Borno with its cabinet, large farmland, and its religious Police.⁵⁰⁴ Boko Haram was attracted by many because they offered shelter, food, and by offering welfare handouts⁵⁰⁵. These philanthropic gestures attracted many especially refugees from the war in neighboring Chad and jobless Nigerian youths who had been abandoned by the corrupt Nigerian political system. One thing that was not clear was the source of the group’s money to sponsor its activities and humanitarian gestures; some say it was money received by Yusuf from Salafist contacts in Arabia and others suspected they raised money from wealthy Northern Nigerians. It, however, became violently active in 2010. The group prior performed

⁵⁰¹M.Abdulazzaz “The Boko Haram insurgence and internal displacement”, SEM, *section analysis*, 20 June 2016, pp 1-5.

⁵⁰²*Ibid*

⁵⁰³International Organisation For Migration (IOM), “within and beyond borders”: Tracking Displacement in the Lake Chad basin Regional Displacement and Human Mobility analysis displacement, Dakar, Senegal, December 2016, p.5.

⁵⁰⁴ A. Walker, What is Boko Haram, special Report, United states Institute Of Peace, 2012, p.12.

⁵⁰⁵ *Ibid*

mainly civil and religious acts of disobedience to establish local norms but with the death of their leader Yusuf in 2009 the group went into hibernation regrouping and redefining its goals. In 2010 the group led by Abubakar shekau rose with the goal of the Islamisation of all of Nigeria even though half of Nigeria's population is non-Muslim.

The Boko Haram has mainly used the guerrilla tactic of hit and run to harass and oppress Nigerians in the North East but changed its tactics to violent open confrontation. Their tactics have been effective in response to increased security presence and instilled fear in the hearts of the populace. All of the groups' heinous activities are to delegitimize governments as ruling entities by projecting the Nigerian government as an illegitimate state and unable or unwilling to protect people⁵⁰⁶. Boko Haram's message repeatedly calls for the suspension of national constitutions and the democratic process⁵⁰⁷. The more vicious and improved Islamic sect began attacking government security agencies, public institutions, worship centers, and symbolic monuments. They went on to assassinate important public figures and many other unlucky peoples. They deploy bombs and other instruments of mass destruction to attack. By December 2011, attacks carried out by the sect killed over 100 persons and 90,000 were forced out of their homes.

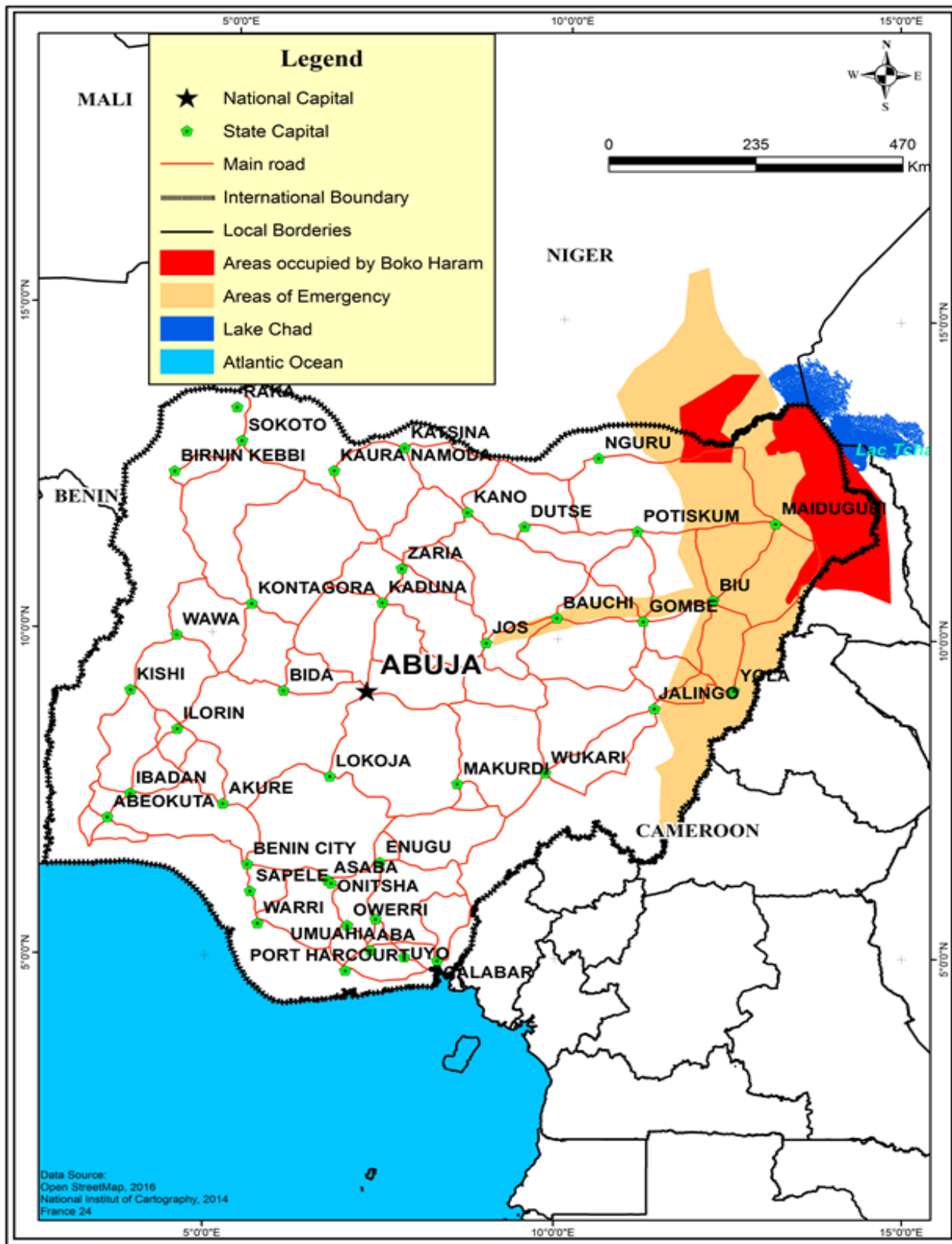
In December 2015, the new President declared Boko Haram technically defeated. By 2015, the state had reclaimed much of the territories previously controlled by Boko Haram. Boko Haram was forced to fall back to the Sambisa forest in Maiduguri a terrain difficult to penetrate. Boko Haram has not been able to launch conventional attacks against the federal troops. However, the war is not over. Boko Haram has proven resilient. It has been able to consolidate some activities in its new, albeit smaller, strongholds in the region and now controls part of the fishing and illicit trafficking markets⁵⁰⁸. Following its military losses, the group has altered its strategy from direct conventional confrontation to guerrilla attacks.

⁵⁰⁶ Amnesty International., Human Rights under Fire: Attacks and Violations in Cameroon's Struggle with Boko Haram, index: AFR 17/1991/2015. Retrieved from: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwjM7dOg08DgAhXNTxUIHWfVAn4QFjAAegQICRAC&url=https%3A%2F%2Famnesty.dk%2Fmedia%2F1869%2Fbokorapport.pdf&usg=AOvVaw0nGOifwlm_8wa3dKnhmkRu . (Assessed: 7 August, 2019)

⁵⁰⁷ O Mahmood., Boko Haram in 2016: a highly adaptable foe, ISS Today, 2017. Retrieved from: <https://issafrika.org/iss-today/bokoharam-in-2016-a-highly-adaptable-foe>. (Assessed: 7 February 2017)

⁵⁰⁸ International Crisis Group., Fighting Boko Haram in Chad: Beyond Military Measures, 2017. Retrieved from: <https://www.crisisgroup.org/africa/central-africa/Chad/246-fighting-boko-haram-Chad-beyond-military-measures>. (Accessed: March 8, 2017)

Map 5: Area under Boko Haram attacks in the Northern Region of Nigeria as of January 2015



Source: Open Street Map, 2016, National Institute of Cartography, 2014, France 24.

This accounts in part for the increased number of suicide attacks in Cameroon⁵⁰⁹. Boko Haram has also externalized its terror to neighboring Cameroon, Chad, and Niger⁵¹⁰. For example the Boko Haram attack on a police station in Kousseri and a Chinese engineering company in 2014 in Cameroon and the devastating attack on Ngouboua in Chad in 2015.

As of January 2015, it was estimated that Boko Haram controlled a territory of 20,000 square miles¹ (or 51,800 square kilometers) (**See Map 5**). They established international relations with terror groups across the Magherb and the Sahel like Al Qaeda, Ansar Dine in Mali, Al-shabaab in Somalia, and later even ISIS⁵¹¹. This made them even more powerful. From the map of Boko Hama control and attacks in the Northern Region of Nigeria as of January 2015, the areas shaded in red are being controlled by the terrorist group while the area colored with orange are those that have been attacked by the insurgences.

Whatever, the reason behind their ruthlessness, this extremist group is acting under the guise of Islam. It says it wants to transform the Northeast of Nigeria into an Islamic state. Boko Haram has targeted Christian institutions in the North of Nigeria such as churches and schools. Because of these attacks, most of the inhabitants of this region have fled to Cameroon. As of October 2015, the Boko Haram insurgency had led to the displacement of 1.9million people.⁵¹² With about 44800 Nigerian refugees moving to Cameroon increasing the number of refugees in its territory to about 74.000⁵¹³.

ii. The 2004 – 2005 Safe and voluntary Repatriation of Nigerian Refugees

At the early start of 2001 unprecedented clashes occurred within the Sardauna local government region in the state of Taraba, Eastern Nigeria. While most of today's conflicts arise within a State, it would be essential to resolve structural violence upstream and to create a peaceful space within a State. In April 2005, the Nigerian government, after considering that calm had returned to Taraba State, initiated a tripartite memorandum of understanding with Cameroon and the UNHCR/Cameroon. The role played by different stakeholders is very

⁵⁰⁹ O. S. Mahmood., More than Propaganda: A Review of Boko Haram's Public Messages. *Institute for Security Studies working report 20*, 2017. Retrieved from: <https://www.africaportal.org/publications/more-than-propaganda-a-review-of-boko-harams-public-messages/>. (Assessed: March 2, 2017)

⁵¹⁰ L. P Blanchard. Nigeria's Boko Haram: Frequently Asked Questions. In *CRS Report for Congress, Congressional Research Service* (Vol. 10),2014, pp. 45-50.

⁵¹¹ *Ibid*,p.6.

⁵¹² M.Abdulazzaz "The Boko Haram insurgency and internal displacement", SEM,section analysis, 20 June 2016,p. 8

⁵¹³ *Ibid*.

significant for the effectiveness and efficient implementation of the tripartite agreement signed between related parties.

Roles played by Stakeholders

The government of Nigeria, Cameroon, and the United Nations High Commission for Refugees has contributed enormously to ensuring the return of Nigerian refugees⁵¹⁴. Either through the implementation of the tripartite agreement, sensitisation of refugees on condition of security in the area of return as well as financial assistance. The activities of these actors will be seen below:

Measures taken by the country of origin

In 2004, the Nigerian government developed a magnificent program to ensure the holistic return of its citizen from Cameroon in safety and with dignity. To encourage its citizens to return, the Government of Nigeria developed a voluntary repatriation program for them which granted them a tremendous opportunity to explore. Harnessed from Abuja, the government provided a gross sum of about 400,000 CFA francs to each candidate who expressed his or her intention to return to his/her country of origin to cover all travel expenses needed. To others, this was an opportunity for them to make much profit out of their current humanitarian situation. According to the narrative of the former consul of Nigeria in Douala, Gordon Harry, some refugees used the money given to them by their government to get into different urban cities of Cameroon to start their businesses⁵¹⁵. This act questions voluntariness and the degree of free will to return, most especially the attitude of pocket refugees towards voluntary repatriation.

According to the Nigerian authorities, this program was also initiated to deal with the upgrading of the residence permit, which increased from 80,000 FCFA in 2003 to 120,000 CFA francs, an increase of 40% of the initial price and amount that many of the 4 .000. 000 Nigerians listed by the Consulate General of Nigeria in Douala were not able to pay. For the candidates for this repatriation, these massive departures were not voluntary, but rather sounded like a strategy to cope with the difficult livelihood they experienced in Cameroon. Many of the returnees felt that their repatriation scheme was highly exploited by the

⁵¹⁴ File No, CMR/0938/11/AHM/am, 14, *Mission sur la situation des réfugiés nigériens des régions de l'Adamaoua et du Nord-ouest, UNHCR Représentation en République du Cameroun juillet 2011*

⁵¹⁵ *Le Messager*, "More than 3,000 Nigerians repatriated from Cameroon", in *Le Messager* du 22/08/2006 available on <http://www.cameroun.online.com/actualité,actu-1883.html> accessed on 10 April 2009.

government of Cameroon to make some money. This is because instead of the official 120,000 CFA francs paid for documentation and to upgrade their residence permit many were forced by the police to pay 135,000 instead of the official amount required by the existing law⁵¹⁶

On the other hand, a majority of refugees who expressed their intention to return home saw their return as an end to the horrendous harassment they encountered in Cameroon. Even though some refugees felt cheated that they were forced to renew their card by the police when it was to expire in three months period⁵¹⁷. It emerged that this repatriation program had not been voluntary, as the state of Nigeria seemed to suggest, but could rather be regarded as a "return imposed" by the living conditions of Nigerians in Cameroon. In the absence of a more advantageous alternative, returning to one's country of origin would become a privileged solution when conditions in the country of asylum become unbearable.

Furthermore, by promoting the return of its nationals, the Government of Nigeria intended to keep a good image on the international scene. As Hakata Kei demonstrates in his article⁵¹⁸, the problem of refugees is a phenomenon that characterises the vulnerability of the State, and the link between refugees and the State must be highlighted. Based on the Rwandan, for example, he deduces that the proliferation of Rwandan refugees in the world shows the failure of the State of Rwanda⁵¹⁹. Nigeria has, through the repatriation program initiated, intended to reduce the number of Nigerian refugees in the world by encouraging its nationals to return to the fold.

Responsibilities of UNHCR and Cameroon

In 2003, the UNHCR office in Yaoundé, which had been closed in 2002, was reopened to deal with the influx of Nigerian refugees into Cameroon and to meet their protection needs⁵²⁰. The office has thus focused on assisting the approximately 17,000 Nigerian refugees in Cameroon. A UNHCR branch was opened in Banyo, a border town of Nigeria to monitor protection and assistance programs for Nigerian refugees. In an interview with the newspaper *Mutations*, the UNHCR representative in Cameroon said:

the UNHCR was trying to create adequate conditions for repatriation and worthy of human rights; I mean to recreate infrastructure and a protective

⁵¹⁶*Ibid.*

⁵¹⁷*Ibid.*

⁵¹⁸K.Hakata, "Humanitarian Problems of Refugees in Africa in the Light of the African State: Politics and Diplomacy of Coexistence," 2004, pp. 38-39.

⁵¹⁹ *Ibid.*, p.42.

⁵²⁰UNHCR, Country Operational Plan: Cameroon 2006, p.2.

arsenal so that people can go home in good conditions. Like the case of Cameroon; the agency is in the process of repatriating 17,000 Nigerian refugees who have come to the Banyo and Ngambe areas. Of the 17,000, 7900 were already repatriated, and by the end of the year, UNHCR hopes to achieve the same number. And he further proclaimed that all Nigerian refugees will be at home by next year⁵²¹

Within the periphery of seeking durable solutions for Nigerian refugees, a handful of them chose local integration in Cameroon. Many prefer to stay and trade in Cameroon instead of going back to Nigeria. Their decision was further motivated and powered by the financial and material assistance given to those who preferred effective local integration in Cameroon. However, the question of the repatriation of Nigerian refugees from Cameroon fits into the wider problem and experience of global refugees issues

According to Barutciski, the principle of "voluntary repatriation" should restrict and defend the principle of "true refugees", that is, those who have been threatened with persecution⁵²². We find, on the contrary, that from the repertory of Nigerian nationals in Cameroon it is difficult to determine who is a refugee and who is simply an economic migrant. Moreover, the 4,000,000 Nigerians recorded by the Consulate General of Nigeria in Douala included refugees who have well founder fear, economic migrants, and Nigerians who have been naturalised in Cameroon⁵²³.

Reintegrating the 2004-2005 returnees

Over the past decade, up to 15 million refugees⁵²⁴ and countless numbers internally displaced persons (IDPs) have returned to parts of their country of origin where armed conflicts have come to an end or diminished significantly in intensity like the case of the Taraba state in the Federal Republic of Nigeria. The impact of devastation and neglect on such areas is usually so great that returnees find it very difficult to establish new livelihoods, access basic services (food, water, and energy), and benefit from the rule of law. In such contexts, the absence of well-synchronized relief, recovery, and development initiatives may obstruct the peace-building process and increase the potential for new forms of social and political turmoil. There is a strong imperative to avert such scenarios, as the sustainable return and reintegration of displaced populations bring lasting benefits to all of the stakeholders concerned: countries of

⁵²¹ *Ibid.*

⁵²² M.Barutciski, "International Law of Refugees and Involuntary Repatriation", in L.Cambrezy et al Refugee Populations: From Exile to Return, Paris 2001, *IRD Publ.* pp. 323-336.

⁵²³ *Ibid.*

⁵²⁴ UNHCR, Assisted Voluntary Return and Reintegration from Cameroon to Nigeria ,2008, p.2

origin, donor states, and, most important of all, returnees and their communities. The reintegration of this set of returnees was based on economic, social, and psychological reintegration. This part of our study gives us a deep understanding of the reintegration of Nigerian refugees and highlights the role played by direct actors.

Supporting the sustainability of return and reintegration is an integral part of UNHCR's responsibility for the promotion of durable solutions. Traditionally, the Office has exercised that responsibility most directly concerning refugees. Now that UNHCR has assumed an enhanced role in the inter-agency response to the challenges of internal displacement, the Office is equally committed to the task of finding durable solutions for IDPs⁵²⁵. This was instituted in partnership with National Management Emergency Agency (NEMA), National Commission for Refugees (NCFR), Institute for Peace and Conflict Resolution (IPCR), and the United Nations High Commission for Refugees and other key actors, whilst taking into account of the distinct features of the return and reintegration process for refugees and the internally displaced.

Experience has shown that return and reintegration is not a simple reversal of displacement, but a dynamic process involving individuals, households, and communities that have changed as a result of their experience of being displaced, often for protracted periods. One or more generations may have been born and raised in exile, for example. Women are likely to have taken on new roles as heads of families and breadwinners. Returnees may not speak the local language and may have absorbed a range of cultural influences viewed as 'foreign' by receiving communities⁵²⁶.

Reintegration does not consist of "anchoring" or "re-rooting" returnees in either their places of origin or their previous social and economic roles. For example, refugees and IDPs who have experienced urban or semi-urban lifestyles during their period of displacement may well, move to towns and cities upon their return. Such forms of mobility should only be regarded as a failure of the reintegration process if returnees are unable to establish new livelihoods or benefit from the rule of law in their areas of origin, and thus feel that they have no choice but to settle in alternative locations. Rapid and unplanned urbanisation is a key

⁵²⁵ *Ibid*,p.5.

⁵²⁶ T.Kuhlman, "The Economic Integration of Refugees in Developing Countries: Research Model." *Economic Integration of Refugees*. London: Oxford University Press. 1990, pp.16-28. <ftp://zappa.ubvu.vu.nl/19900035.pdf>

feature of many societies emerging from conflict, and the reintegration process frequently unfolds within this broader context.

Based on these considerations, our study regards reintegration as a process that involves the progressive establishment of conditions that enable returnees and their communities to exercise their social, economic, civil, political, and cultural rights, and on that basis to enjoy peaceful, productive, and dignified lives. Sustainable reintegration is crucially linked to the willingness and capacity of the state to reassume responsibility for the rights and the well-being of its citizens⁵²⁷. The notion of reintegration also entails the erosion (and ultimately the disappearance) of any differentials that set returnees apart from other members of their community, in terms of both their legal and socio-economic status. More broadly, reintegration is an important component of the reconciliation and peace-building process and is thus closely linked to the progressive reduction of political and social violence, as well as the establishment of effective and equitable judicial procedures and the rule of law.

In Nigeria measures, and activities were initiated by the government and UNHCR to ensure that the repatriation of refugees is accompanied by their reintegration, rehabilitation, and reconstruction. In December 2005 and February 2006, UNHCR/Nigeria asked the Institute for Peace and Conflict resolution (IPRC) to conduct two studies to establish the real causes of the conflict in the state of Taraba to better ensure the sustainability of the return.

Economically, the United Nations team in Nigeria has also identified various areas of intervention that could help to strengthen an environment of peace and harmony between returnees and the Nigerian community as a whole. Assistance to returnees upon their arrival in countries of origin generally consists of reception, inland transportation, and reintegration assistance, as well as return monitoring and evaluation. In addition to basic post-return assistance, a variety of responses have been developed to ensure the appropriate delivery of reintegration assistance geared towards the promotion of economic reintegration. Nevertheless, the existence of a stable political and socio-economic environment is an important factor contributing to the sustainable reintegration of returnees.

Reintegration projects contributed to addressing the root causes of irregular displacement and to incorporating the development or reconstruction needs of communities of return, especially where return takes place in a post-conflict and stabilization environment. In return, the returnees were trained and empower to play a leading role to enhance development

⁵²⁷*Ibid.*

in their communities. About 500 returnees were trained in August 2006 on mechanized farming and seeds were also distributed to them to help build a good livelihood⁵²⁸. The UNHCR and the government of Nigeria also help to develop some key areas of intervention that will further foster the reintegration of returnees.

The eight key areas of the intervention included increasing access to an efficient source of energy, improving employment opportunities for returnees and the community, increasing access and control of returnees and the Community on agricultural inputs, methods of exploitation, and their marketing; improving the access of returnees and the community to livestock markets to sell their products; increase the level of self-sufficiency of women, including single-parent heads of lone parents and unmarried mothers through professional activities.

However, more than 50 patients, some of them in very remote areas, have benefited from mobile health services and interventions by specialist doctors. About 150 local health employees have received training on how to treat malnutrition and under-nutrition in infants as well as pregnant and breastfeeding mothers⁵²⁹. The new construction of communities center for women and children, the renovation of health centers, pharmacies, warehousing for nutritional supplements, and the provision of medicines and medical instruments have all served to improve the medical infrastructure⁵³⁰. The local hospital in Wukari and Gassol also benefited from the support of the UNHCR reintegration project. Returnees and members of the host communities receive training in innovative cultivation methods as a means of improving their self-sufficiency as seen in the picture below.

Approximately 1,400 people in agricultural production and marketing groups, 60 per cent of them women, have profited from the restoration of wells. Cash-for-work measures, which enable people to earn supplementary income, have so far contributed to improving basic service provision to 618 households⁵³¹.

⁵²⁸ IPS News. "Tensions between displaced Nigerians and returnees over depleting Resources." June 24, 2014. <http://www.ipsnews.net/2014/06/tensions-between-undisplaced-and-returneesescalate-over-depleting-resources/>

⁵²⁹ UNHCR. Country Operations Profile – Nigeria. 2014. <http://www.unhcr.org/pages/4a03e1926.html>

⁵³⁰ UNHCR. Durable Solutions. <http://www.unhcr.org/pages/49c3646c101.html>

⁵³¹ U.S. Committee for Refugees and Immigrants. "World Refugee Survey 2009 – Nigeria." <http://www.refworld.org/docid/4a40d2a162.html>

Plates 1: Returnees and members of the host communities receive training in innovative cultivation methods



Source: UNHCR June 2005 global report

Economic reintegration forms the basis for the self-sufficiency of the returnee. Feelings of belonging in the country of origin and defining a new identity depend on providing for oneself and one's family, as well as on access to housing, health care, and other services enjoyed by the wider population. The International Organisation for Migration carried out a reintegration project in India for young women who had been forcibly prostituted and were thereafter ostracized by their communities. Through a joint project with private companies, local government, and civil society, these victims of trafficking were able to develop profitable businesses. As breadwinners, they were gradually accepted back into their communities. Like the case of India, the reintegration of Nigerian returnees economically can hasten their reacceptance in their community. Despite its importance and the number of resources devoted to facilitating economic reintegration, certain challenges recur regardless of the context in which it takes place.

Socially, the installation of 99 solar street lamps in the communities and the surrounding area have made it possible to extend the hours of business, while also raising the level of security. Under the capacity development measures for peaceful conflict transformation, existing local negotiation structures were strengthened and complemented by new dialogue forums. In interactive workshops in schools, 545 young people on 17 august 2006⁵³² were schooled on the basic principles of mediation and peaceful conflict resolution.

⁵³² UNHCR, Assisted Voluntary Return to Nigeria (2009), Report on Cases 2005-2009

The reintegration, measures taken by the government of Nigeria has helped to reduce the mobility of returnees and crime waves. Strategies such as group reintegration projects and building returnee networks greatly contributed to the social reintegration of returnees who have little or no social network upon their return to the country of origin. Group reintegration projects not only contribute to the economic betterment of returnees and the surrounding community but also provide a social support structure for them. Returnee networks are important because of the shared experiences of returnees, but it is also important to consider methods of integrating returnees into the wider community to prevent them from becoming too insular⁵³³. National Emergency Management Agency(NEMA) and the National Commission for Refugees (NCFR) facilitate events and provide services, such as socio-cultural activities, and legal and psychological support, for the community that addresses common interests.

In addition, psychological measures were also implemented by the Nigerian Government to ensure the well-being and effective reintegration of returnees. Monthly counseling was instituted for 6months from July 2015 to December 2015⁵³⁴. Returnees who have access to psychosocial counseling are likely to have an easier time coping with the impacts of return, both before and after the actual return. While the needs of returnees are important, the lack of funding for reintegration programs, as well as awareness about the importance of this specific support for returnees, has prevented the systematic implementation of psychosocial support services in many areas of return.

iii. The 2015-2017 Complex Repatriation

The continued attack carried out by the Boko Haram militant pushed the Cameroon government to repatriate some Nigerian refugees from its territory. The Cameroonian government is of the opinion that Boko Haram militants have entered the country under the guise of refugees.⁵³⁵ More than 74,000 Nigerian refugees by March 2015 crossed into the Far North region of Cameroon. According to the authorities, 25,000 escaped clashes between the regional military forces and Boko Haram insurgents in north-eastern Nigeria in February alone,⁵³⁶ with about 16 000 – 17 000 unregistered. In March 2017, Cameroon signed a Tripartite

⁵³³ IOM, Various Annual Progress Reports 2005-2010

⁵³⁴ <http://www.reintegrationproject.ch/en/the-success/results.html>

⁵³⁵ Accessment Capacities Project (Acaps) 26th August 2015.

⁵³⁶ UN High Commissioner for Refugees (UNHCR), *UN refugee chief Guterres visits Nigerian refugees in Northern Cameroon*, 24 March 2015, available at: <http://www.refworld.org/docid/551155064.html> [accessed 6 July 2017]

Agreement which is committed to ensuring that Nigerian refugees will only return voluntarily to their country, yet since then it has continued to deport thousands, drawing repeated public criticism from UNHCR which continues to call on all States not to return anyone to northeastern Nigeria “until the security and human rights situation has improved considerably.”⁵³⁷ Even though Cameroon continues to host Nigerian refugees in the Minawa camp, the UNHCR and the Nigerian government with other organisations continue to accuse Cameroon of not respecting refugee conventions in the repatriation of some Nigerian refugees.

iv. Massive repatriation from 2015 to 2017

There has been massive and spontaneous repatriation from 2015 to 2017. According to the UNHCR, the Nigerian government, and Human Rights Watch, this repatriation was carried out by the government of Cameroon and at one point assisted by the Nigerian military at the border. While several spontaneous repatriations were carried out by the refugees in the Minawa refugee camp. However, it should be noted here that most of the refugees repatriated by the Cameroon government are those settled at the refugee settlement in Kolofata, Mokolo, and Mora. And most were still to be registered. However, because they had crossed an internationally recognised border and have a well-founded reason for repatriation, we consider them refugees. And repatriating them is a bridge of Article 33(1) of the 1951 refugee convention that prohibits states from *refoulement*.

v. Massive forceful repatriation 2015 to 2016

Cameroon is a signatory to the 1951 Refugee Convention and the 1969 OAU Refugee Convention. In July 2005, Cameroon adopted a law defining the legal framework for the protection of refugees. The law was signed in November 2011⁵³⁸. With the law enforced, the government could ensure the protection of refugees and asylum seekers. Part of the provision of the law was land which helped erect seven refugee sites in the far North (the Minawao refugee Camp), East and Adamaoua regions of the country. The generosity of this law has made Cameroon the largest receiver of refugees and asylum seekers in Central Africa. Cameroon receives refugees from neighboring states such as the Central African Republic

⁵³⁷ UNHCR, “International protection considerations with regard to people fleeing northeastern Nigeria (the states of Borno, Yobe and Adamawa) and surrounding region, Update II,” October 2016, <http://www.refworld.org/pdfid/57ebb35c4..>

⁵³⁸ UNHCR, “Global Appeal 2015: Cameroon.” Retrieved from: <https://www.unhcr.org/publications/fundraising/5461e5fce/unhcr-global-appeal-2015-updatecameroon.html>

(CAR) and Nigeria. UNHCR reported in 2014, that Cameroon had more than 240,000 people of concern⁵³⁹.

For a country that is not economically vibrant, the number is very overwhelming. Given Cameroon's monetary situation, the government seems to be in limbo on how to manage the huge and continuous entry of registered and unregistered Nigerian refugees into its territory. The UNHCR has constantly called on the government of Cameroon to receive and keep Nigerian refugees with open hearts; however, regardless of the UNHCR petition to the Cameroonian government to have the refugee, Cameroon proceeded with the repatriation of some refugees. Reports from UNHCR indicate that; Cameroon from 2013 to 2017 has had a total of 364 violent attacks from Boko Haram⁵⁴⁰. These acts of terror by Boko Haram on the Cameroonians have prompted the decision to repatriate Nigerian refugees. The Cameroonians believe that Boko Haram militants entered the country under the guise of refugees⁵⁴¹.

According to Omoyibo and Akpomera, the primary purpose of any state is to provide security to its populace⁵⁴². As such, the Cameroonian government has promised its citizens full devotion to curbing the insecurity caused by Boko Haram. In keeping this promise, the government has taken measures such as an increase in the number of military checkpoints on the roads, limitation of movement, and most of all repatriation of unregistered refugees. These measures by the Cameroonian government have gotten a considerable measure of backlash from the Nigerian Government, particularly from the governor of the Adamawa state. The governor has scrutinized the activities of Cameroon, asserting that a large portion of the returning refugees is not identified with the Boko Haram sect. The governor went further stating that Cameroon's insecurity cry is an excuse to send back refugees to its territory.

⁵³⁹ E. E. Mbua, Law No. 2005/006 of 27 July 2005 Relating to the Status of Refugees in Cameroon: An Additional Hurdle or a Major Step Forward to Refugee Protection. *Journal of Law, Policy & Globalization*, 2015, p.38 and p.63

⁵⁴⁰ UNHCR, supplementary appeal: Nigeria situation 2017, pp.3-7. Retrieved from: <https://www.unhcr.org/597704b87.pdf>

⁵⁴¹ A. N. Mbiyozo, Policy brief: Cameroon's forceful repatriation of Nigerian refugees. Institute for Security Studies, 2017, p.16. Retrieved from: https://www.africaportal.org/documents/17853/policy_brief_110.pdf. (Assessed: April 16, 2018)

⁵⁴² E. Akpomera & K. Omoyibo, Boko haram terrorism in nigeria: The paradox and challenges of big brother foreign policy. *AFRREV IJAH: An International Journal of Arts and Humanities*, 2(1), 2013, pp. 94-113.

The Governor's major concern is that these refugees are sent back into the Boko Haram savagery⁵⁴³. The 2015 reports submitted by the National Emergency Management Agency, show that 3500 Nigerian refugees were repatriated.

This act was treated as forced repatriation of Nigerian refugees by the government of Cameroon. The repatriated refugees were taken to a makeshift camp on the outskirts of Mubi town in Adamawa state of Northern Nigeria. The camp was not able to provide for the necessary needs of the refugees. As a result, some refugees were moved to more suitable camps at Maiduguri, others were sheltered in an old warehouse and some in the machine rooms of the factory. Due to the condition of repatriation, the 3500 refugees were not registered, reintegrated, or rehabilitated into society.

Table 1: Number of returnees per Camp

Returnees camps	Number per camp
Mubi	1,035
Malkohi	2,271
NYSC camp	605
Fufore	4,504
Borno and Midugri	4,281
Host communities	6,837

Source: UNHCR, "Nigerian Returnees from Cameroon": Annual statistical Reports, Yaounde, December 2015, p.1, adapted by the author.

Notwithstanding, the government of Nigeria with support from the World Health Organization (WHO), the International Rescue Committee (IRC), and the Nigerian Red Cross held an emergency humanitarian response providing food and non-food items. Despite all efforts, the basic needs of the refugees were not still met⁵⁴⁴. Another incident of forceful repatriation by Cameroon was reported in August of 2015. This time 15,000 Nigerian refugees were repatriated.

⁵⁴³ A.Vanguard, Don't send Nigerian refugees back to Boko Haram violence, UN urges Cameroon, 2018, pp.12-16. Retrieved from: <https://www.vanguardngr.com/2018/04/dont-send-nigerian-refugees-back-boko-haram-violence-un-urges-cameroon/>. (Assessed: 21 April, 2018)

⁵⁴⁴ OCHA, Lake Chad Update 2017, p.6. Retrieved from: <https://reliefweb.int/report/nigeria/lake-Chad-basin-crisis-update-no-19-18-september-2017>. (Assessed: 18 September, 2017).

Table 2: Monthly Number of Nigerians forcefully expelled from Cameroon in 2015.

Number of refugees	Months of returned
3,308	July
7,370	August
519	September
1201	October
4629	November
2291	December

Source: UNHCR, “Nigerian Returnees from Cameroon”: Annual statistical Reports, Yaounde, December 2015, p.1, adapted by the author.

The outline overhead displays the distribution of Nigerian returnees from Cameroon to different refugee camps in North-Eastern Nigeria. As of December 2015, a total number of about 19,318 were repatriated from Cameroon against their own will⁵⁴⁵. This irregular action dispatched these vulnerable people to move to IDP camps instead of returning to their local communities. For instance, the Mubi camp received about 1,035, NYSC (605)⁵⁴⁶ with the smallest number and Host communities (6,837)⁵⁴⁷ with the highest number. This number only represents the Nigerian refugees along the border who were not registered by the UNHCR and the host government like in the case of Minawoa camp.

Plate 2: Nigerian Refugees arrived Internally Displaced camp in Northern Nigeria

Source: CGTN Africa, June 2015.

⁵⁴⁵ UN High Commissioner for Refugees (UNHCR), *Nigerian Returnees from Cameroon (as of 13 December 2015)*, 14 December 2015, available at: <http://www.refworld.org/docid/5671276f4.html> [accessed 6 July 2017]

⁵⁴⁶ *Ibid.*

⁵⁴⁷ *Ibid.*

The members of the international community considered Cameroon's acts a violation of international law and the Nigerian government sees it as inhumane⁵⁴⁸. The second repatriation left the Nigerian government in ire. Nigerian refugee agencies denied ever being communicated or update, that their citizens would be deported. Reports submitted by NEMA indicate that many have been abused, transported like animals in trucks, and dropped at home in cruel conditions⁵⁴⁹. Accounts from the refugees themselves state that refugees were not informed about their going home to Nigeria. Some tell of their separation from their families. Others account that the Cameroonian soldiers at gun-point ordered the Nigerians refugees to follow them and were sent into a truck like animals on a 3-day journey back to Nigeria. This account of ill-treatment by Cameroon does not speak well of them and violates the principle of voluntary repatriation and non-refoulement as these refugees were returned to destroyed villages by the Boko Haram insurgency⁵⁵⁰.

Plates 3: Nigerian refugees repatriated from Cameroon



Source: UNHCR June 2015 global report.

⁵⁴⁸ Amnesty International, Human Rights under Fire: Attacks and Violations in Cameroon's Struggle with Boko Haram, index: AFR 17/1991/2015, p.7.

Retrieved from https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwjM7dOg08DgAhXNTxUIHWfVAn4QFjAAegQICRAC&url=https%3A%2F%2Famnesty.dk%2Fmedia%2F1869%2Fbokorapport.pdf&usg=AOvVaw0nGOifwlm_8wa3dKnhmkRu. (Assessed: 7 August, 2018)

⁵⁴⁹ Human Rights Watch, They forced us onto trucks like animals, 2017, p.13. Retrieved from: www.hrw.org/report/2017/09/27/theyforced-us-trucks-animals/camerouns-mass-forced-return-andabuse-nigerian. (Assessed: 27 August, 2018).

⁵⁵⁰ United Nation Office for the Coordination of Humanitarian Affairs {OCHA} , Humanitarian Bulletin ,Nigeria, 04 July 2015, p.12. Avialable at www.unocha.org/nigeria/www.unocha.org accessed (9 May 9, 2017).

Return ought to be voluntary and under conditions of informed consent from both the refugees and country of origin. The Cameroonians, however, believe that their actions are in line with the 1969 OAU Convention article 2(6) states that for security reasons, asylum countries shall go as far as possible to settle the refugee population far away from the frontier of their country of origin. Despite the politicization of the return, those who have been repatriated to Nigeria are in perilous situations. In 2016 the Cameroon government came out threatening to forcefully repatriate About 70,000 Nigerian refugees, and this has forced the Nigerian government to a tripartite agreement with Cameroon to voluntarily return four thousands of Nigerian refugees fleeing the Boko Haram insurgency in a dignified and voluntarily manner⁵⁵¹. Despite numerous public and private pleas by UNHCR, NGOs, and diplomats to Cameroonian authorities to end the forced return of Nigerian refugees, the returns continued in 2017. By mid-July 2017, Cameroon had forcibly returned at least 4,402 Nigerian asylum seekers and refugees, of whom about 2,000 were deported in March alone.⁵⁵² (See **appendix 55**)

In February, UNHCR reported that Cameroon had deported 517 Nigerian asylum seekers to Banki between February 10 and 15, including 204 intercepted in Kolofata and 313 intercepted in Kirawa.⁵⁵³ Similarly, UNHCR reported that on March 27 and 29, Cameroon intercepted or rounded up and deported 135 Nigerian asylum seekers, as well as 129 undocumented Cameroonians, from the villages of Bia, the border crossing point of Kolofata, and the Kolofata informal refugee settlement. On March 21, in UNHCR's first press release since mid-2015 condemning Cameroon's *refoulement*, the agency said that UNHCR teams in Nigeria had documented:

Cameroonian troops returning refugees against their will - without allowing them time to collect their belongings (including) one incident on March 4 (in which) some 26 men, and 27 women and children were sent back from the ... town of Amtide, in Kolofata district, where they had sought refuge.⁵⁵⁴

⁵⁵¹ IRIN'S news 17th November 2014, p.6. Available at <http://www.ininews.org> accessed (13th march 2017).

⁵⁵² UNHCR, "Cameroon: Update on returns from the far north region;" UNOCHA, "Cameroun: bulletin humanitaire," https://www.humanitarianresponse.info/system/files/documents/files/ocha_20cmr20_20bulletin20humanitaire_20_2000220_2020170808_0.pdf

⁵⁵³ UNHCR, "Cameroun: Weekly Notes #76, 6 - 11 February 2017," <http://reliefweb.int/report/cameroon/cameroun-weeklynotes-76-06-11-f-v-2017>

⁵⁵⁴ UNHCR, "UNHCR concerned about return of Nigerian refugees from Cameroon."

At the end of May, UNHCR noted that the 3,400 people *refouled* so far this year are primarily from the Cameroonian communities of *Kerawa* and *Kolofata* in the department of Mayo-Sava which have recently recorded a high number of security incidents.⁵⁵⁵ UNHCR stressed the fact that the 3,400 included a group of 430 refugees who had been “pre-screened by UNHCR and the Joint Protection Committee” and who were waiting to be transferred to the *Minawao* camp.⁵⁵⁶ UNHCR told Human Rights Watch that it had already organized vehicles to take the refugees to the camp, but that the authorities deported the group at the last minute.

On June 2, two suicide bombers killed nine Cameroonian civilians and injured another 31 in *Kolofata*. On June 10 and 11, five attempted suicide attacks failed in and near *Kolofata* and the nearby town of *Mora*.⁵⁵⁷ On June 24, the governor of the Far North Region said 15 suicide attacks had “killed dozens” in *Mora* and *Kolofata* since June 14. Agencies and government officials told Human Rights Watch that at a June 19 meeting in *Kolofata*, Cameroonian authorities told Nigerian military authorities to take back a group of 887 Nigerian asylum seekers in *Kolofata* that same day. Just over half of these asylum seekers were children and all had arrived that month. The Nigerian military authorities said they needed instructions from Abuja, and Cameroon gave them one week to take the group back. Cameroon rejected UNHCR’s request to take the group to the *Minawao* refugee camp and on June 27, the Nigerian military authorities sent six vehicles to Cameroon to help the Cameroonian police return the group to Nigeria, where they were taken to the IDP camp in *Banki*. It was the first recorded incident in which Nigeria helped Cameroon return Nigerian asylum seekers as seen in the picture below.

⁵⁵⁵UNHCR, “Cameroon: Update on returns in the far north region, May 2017,” p. 2

⁵⁵⁶ *Ibid.*

⁵⁵⁷VOA, Moki Edwin Kindzeka, “Surge in Suspected Boko Haram Attacks Hits Northern Cameroon,” *Voice of America*, June 12,

Plate 4: Nigerian Army transporting Nigerian asylum seekers from Cameroon



Source: IRIN News, June 2017

Spontaneous Returns from Minawao Camp between April and June 2017

The month of April saw the beginning of spontaneous returns of refugees living in the Minawao camp. This wave of return was again witnessed in May. Between 9-16 April 2017, a total of about 1,754 returnees returned to Nigeria of their own free will, and between 13-22, May 2017 an addition of 10,448 Nigerian also left the camp making it a total of 12,202 Nigerian refugees who returned spontaneously (**see appendix N°55**). The spontaneous return of refugees is not the standard required by international refugee law. The international, regional as well as national legal framework warrants that repatriation should be meaningfully organized. The majority originated from the town of Pulka and surrounding areas. Almost all ended up living in dire humanitarian conditions in Nigerian displacement camps. Before April, almost no refugees had left the Minawao camp to return to Nigeria, prompting concerns about the reasons for the sudden return movement. Some returning refugees also told UNHCR and another aid group in Nigeria that they had left Minawao due to the increasingly difficult living conditions there, saying that poor shelter, a cut in their World Food Program (WFP) food rations, and a lack of clean water in the camp had contributed to their decision to return.⁵⁵⁸

⁵⁵⁸UNHCR, “Nigeria Refugee Returnee Situation Update No. 1,” May 29, 2017, <https://data2.unhcr.org/fr/documents/download/57113> (accessed July 25, 2017)

According to various aid agencies in Cameroon and Nigeria, UNHCR’s reference to refugees being swayed to believe, persuasion, and misinformation related to Nigerian religious refugee leaders in the camp convincing refugees that it was safe and in their interest to return to Nigeria.⁵⁵⁹ None of the agencies were able to say whether the leaders had been encouraged by the Cameroonian or by the Nigerian authorities to persuade refugees to return. At the end of June, UNHCR reported that 1,300 of the refugees who left Minawao had returned to the camp where UNHCR re-registered them.

Authorities in the Far North have been providing security escorts for spontaneous returns. These returns have taken place in a precipitous manner and, in both waves, during and after the distribution of food rations. In some cases, these rations were sold to provide the means to pay for their return to Nigeria. Despite information circulating that areas of origin are now back to normal, reports indicate that a good number of the spontaneous returnees have ended up in IDP camps, pending a return to their areas of origin, and some others have returned to Cameroon.

Plates 5: Spontaneous return from Minawao camp



Source: UNHCR, Departure from Minawao camp – spontaneous returns.

Two aid agencies interviewing returnees in Nigeria in April and May said that very limited information in the Minawao camp meant returnees had “no idea” about the true conditions they would face in Nigeria and that once in Nigeria they were surprised by the lack of aid, restrictions on their movement and poor security in most parts of Borno State. Returning

⁵⁵⁹ Human Rights Watch interviews with aid officials, Abuja, Maiduguri and Yaoundé, June 20 – 30, 2017.

refugees taken to the military-controlled *Banki* displacement camp in Nigeria told one agency that refugee leaders had told them they would be taken straight to their home areas, but after realizing they would instead be stuck in *Banki*, they concluded they should have stayed in Cameroon.⁵⁶⁰ Agencies said that limited mobile phone coverage on both sides of the border, and almost non-existent radio coverage of localized humanitarian and security conditions in Nigeria, meant it was hard for refugees to stay informed about conditions in their home areas in Nigeria.⁵⁶¹ However, according to the main representative of refugees in the Minawao camp, refugees there can hear about security and humanitarian conditions in Nigeria's Borno State by listening to two Nigerian radio stations based in Maiduguri broadcasting in English, *Haoussa*, and *Kanouri*.⁵⁶²

On March 2, 2017, Cameroon, Nigeria, and UNHCR signed a Tripartite Agreement for the Voluntary Repatriation of Nigerian Refugees Living in Cameroon (Tripartite Agreement).

Plates 6: Signing ceremony of the Tripartite Agreement between Cameroon, Nigeria, and UNHCR



Source: Ministry of Justice Cameroon 28, March 30, 2018

⁵⁶⁰ *Ibid.*

⁵⁶¹ Human Rights Watch report, June 20 – 30, 2017.

⁵⁶² UNHCR, "Tripartite agreement for the voluntary repatriation of Nigerian refugees living in Cameroon between the Government of the Republic of Cameroon, the Government of the Federal Republic of Nigeria and the UN High Commissioner for Refugees," March 2, 2017, <http://reliefweb.int/report/cameroon/tripartite-agreement-voluntary-repatriation-nigerianrefugees-living-cameroon> .

Under the agreement, Cameroon, Nigeria, and UNHCR undertook to ensure that the repatriation of refugees will be done solely on the basis of their freely expressed will and on relevant and reliable knowledge of the prevailing situation in Nigeria, that this applied to refugees who spontaneously return to Nigeria and confirmed that UNHCR has the supervisory and coordinating role to ensure the voluntary repatriation of Nigerian refugees in Cameroon.⁵⁶³

As a result of the unexpected return of refugees from *Minawao* in April and May 2017, UNHCR began an awareness-raising strategy to prevent spontaneous departures from the *Minawao* camp. The campaign involved informing refugees about the difficult conditions prevailing in the localities of return, mainly *Bama, Pulka, Gwoza, and Banki* in Nigeria. The UNHCR further committed its effort to continue and expand in scale until conditions for return were deemed conducive by the Tripartite Commission set up under the Tripartite Agreement.⁵⁶⁴ On the 10 of August 2017, the tripartite commission⁵⁶⁵ met in Abuja to discuss the modalities for the effective implementation of the tripartite agreement signed on 2 March 2017 (see appendix 59). UNHCR focused on security conditions and access to basic services in the different return areas and targeted both individual refugees as well as community leaders.⁵⁶⁶ In August, UNHCR clarified that these activities are not designed to prevent spontaneous departures but to ensure that any refugees returning to Nigeria are doing so fully informed of the prevailing conditions and risks in Nigeria. There were no further returns to Nigeria from the camp between late June and early September.⁵⁶⁷

Commitment of the Federal Government to enhance Return and Reintegration

With full rights given to the Nigerian refugees to repatriate, the tripartite agreement between the government of Cameroon, the government of Nigeria, and the United Nations High Commissioner for refugees serve as a roadmap for the parties indicating their role during the process of repatriation and the strategies that would apply. The agreement also sets limits on what is legally acceptable and what's not during the process of voluntary repatriation and indicates political will.

⁵⁶³ Ibid., art. 2(2), 11(1) and 9(1).

⁵⁶⁴ UNHCR, "Cameroon: Update on returns from the far north region." For a more detailed look at UNHCR's obligations to ensure refugees return voluntarily before it can facilitate or promote such returns. <https://www.hrw.org/news/2017/02/13/pakistan-mass-forced-returns-afghan-refugees>.

⁵⁶⁵ Final Joint communiqué from the Inaugural meeting of the tripartite commission for the voluntary repatriation of Nigerian refugees from Cameroon, Abuja, Nigeria, 10 August 2017

⁵⁶⁶ UNHCR, Nigeria Situation 2017: Revised Supplementary Appeal, p. 29.

⁵⁶⁷ UNHCR, Cameroon: Weekly Notes, 28 August – 3 September 2017.

The tripartite agreement states their roles in Article 3(2), noting that the Government of Cameroon shall be responsible for the safety and security of refugees, seeking voluntary repatriation as long as they shall be on Cameroonian territory, including in camps, assembly areas and when traveling in convey to the designated border crossing point. The Government of Nigeria shall be responsible for the safety and security of the returnee from the moment the latter shall arrive on Nigerian territory.

The decision of a refugee as earlier noted is on freely expressed will and relevant and reliable knowledge of the prevailing situation in Nigeria in the area of return. On that Account, visits to the *Sahuda* border entry point by the Adamawa State Technical Working Group (TWG) have been made. The group met with civilian and military officials as well as IDPs, refugee returnees, and host communities, as subscribed by the Tripartite Agreement for the voluntary repatriation of Nigerian refugees. Following these visits, the TWG suggested that the return of Nigerian refugees start from February 2018 to areas assessed as secure enough to allow for voluntary return⁵⁶⁸. However, the recommendation of the TWG comes as no surprise as all parties were pushing for repatriation and would do anything to influence the realities in the North East to suit their desire to repatriate by giving false information on the situation in the North East.

In examining the efforts of parties towards repatriation the safety criteria for repatriation are to be examined as a reason for exile must be eliminated before repatriation can occur. In Nigeria's case, the present realities and study of the sect's tactics prove otherwise. As current as of June 20, 2018, the group attacked 242 battalions killing nine soldiers and wounding two others in Borno, days after a suicide bomb was set off killing 43 civilians⁵⁶⁹. Some may say that the attack was in Borno and that refugees are returning to Adamawa. However, the premium times, reports that the sect attacked Adamawa village destroying 13 houses in June 2018⁵⁷⁰. The Eagle reports that in Madagali local government of Adamawa 7 persons were beheaded and houses burnt down in August 2018. All these recent activities of the sect clearly show that they still pose a threat to the returning refugees. The Nigerian

⁵⁶⁸ UNHCR supplementary appeal: Nigeria situation 2017. Retrieved from: <https://www.unhcr.org/597704b87.pdf>.

⁵⁶⁹ Premium News ., Boko Haram attacks Adamawa village, destroys 13 houses ,2018. – Official. <https://www.premiumtimesng.com/regional/north-east/272055-boko-haram-attacks-adamawa-village-destroys-13-houses-official.html>. (Assessed: June 12, 2018).

⁵⁷⁰ *Ibid* .

government has stood firm in the fight against terror, it is, however, safe to say that the North East is not secure enough for voluntary return.

All parties to the tripartite agreement unanimously decided that the Nigerian refugees would be transported by air as article 17(1) of the agreement allows. NEMA was tasked to liaise with the airlines, and the Nigerian Air Force came up with a logistics budget estimated at 1 billion Naira. The repatriation cost is outrageous because Nigeria still has a reintegration and return of IDPs problem. The Borno State government has reportedly spent over N20billion in the last three years to assist and resettle IDPs across the state and rebuild their houses⁵⁷¹ Sadly though, the houses have been destroyed again by the defiant insurgents. With all the financial strain from the IDPs band, and the insecurity problem from the farmer-herder conflict in North Central Nigeria the nation should consider not incurring more extravagant costs especially when there are cheaper alternatives such as transporting the returnees by road.

From all that has been said above, the return of the refugees does not necessarily mean problem solved; there has to be proper societal reintegration for these refugees. It is important to note, that people who are physically home but are not participating in the economic and political life of their country are still uprooted, persons. The danger exists that repatriation alone is a relocation that converts refugees into internally displaced persons.

As such, the reintegration efforts of the Nigerian government must be examined. The acting president, Osinbajo announced in June of 2017 that the Federal Government plans to unveil an integrated national framework for refugees, migrants and Internally Displaced Persons (IDP) by September, explaining that the framework would integrate appropriate interventions through effective utilization of data, research, and planning for the return, resettlement, rehabilitation, and reintegration of all persons of concern especially refugees. He said the new approach would be a shift from relief-dependent measures to real and measurable durable solution strategies⁵⁷² but since the ceremony, no durable strategy has been heard of or implemented.

⁵⁷¹ I. O .Oluwole et al ., Rehabilitation Of Internally Displaced Persons 2017, In Nigeria's Northeast. *Socialscientia: Journal of Social Sciences and humanities*, 2(3).p.12.

⁵⁷² Sun. FG to unveil intervention framework for refugees, IDPs, 2017. Retrieved from: <https://www.sunnewsonline.com/fg-to-unveil-intervention-framework-for-refugees-idps/> (Assessed: 21 June 2017)

The realization that plans to unveil and has established are different government rhetoric is dawning on people, as, account from. September 2017 to August 2018 show that no draft of the document has been made. This is worrisome as – a go and see visits have been conducted, and the plans to finally return these refugees are on the way without a fully comprehensive plan from the Nigerian government to properly reintegrate and rehabilitate these people are back into normalcy⁵⁷³. This makes us wonder if the National integration framework unveiled by the Acting President was just a facade to make the international community and Nigerian refugees think that plans are on the ground for the refugees.⁵⁷⁴ Drawing, from the past experiences of the Nigerian government with IDPs, Adetayo (2016) reports, that the Nigerian government has faced challenges in reintegrating the two million IDPs who are victims of Boko Haram insurgents⁵⁷⁵. What strikes a chord is how the government tends to reintegrate 4000 returning refugees when it failed to reintegrate 2 million IDPs.

vi. Voluntary repatriation 22 August 2019

The Governments of the Federal Republic of Nigeria and the Republic of Cameroon and UNHCR signed on 2 March 2017 a Tripartite Agreement for the voluntary repatriation of Nigerian refugees living in Cameroon. The Agreement provides the legal framework and sets out modalities for the voluntary repatriation and facilitated return of Nigerian refugees, in safety and dignity. The agreement also established a Tripartite Commission (TC) and a subsidiary Technical Working Group (TWG) with representatives of both governments and UNHCR, to oversee the implementation of the said agreement. A first the meeting took place in August 2018, where it adopted Practical Modalities and Standard Operating Procedures (SOPs) for the implementation of the Agreement.

The first voluntary repatriation of refugees started on 22 August 2019 (see **appendix 69**), coordinated by the Government of Nigeria, the Government of Cameroon, and UNHCR, the UN Refugee Agency. The Nigerian authority received 133 Nigerian refugees in Yola, Adamawa State, from the Minawao refugee camp in Cameroon. UNHCR, the UN Refugee

⁵⁷³ U. I Iduma and M. Y. Musa., “Nigerian Refugees in Cameroon: Understanding the Politics of Voluntary Refugee Repatriation” *Journal of Public Administration and Governance*, ISSN 2161-7104, 2019, Vol. 9, No.1,pp.11-16.

⁵⁷⁴ *Ibid.*

⁵⁷⁵ O .Adetayo., Reintegration of two million IDPs, my current challenge,2016,p.12.<https://punchng.com/reintegration-two-million-idps-current-challenge-buhari-2/ august 28,2016>

Agency, supported these first repatriation efforts by the Governments of the Federal Republic of Nigeria and the Republic of Cameroon, all parties to the Tripartite Agreement for the Voluntary Repatriation of Nigerian refugees living in Cameroon. Nigeria Minister of Humanitarian Affairs, Disaster Management and Social Development, Madam Sadiya Umar Farouq, representative of the Government of Nigeria said:

Pursuant to the Tripartite Agreement, Nigeria, as a responsible member of the international community and in compliance with the Action Plan, is welcoming 23 families who have decided to voluntarily come back home to join the effort to develop the Nation. I want to take this opportunity to thank President Muhammadu Buhari and the Government of Adamawa State for all the support extended for the success of this first voluntary repatriation operation.

The Governor of Cameroon's Far North Region, Mijiyawa Bakari, led the Cameroonian delegation to see off the first group which flew from Maroua to Yola, where transit centers have been set up. In his remark, he said: **(see appendix 69)**

the Nigerian government sent a mission here yesterday and we discussed how to assist these refugees in their return. All measures have been taken to ensure a smooth operation. This is the first departure and we want to see that the refugees are able to go back with all their possessions

According to Mylene Ahounou, Head of UNHCR Sub Office Maroua in Cameroon, this repatriation operation has been prepared for a long time with Cameroonian and Nigerian authorities on both sides of the border⁵⁷⁶. More than 2,000 Nigerian refugees expressed their wish to go back to their country. In other to live up to the expectation of the 1951 convention parties committed their efforts to see that repatriation was done in safety and dignity for refugees originally from Adamawa and Bauchi States, where the conditions of security has improved.

II. Voluntary Repatriation of Chadian Refugees from Cameroon

The early eighties and nineties were grossly characterized by a massive entry of Chadians into Cameroon in general and the northern region in particular. Though not limited to Chadian refugees other refugees from West, East, and Central African countries were also rushing across borders to seek protection. For more than forty years the Republic of Chad continually experienced a series of socio-political crises. This has contributed tremendously to

⁵⁷⁶ UNHCR., 133 Nigerian Refugees Return to Adamawa State, Nigeria, after Years in Cameroon, 22 August 2019

the displacement of hundreds of thousands of Chadians over the years. The political history of Chad from 1920 to 1990 and 1990 to 2008 is grossly characterized by repeated violence and coups d'état. From the end of the seventies till the dawn of the 21st century, Chad has witnessed and still witnesses permanent instability⁵⁷⁷. The various conflicts have led to great human loss and the displacement of hundreds of thousands of refugees⁵⁷⁸. Cameroon, which shares a border with Chad by 2008 was much more politically stable and acted as a host for thousands of Chadian refugees. Following her international responsibility towards the refugees, Cameroon did not only open its borders to this vulnerable person, but it also collaborated with multi-stakeholders to find permanent solutions to the plights of these vulnerable persons (**see appendix 21**).

According to Luc Cambrezy, "contrary to the arrival of refugees, which generally takes place suddenly and massively, the return to the country is a long-term operation⁵⁷⁹. The context and modalities of repatriation are unique, as repatriation operations are not subject to a rigid and fixed model. Host countries and countries of origin often have a primary reason peculiar to initiating this process. For example, the early repatriation of Nigerian refugees could be described as an operation initiated under the influence of government pressure whereas that of Chadian refugees was a tool for peace-building. Repatriation must be understood according to criteria related to the importance of the change of situation in conflict zones, the level of organization and actors involved the degree of consent, and the scope of the operation. However, this section provides a par anomie series of the Chadian voluntary repatriation process and Cameroon. It starts by tracing the origin of displacement, the choice for Cameroon, the role of members of the tripartite committee, and the different phases of repatriation. Specifically the case of 2012 to 2013.

i. Origin and causality of Chadian displacement

Before the 2008 event, Cameroon has always served as a host to so many Chadian-seeking asylums. An interview with Taryandé Bodalta revealed that Chad has experienced successive bloody conflicts from ethnic-clan conflicts, regional conflicts, tribal conflicts, North-South, South-East, and East-North, followed by civil wars shortly after Chad got her

⁵⁷⁷ Interview with Keitar Alphasse, Garoua

⁵⁷⁸ Réf. : V/L n°0105/CAB/PR du 05.03.10, Objet : *Projet d'Accord Tripartite CAMEROUN-TCHAD-HCR en vue du rapatriement volontaire des réfugiés Tchadiens vivant au Cameroun*

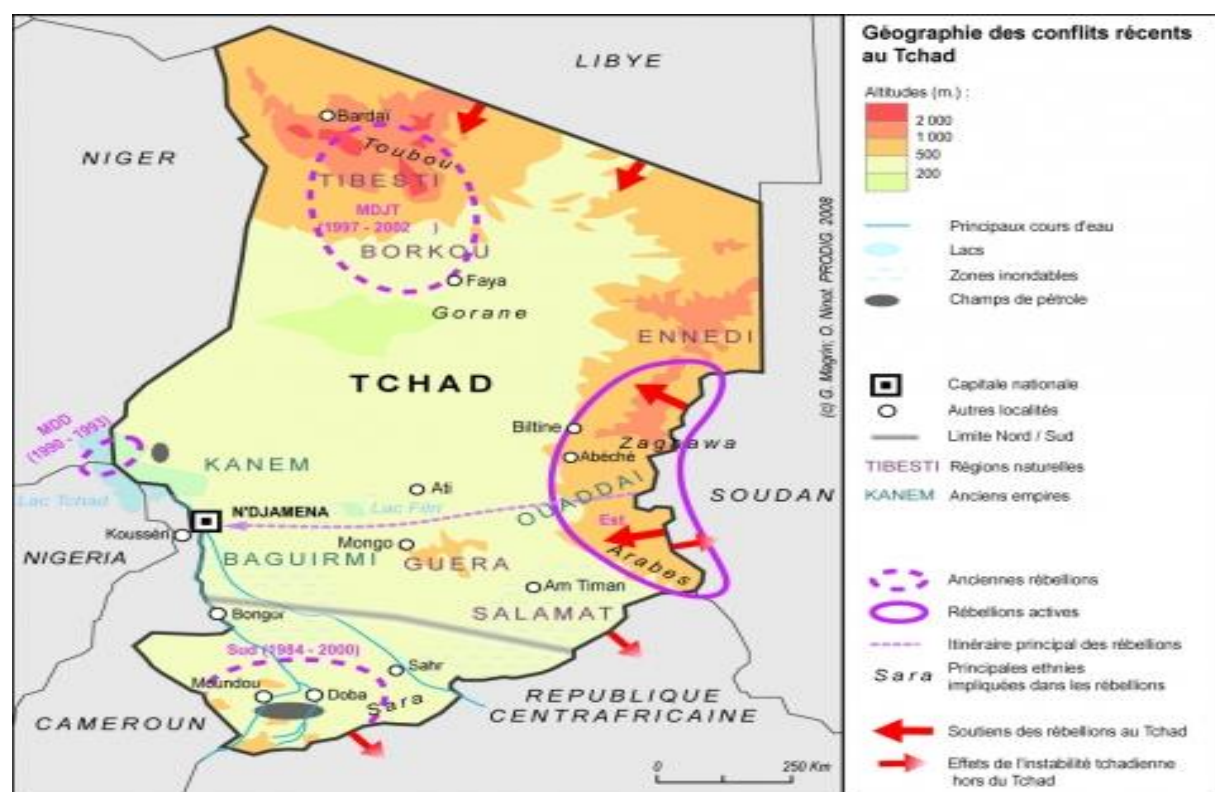
⁵⁷⁹ L. Cambrezy., "réfugiés et exilés: crises de sociétés, crises des territoires ", *Editions archives contemporaines*, Paris 2001, p.107.

independence⁵⁸⁰. According to our interviewee the former camp leader of Chadian refugees in the Langui Camp,

Le TCHAD mon pays, a connu des successions des conflits sanglants ethnico-claniques et régionalistes des conflits tribalistes, les clivages Nord-Sud, Sud-Est, Est-Nord, des conflits religieux ou confessionnels suivis des guerres civiles peu avant, pendant et après les années des indépendances de son Indépendance, le 11Août 1960. Ces différents conflits précités, ces guerres civiles tribalo-ethniques, régionalistes, clanistes, confessionnelles voire intellectuelles et culturelles, ont plongé des milliers ou des millions de Tchadiens, à prendre des chemins d'exil, à choisir des asile pour y trouver refuge

In the early state of movement, a handful of factors influenced the decisions of Chadian refugees to seek refuge in Cameroon. Their choice was based on a set of inherent socio-economic and geographical order. Chadians who fled as a result of the 2008⁵⁸¹ upheaval belonged to different social, cultural, economic, and religious backgrounds. Before exploring the causes of their migration, it is necessary to trace their origins. (See Map 6).

Map 6: Chadian map showing the different conflicting Zones in 2008



Source: EchoGeo

⁵⁸⁰ Interview with Taryandé Bodalta

⁵⁸¹ Réf. : V/L n°0105/CAB/PR du 05.03.10, Objet : *Projet d'Accord Tripartite CAMEROUN-TCHAD-HCR en vue du rapatriement volontaire des réfugiés tChadiens vivant au Cameroun*

Origin of displacement

From the first hours of its independence, president Tombalbaye⁵⁸² engaged in a repressive economic policy that lay an unshakable foundation of hate, bitterness, and intellectual disunity in Chad⁵⁸³. Shortly after the triumphant declaration of independence, a political clash broke out in Guéra (Center East) and later spread to Ouaddaï and BET (Borkou Ennedi Tibesti) in 1967. This unprecedented political upheaval gave breath to *Front de Liberation Nationale du Tchad* in Sudan⁵⁸⁴. According to oral sources, this liberation front was quickly supported by colonel Gaddafi who came to power on 1st September 1969⁵⁸⁵. The creation of the Chad National Liberation Front (Front de Liberation National du Tchad - FROLINAT) in 1966 by Ibrahim Abacha at Nyala in Sudanese Darfur triggered a series of armed conflicts among various central governments at Ndjamená and armed political movements⁵⁸⁶.

Since the formation of this rebel group Chad has hardly known peace because of its numerous attack on the government. Analytically, its strategic horrendous operations were at the origin of the displacement of all the populations of the aforementioned regions who took the path of exile. For instance, on April 16, 1969, a group of ten Kanembou heads of families fled their village Tourba in western Chad to seek refuge in the Sorbéwel division of Cameroon. Right up to the 1990s Chadians were still battling rebel attacks.

On February 2 and 3, 2008, the Chadian capital N'Djamena experienced an egregious violent conflict between forces loyal to the current regime of the self-proclaimed General IDRIS Debby Ino⁵⁸⁷ and rebel forces. The rebel forces were loyal to the dissident Generals, leaders of *Union des Forces Démocratiques et du Développement* (UFDD), former Defense Minister Mahamat Nouri of the Hissein Habre Regime and ally of the Deby's government, and General Mahamat Nour of the United Front for Change (FIC), all from eastern and northern Chad⁵⁸⁸. With Sudan and Libya as a common base, these rebels planned to capture and control

⁵⁸² In 1962, President Tombalbaye banned opposition parties. Some of his conceited collaborators, especially some members of the armed forces, committed atrocities against the population in the north of the country resulting into the creation of the FROLINAT in 1966

⁵⁸³ C. Jaffrelot, Christian Lequesne (eds) *et al*, *L'Enjeu mondial ? : Les migrations*, Paris, Presses of the National Foundation for Political Science, 2009, p. 11.

⁵⁸⁴ Frolinat ? : Front de Liberation Nationale du Tchad created on June 26, 1966 in Nyala cf. Robert Buijtenhuijs, *The frolinat and the civil wars in Chad (1977-1984)*, Paris, Karthala, 1987, p. 27

⁵⁸⁵ Interview with Allah Mohamadou.

⁵⁸⁶ M. Bétoubam. "*Les Tchadiens du Cameroun: 1ère partie*", *IaltChad Presse*, 2004, p.15.

⁵⁸⁷ Interview with Taryandé Bodalta, former head of Chadian refugee in langui camp.

⁵⁸⁸ *Ibid.*

the country's highest leadership positions - the Presidency of the Republic of Chad - under operation "*Pilote Aviateur de Guerre*".

The rebel infiltration lasted for several days causing a lot of fear and panic in the heart and minds of inhabitants especially women, children, and the elderly people in the metropolitan capital. An Interview with Yoram Mohammad- a Chadian refugee who preferred local integration in Cameroon revealed that:

Les infiltration rebelles déjà plusieurs jours avaient permis à leurs groupes en intelligence de surprendre, autour de 05h30, par des tirs des armes lourdes, dont les éclats étaient visibles au ciel, au-dessus du Palais de 15 janvier, qui abritait l'Assemblée Nationale Tchadienne, à mettre en route, enfants, femmes, hommes, fonctionnaires, bref, toutes les catégories socio-économiques, socioprofessionnelles, étudiants et étudiantes, personnes handicapées motrices, orphelins, vieillards etc... à prendre les chemins soit d'exil, dans les pays voisins immédiats du Tchad, soit à se déplacer dans le Tchad profond⁵⁸⁹

Historically speaking, the Chadian capital has been the scene of all kinds of power struggles between loyalist and rebel forces.

In two nights of fierce bloody fighting hundreds of deaths, kidnappings, illicit arrests, and massive displacement of people were recorded as the conflict persisted. Statistically, the violent conflict caused the involuntary displacement of about 150,000 Chadians within and without its internationally recognized borders. About 100000 thousand flew to Cameroon and 50. 000⁵⁹⁰ to other neighboring countries like Niger, and CAR to seek asylum (see **appendix 23**).

Those displaced to Cameroon as a result of the 2008 violence were hosted at the Madana Public High Schools Kousseri while a handful of others who had little financial resources manage to reserve or afford a hotel while waiting for humanitarian assistance. In await of registration and status documentation about 15000 of them were moved to transit camps of Malan through Kousseri for more than three months before being relocated to the transit camp of Langui⁵⁹¹ (Garoua) which hosted Rwandan and Congolese (DRC) refugees in the 1994 and 1998.

⁵⁸⁹ Interview with Tanyard, Chadian refugees, Garoua

⁵⁹⁰ DIPL /DS/ SDAC/ SREM, Note A L'attention De S.E. M. Le Ministre Des Relations Exterieures, A/S Rapatriement Volontaire Des Refugies Tchadiens Vivant Au Cameroun Projet D'accord Tripartite Cameroun-Tchad-Hcr En Vue Du Rapatriement Volontaire Des Refugies Tchadiens Vivant Au Cameroun. Yaoundé, le 11 MARS 2010

⁵⁹¹ Ministère Des Relations Exterieures Direction Du Protocole Et Des Affaires Consulaires Le Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, Reunion Technique Sur L'accord Tripartite Cameroun/Tchad/Hcr En Vue Du Rapatriement Volontaire Des Refugies Tchadiens Du Camp De Langui. 19 Juil 2011 Yaoundé,

For decades now, Cameroon has been a land of settlement for many refugees from different countries. Between 1966 and 1970, at the peak of the Biafran war in Nigeria, thousands of refugees, especially nomads (Mbororo) and Hausa Muslims settle in Northern Cameroon⁵⁹². In 1978, Cameroon once again welcomed Equatoguinean refugees escaping the dictatorship of Macias Nguema. This event coincided with a declaration of cooperation between the HCR (High Commission of Refugees) and the government of Cameroon. Between 1980 and 2000, Cameroon welcomed thousands of R. D. Congolese refugees running from Mobutu's dictatorship. After ethnic clashes in Nigeria in January 2002, close to 20,000 Nigerians settled in the grassland region (Dunga Mantung, Banyo). Between 1979 and 1990, the northern part of the country received more than 100,000 Chadian civilians who fled the war (UNHCR, 1991-2003). Many reasons account for this massive influx of Chadians to northern Cameroon.

ii. Measure taken by the Chadian government in favour of repatriation

Shortly after the 2008 civil war that caused the forceful displacement of thousands of Chadian refugees to flee to Cameroon in search of protection, the UNHCR wrote to the government of Chad on 16th September 2008 to call on the attention of Chadian authorities to start preparing the voluntary returned of Chadian from Cameroon⁵⁹³ (**see appendix 5**). The government of Chad immediately shared the same opinion with the UNHCR thereby expressing its interest in receiving its citizen back home. It should be noted that the 2008 political unrest in Chad brought about 1 00.000 Chadians to Cameroon precisely at Kousseri to seek asylum⁵⁹⁴. (**see appendix 4**). The proposition of the need to set the stage for voluntary repatriation was due to the precarious and miserable situation of the Chadian refugees in Koussiri⁵⁹⁵. Many voluntarily expressed their thoughts to return home even with the continued existence of the circumstances that lead to their escape. This pushed the Chadian government to start looking for solutions to the violent political events that inflicted so much physical, psychological, and material pain on its citizen.

⁵⁹²*Ibid* .

⁵⁹³ Projet d'Accord tripartite Cameroon/TChad/HCR en vue du rapatriement volontaire des refugies TChadian . Note verbal n° 003384DIPL/D5, ref: V/L n° 218/a 78 du 22 aout 2008. This nove verbal was sent from the office of the Ministry of External Relations to the office of the Prime Minister, Head of the government to express the interest of the State of Cameroon on the preparatory meeting scheduled to take place on the 2nd and 7th of October 2008.

⁵⁹⁴ File No03384DIPL/D5, *Objet : Projet d'Accord tripartite Cameroun//TChad/HCR en vue du rapatriement volontaire des réfugiés tChadiens, Ref: V/L n° 218/a 78 du 22 août 2008, Yaoundé, le 20 OCT 2008*

⁵⁹⁵ File No_A194/a /SG/PR , Réf: V/L n° 02997/DIPL/D5/SDAC/SREM du 03 septembre 2012

Based on the inherent responsibility⁵⁹⁶ of the existence of any government, without any hesitation, the Chadian government sent a delegation headed by Mr. Mahamat Nour, (Permanent secretary of the National Commission for the Returns and Reintegration of Returnees) and Madam Aminata Gueye, representative of UNHCR in Chad to attend a preparatory meeting scheduled from the 2nd and 7th of October 2008 to carefully plan the voluntary repatriation of Chadian refugees. (see **appendix 4**) Organised by the UNHCR in collaboration with the government of Cameroon and the Republic of Chad, strategic decisions, policies, and terms, were put in place to effectively guide the process. At the core of this meeting was the issue of voluntariness and state responsibilities to ensure a return in safety and dignity. At the end of the meeting, a joint Cameroon/UNHCR mission was to meet in N'djamena (Tchad) on the 24th to 28 November 2008 with the government of the Republic of Chad for consultation regarding the voluntary nature of repatriation of 4500 Chadian refugees remaining in the Langui Camp. The delegation from Cameroon was headed by the chief of service of refugees and migrants. (see **appendix 8**)

The imperative characteristic of voluntary repatriation shows its indispensable role in ensuring as well as safeguarding Chadian refugees' rights upon return. The fundamental logic for the preparatory meeting was for stakeholders to take absolute measures and honorable responsibilities that will enable the refugees to return home sound and safe. It should be recalled that Chad is a party to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (hereafter referred to as the 1951 Convention). An asylum law was drafted in 2007. Chad ratified the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa in August 1981. Chad acceded to both the 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness on 12 August 1999⁵⁹⁷. In July 2011, Chad became a party to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). Chad is a post-conflict country, which currently hosts at least 378,000 refugees predominantly from Sudan and the Central African Republic (CAR), and 195 urban asylum-seekers of various nationalities in the capital city, N'Djamena.

⁵⁹⁶ The fundamental reason for the existence of any government is to protect and defend the interest of its citizens with and without its territorial bounds. It is upon this logic that the Chadian government responded to the humanitarian and just called of the UNHCR to join hand with other stakeholders to develop strategies that can promote the voluntary return of Chadian refugees back home.

⁵⁹⁷ UN High Commissioner for Refugees (UNHCR), *Submission by the United Nations High Commissioner for Refugees (UNHCR) For the Office of the High Commissioner for Human Rights' Compilation Report – Universal Periodic Review: Chad, March 2013*, available at: <https://www.refworld.org/docid/514ac48c2.html> [accessed 5 January 2021]

However, it is very imperative to note that prior to the implementation of the tripartite agreement guiding the voluntary return of Chadian refugees several refugees have spontaneously/individually moved to Chad on their own (see **appendix 7**). Those who remained in the wait for organized returns remain in Garoua, and Langui camps. Out of more than 100.000 refugees who initially flee to Cameroon only about 4500 were left in the Langui Camp, though there was still high speculation at that time that about 1000 of them might still move on their own. Based on the survey carried out by the UNHCR Cameroon on about 2500 of them a majority of them expressed their intention of returning home⁵⁹⁸.

On the 21st /22nd of July 2011 (see **appendix 13**) another meeting was scheduled in Cameroon with an overwhelming aim to finalise and sign the tripartite agreement. The government of Chad dispatched another delegation of diplomats and civil administrators to Cameroon to finalise the agreement of repatriation (See **appendix 11**). This was to ensure that Chadian refugees who had freely and willingly expressed their intention to return home should be able to send their children to school upon return⁵⁹⁹. So the government of Chad as well as all parties involved in this process were influenced by the pressure put on them by the refugees in the langui camp⁶⁰⁰. Many refugees did not want their children to lose an academic year upon return. So, they wanted to return home before the start of the new academic year in September⁶⁰¹. It should be highlighted here that at the helm of voluntariness is in the utmost interest of refugees. This meeting was organized after the president of the Republic of Cameroon had put a hold on the process of voluntary repatriation on the 09th of March 2010⁶⁰².

The parties to the tripartite Agreement gave the Chadian government the following responsibilities: Information, return in safety and dignity, and insurance and security of returnees upon return (see **appendix 38**).

Provision of reliable information to returnees: The primary precondition for the start of any true voluntary repatriation is the improvement of the security situation in the home area. Having fled a conflict, refugees generally have little interest in returning home if the conditions

⁵⁹⁸ Department of Protocol and Consular Affairs (Minrex)., Note, to the attention of the Minister of External Relations, project for the voluntary repatriation of Chadian refugees in Langui camp .

⁵⁹⁹ UNHCR-Cameroon., *Accord tripartite Cameroon/TChad/UNHCR sur le rapatriement de réfugié Tchadien du camp de Langui, Notre Code: CMR/01899/11/AHM/am*

⁶⁰⁰ *Ibid.*

⁶⁰¹ File N°86 /D5/SDAC/SREM , *Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, A/S,Projet D'accord Tripartite Cameroun-TChad-Hcr En Vue Du Rapatriement Volontaire Des Refugies Tchadiens Ducamp De Langui, Yaoundé, le 29 JAN. 2010*

⁶⁰² Fax message from the director of the Civil cabinet to the minister of external relations – Cameroon. See appendix 12

that caused their flight have not changed appreciably for the better. UNHCR and partners will only have to organize voluntary repatriation when this condition is assured. The tripartite agreement provides the republic of Chad the responsibility to provide reliable information to refugees before their return. To ensure the absolute voluntariness of the free returns of the refugees, UNHCR, in collaboration with the Governments of Chad was commissioned to provide the refugees with objective, succinct and precise information on the political situation and conditions at home before return. In collaboration with the other parties as referred to in the agreement organized repatriation⁶⁰³ and reintegration of refugees in Chad⁶⁰⁴. Throughout the past three decades, misinformation has been a common reason for repatriation, as seen in the return of hundreds of thousands of refugees to Chad, Nigeria, and CAR. Having a clue about the security situation in the country of origin will help to ensure and facilitate an effective return.

The Chadian government was also mandated to take necessary measures and to provide a safe opportunity for the refugees to visit Chad and verify the information given by peers, state, and the UNHCR to them. Article five of this agreement states that “In a situation where Chadian Refugees living in Cameroon express their desires to verify the information for themselves the parties will appropriately facilitate visits to Chad by representatives of said refugees, to allow free will⁶⁰⁵”. The organization of a “come and see” “go and tell” fact-finding mission headed by the refugees help the refugees to make a conscious and intentional decision on return. The Government of Chad was to ensure the security of the representatives of the refugees during the fact-finding visits⁶⁰⁶. While in their country of origin the safety of Chadian refugees is as important as their safety in the course of return to their country of origin. The parties to the tripartite agreement further gave the Government of Chad the tremendous opportunity to ensure the safety of the returnees as soon as they are in its territory⁶⁰⁷.

Guarantee upon return: The Government of Chad has a mandatory responsibility to ensure that its nationals should return in safety and with dignity without any fear of harassment, discrimination, arbitrary detention, physical threat, or prosecution on account of having left or remained outside the country, and should provide guarantees and amnesties to this effect. They

⁶⁰³ A. Cohen and C. Wellman, *Contemporary Debates in Applied Ethics*, Malden, MA: Blackwell Publishing 2005, pp.193-206.

⁶⁰⁴ Article 5 of Tripartite Agreement for the Voluntary Repatriation of Chadian Refugees Living in Cameroon between the Government of the Republic of Cameroon, the Government of the Republic of Chad and the United Nations High Commissioner for Refugees, July 21 to 22,2011.

⁶⁰⁵ Article 5(paragraph 2)

⁶⁰⁶ Article 5 (Paragraph 3)

⁶⁰⁷ Article 7 (paragraph 3) of the tripartite Agreement

were also to take all measures to ensure the restoration of full national protection⁶⁰⁸. The country of origin provided repatriating refugees with the necessary travel documents, entry permits, and any other documentation required for a return. Where refugees have lost their nationality, the country of origin was to arrange for its restoration as well as for its granting to children born outside the territory and, as appropriate, to non-national spouses.

The returnees benefited from all the amnesty or leniency measures provided for by the legislation in force in the Republic of Chad. The Government of Chad was also mandated to facilitate following the regulations in force, the recovery and/or restitution in favor of the returnees of any movable or immovable property which they have lost or abandoned as well as simplified the formalities for the returnees and facilitate the entry of their property and personal belongings, without customs duties, taxes and national financial obligations. The Chadian Government was also to guarantee the equal enjoyment by returnees of all the rights attached to Chadian citizenship as enshrined in the legal instruments relating to human rights to which Chad is a party⁶⁰⁹.

Furthermore, article 10 paragraph 2 commissions the Chadian government to recognize and regularize per the national legislation, the changes which have occurred in the family composition of the returnees or their marital status, in particular as regards death, adoption, or legal guardianship, marriage, and divorce based on administrative documents drawn up by the Cameroonian authorities and/or based on documents drawn up under the control of UNHCR (**see appendix 38**). The Republic of Chad had the responsibility to collaborate with UNHCR to enable the institution to effectively monitor the treatment accorded to returnees⁶¹⁰. More importantly, this provision provides the supranational organization the audacity and might to carry out a proper and crystal investigation in ensuring that reintegration is by the standards of the principle of humanitarian law and human rights.

The Responsibilities of the state of Cameroon

Collaboration, cooperation, and partnership: From the beginning of displacement to integration and voluntary repatriation the State of Cameroon has worked for hand in hand with the Republic of Chad and the UNHCR to ensure that Chadian refugees in Cameroon find durable and meaningful solutions to their plights. Since the February 2008 event in Chad which saw the flow of about 15000 Chadian refugees to Cameroon over a night, Cameroon provided

⁶⁰⁸ Article 8 of the Tripartite Agreement

⁶⁰⁹ Article 8 (paragraph 3, 4,5)

⁶¹⁰ Article 12 (paragraph 2).

space for them to settle while networking with other parties like UNHCR and the government of Chad to see how they could provide material and psychological assistance while developing strategies to bring their refugee life cycle to an end. The voluntary will of refugees to return to their country of origin is the cornerstone of repatriation. The tripartite agreement signed between parties involved in the repatriation of Chadian refugees encourages close cooperation between the Government of Cameroon and UNHCR⁶¹¹. This was to ensure that UNHCR fully exercise its supervisory role regarding the voluntariness of the repatriation based on free will to make a decision.

Between 2008 to 2012⁶¹² Cameroon worked tirelessly to see that Chadian refugees returned safe and with dignity. Through collaboration with UNHCR, Chad, higher power, and other institutions like the IOM with a mandate to seek durable solutions to the plights of Chadian refugees several meetings were organized within and without the international borders of Cameroon to discuss the voluntary repatriation of the population of concern. First and foremost, Cameroon within its ministerial bodies worked collaboratively to see that this event was properly organized and in line with international norms ratified by Cameroon. Through diplomatic and administrative writing Cameroon was able to host several meetings in Yaoundé together with the UNHCR-Cameroon (**see appendix 5**). During the meeting issues related to the security of persons and properties were discussed, likewise voluntariness and provision of transport and documentation.

Safeguarding the legality of voluntary repatriation: In the early stage of the process, the interest of Cameroon was to ensure that the UNHCR with its gigantic supervisory mandate ensured return was done with respect to the law of the state and law guiding and protecting the refugees in Cameroon. The interest of Cameroon was made known in an update on Chadian refugees sent to the office of the prime minister. The promulgation of the 27th July 2005 law on refugees is a crystal and vivid indication of Cameroon's commitment and determination to assist refugees to find permanent solutions to their plights (**See appendix 40**). Article 7 of Cameroon law on refugees guarantees Chadian refugees peaceful entry into its territory. This law also provides the refugees with an avalanche of opportunities and privileges to move without fear of arrest. More importantly, Cameroon is a State party to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (hereinafter referred to jointly as the

⁶¹¹ Article 3 of the Agreement of Repatriation.

⁶¹² File N° A218/a /SG/PM , Objet: Maîtrise des flux migratoires au Cameroun.- REC 06 JUL 2012 Yaoundé, le 5 JUIL 2012.

1951 Convention). Cameroon also ratified the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.

The ratification of these two vital instruments protecting and preserving the dignity and safety of refugees in times of repatriation contributed to the strategic role Cameroon played in the voluntary repatriation of Chadian refugees. Beyond everything, Cameroon has incorporated the key principles of international protection into its 2005 Refugee Law, including the refugee definition contained in the 1951 Convention as well as the one contained in the OAU Convention, the principles of *non-refoulement*, and non-expulsion, and the exemption from sanctions for illegal entry. In addition, Cameroon reaffirmed with parties to the tripartite agreement that return was made basically on the expression of free will and that refugees who did not express the willingness to return should not be directly or indirectly forced to return. This alone is evidence of Cameroon's good office toward Chadian refugees in Cameroon⁶¹³.

Security and safety: The responsibility to ensure the safety of the refugees to be repatriated while they are still on its territory, including in camps, places of assembly, and during escort movements to cross-border crossing points rested on the shoulder of the government of Cameroon. As one of the signatories of the 2012 Tripartite Agreement guiding the sustainable repatriation of Chadian refugees from Cameroon, it committed a lot of efforts to ensure that voluntary repatriation was conducted by all parties in a progressive, humane, orderly manner, in conditions of dignity and safety, in a secure environment which lends itself to sustainable return⁶¹⁴. It further made sure that the physical, material, and psychological security conditions enabled UNHCR and other humanitarian actors to organize useful actions or interventions.

Registration and documentation: In close cooperation with the Cameroonian Government, the UNHCR established direct contacts with the refugees to register them, verify the will to return for those who opt for repatriation, and voluntary repatriation forms. UNHCR was responsible for communicating these forms to Governments within a reasonable period and at least one day before crossing the border, to allow the necessary arrangements for planned repatriation to be put in place to guarantee the safety and dignity of the returnees. Cameroon also works in collaboration with all national stakeholders, like MINAT, and the ministry of defense to establish and prepare travel documents for these refugees⁶¹⁵. Over the years

⁶¹³ Article 1 (paragraph 1&2) of the tripartite agreement between Cameroon/Chad / UNHCR on the voluntary return of Chadian refugees in Langui camp , Garoua, Cameroon

⁶¹⁴ Article 7 (paragraph 1 and 2) of the 2012 tripartite agreement between Cameroon, Chad and UNHCR.

⁶¹⁵ File NO 02854 DIPLDS SDAC/, Objet : *Etablissement d'un Titre de Voyage de la Convention*, Yaoundé, le 27 Juin 2012

Cameroon has not only helped to establish traveling passports to facilitate repatriation they have also done that in times of resettlement⁶¹⁶.

The Responsibilities of the UNHCR

Supervisory: The UNHCR has a global mandate to provide absolute assistance, and protection and seeks durable solutions to refugees' predicament in the world at large. In order to achieve its mission its primary goal is to ensure that its assembled government around the world from the Americas, to Europe, Asia, the middle east, and Africa collectively find a holistic and lasting solution to the refugee problem. Central to the UNHCR mandate is a durable solution. Which entails effective local integration in urban areas and host communities, voluntary return to the country of origin, voluntary resettlement to a third asylum country, and effective reintegration into your place of habitual residence upon return. Voluntary return is the most preferable solution to the refugee problem around the world. Based on voluntary repatriation, the UNHCR was conferred a supervisor role to ensure that the articles of repatriation were respected to the latter. Above all, it worked to ensure that the return of Chadian refugees was carried out in safety and with dignity and in line with the international and regional conventions protecting them against willful repatriation.

Registration and documentation: The UNHCR worked in close collaboration with the government of Cameroon to register the refugees who freely expressed their heart desires to return to their country⁶¹⁷. The UNHCR was to make sure that it provided them with a voluntary repatriation form that served as an identification document in Cameroon and upon return to their country of origin. After the registration of Chadian refugees, UNHCR was also committed to transferring the document with limited days to the Chadian authorities and other stakeholders for transparency and good accountability.

Mobilization of resources from the International Community: The repatriation of refugees remains a myth without tremendous humanitarian support from international partners and philanthropists. Coupled with its responsibility to supervise the scope of voluntary repatriation, the UNHCR also has the power to obtain from the international community the resources necessary to carry out the operation of repatriation of Chadian refugees residing in Cameroon and the activities of their reintegration in Chad⁶¹⁸. For effective and efficient

⁶¹⁶ File No 2855 DIPL/D5/SDAC/SREM, Objet : *Etablissement d'un titre de voyage de la Convention, Yaoundé, le 27 Juin 2012*

⁶¹⁷ File NO 02853 DIPL/D5/SDAC/,Objet : *Etablissement d'un Titre de Voyage de la Convention , Yaoundé, le 27 Juin 2012*

⁶¹⁸ Article 6 of the tripartite agreement of repatriation of Chadian refugees in Cameroon. This article set out to mobilize assistance from the international community and other philanthropist contributing to enhance the lives of refugees in the world.

execution of one or more components of the repatriation program envisaged in the tripartite Agreement of 2012⁶¹⁹, UNHCR had the inherent mandate to collaborate with Governments, and enter into specific partnership agreements with intergovernmental or non-governmental organizations to facilitate the repatriation process of Chadians in Cameroon. The ability of UNHCR to secure funds and assistance from humanitarian assistance is very significant in ensuring holistic implementation of the tripartite agreement of repatriation. The need for financial resources is indispensable to the attainment of voluntary repatriation.

iii. Different Phases of repatriation 2012-2013

There were two principal phases of this repatriation. That is, the 2012 and 2013 phases as discussed in the following paragraphs.

iv. The 2012 Voluntary Repatriation of Chadian Refugees

After the signing of the tripartite agreement on- the 12th of August 2012 (see **appendix 21**) between Cameroon, Chad, and UNHCR, contracting parties began repatriating refugees to Chad on September 11, 2012⁶²⁰. (see **appendix 19**). Under the selected program, the repatriation schedule called for 1528 people, of which the first wave was composed of 850 left as follows (see **table 3**).

Table 3: The voluntary repatriation of 1st batch of Chadian refugees in Langui Camp

The voluntary repatriation of 1st batch of Chadian refugees in Langui Camp		
Convoy	Date	Number of returnees
First	07 December 2012	150 persons
Second	11 December 2012	375 persons
Third	12 December 2012	350 persons
Fourth	13 December 2012	325 persons
Fifth	19 December 2012	302 persons
Sixth	21 December 2012	307 persons
Seventh	22 January 2013	365 persons
Total number of persons repatriated		2174 persons

Source: International migration organization, compiled by the author, 29 November 2012.⁶²¹

⁶¹⁹ File N°85./D5/SDAC/SREM, Note A L'attention De S.E.M. *Le Ministre Des Relations Exterieures A/S, Projet D'accord Tripartite Cameroun-TChad-Hcr En Vue Du Rapatriement Volontaire Des Refugies TChadiens Vivant Au Cameroun Yaoundé, le 22 Juin 2010*

⁶²⁰ File N°32 /D5/SDAC/SREM, *Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, A/S, Projet D'accord Tripartite Cameroun-TChad-Hcr En Vue Rapatriement Volontaire Des Refugies TChadiens Vivant Au Cameroun , Yaoundé, le 22 Fev. 2010.*

⁶²¹ File N° 107/PR/PM/MATD/CNARR/SP/2012

In partnership and collaboration with all parties, the UNHCR together with Cameroon, Chad, and other partners organized a farewell ceremony for Chadian refugees in the camp. The head of state was represented by the governor of the North region. The first convoy of the governor left for the grand ceremony on December 5 2012 for the Langui Camp⁶²². On Thursday, 06, December 2012⁶²³ the UNHCR Staff and partners arrived Langui to start the placement of Chadian refugees on the bus and the verification of documents of repatriation. On the 7th of December 2012, the first batch of Chadians left the Langui camp, followed by the second on the 12 of December of the same year, and lastly the 3rd on the 19th of December 2012. The first batch saw the departure of about 150 refugees. The second 350 and third 350 make it a total of 850. (see appendix 31)

Plate 7: Departure of Chadian refugees from Langui Camp to Chad



Source: UNHCR-Chad

v. The 2013 voluntary repatriation phase

On January, 22, 213 Chadian refugees composed of 123 families spent their last night on Cameroon soil in Langui Refugee Camp in Garoua. The last convoy of voluntary returnees arrived in Chad. The voluntary repatriation operation was jointly organized by the UNHCR office in Cameroon, Chad, and the national commission for reception and reintegration of refugees (CNARR) in Chad⁶²⁴.

⁶²² Réf.: M/L n° 00386/DIPL/D5/SDAC/SREM du 25.02.10, Objet : *Projet d'Accord Tripartite Cameroun-TChad-HCR en vue du rapatriement volontaire des réfugiés Tchadiens vivant au Cameroun*

⁶²³ Presidency of the republic of Chad., Call for support for voluntary returns of Chadian refugees living in Cameroon. N° 107/PR/PM/MATD/CNARR/SP/2012, 29 November 2012. This was a call for assistance addressed by the government of Chad to the International organization for migration.

⁶²⁴ Notre/Our code: CMR/0899/11/AHM/am ,Objet : *Accord tripartite Cameroun/Tchad/UNHCR sur le rapatriement des réfugiés Tchadiens du camp de Langui, 08 juillet 2011*

Table 4: Detailed program for the voluntary repatriation of Chadian refugees in Langui Camp

	Activities	Period	Responsibility
1	Registration of candidates for repatriation	19/11/2012 and 20/12/2012	UNHCR/CAM
2	Preparation of convoy (pre-manifestation)	After 19/12/2012	UNHCR/CAM
3	Construction of transit center and rehabilitation center	21/11/12 and 28/12/2012	UNHCR/CAM
4	Lunching of 1 st batch	6/12/2012	UNHCR/CAM
5	Reception of returnees	7/12/2012	UNHCR/Tchad
6	Lunching of the 2 nd convoy	11/12/2012	UNHCR/CAM
7	Reception of returnees	12/12/2012	UNHCR/Tchad
8	Lunching of the 3 rd convoy	18/12/2012	UNHCR/CAM
9	Reception of returnees	19/12/2012	UNHCR/Tchad
10	Lunching of the 4 th convoy	14/01/2013	UNHCR/CAM
The 2013 year			
11	Reception of returnees	15/01/2013	UNHCR/Tchad
12	Lunching of the 5 th convoy	21/01/2013	UNHCR/CAM
13	Reception of returnees	22/01/2013	UNHCR/Tchad

Source: Minrex

The latest wave of Chadian refugees left the Langui camp, a camp housed in the UNHCR Sub-Delegation in Bertoua, Cameroon, spending one night in a camp set up in Waza, Kousseri, and then crossing the Ngueli bridge on the Chadian side to be in their homeland. The site identified by the CNARR for received returnees was the Klémat social center in N'Djaména.

On arrival at the borders, returnees were taken into account at the border and then taken in convoy to Klémat, where they are individually received and registered⁶²⁵. They received assistance for their return, including the payment of a viaticum by the UNHCR, mats, and soaps distributed by the IOM. Medical screening was carried out by IOM and Chad Red Cross nurses.

⁶²⁵ File No 0299DIPL/D5/SDAC/SREM, Yaoundé, le 03 SEP. 2012, *Direction Du Protocole Et Des Affaires Consulaires And Consulaires*

The Chief Protection Officer, Mr. Bamba Tane MAHAMANE of the UNHCR N'Djamena told the returnees that the next phase of this operation is protection "We will follow them for a while. As for the civil servants who are going to reintegrate their function, we will deal with the National Commission for the Reception and Reintegration of Refugees (CNARR). For those who needed other types of assistance, the chief protection officer promised to handle that with other UN agencies and promised to assist them for at least six months⁶²⁶. This voluntary repatriation program began on December 7, 2012, and has resulted in the return of 1,818 Chadians. After the departure of some 336 voluntary repatriates, the Langui camp, which opened in 2008, was to be shot down. (See appendix 34)

Plate 8: The arrival of returnees to Chad



Source: UNHCR-Chad

Generally, it should be recalled that, following the February 2008 rebel attacks in the town of N'Djamena and the regular army counter-offensive more than 100,000⁶²⁷ people escaped to Cameroon in the border town of Kousseri to seek refuge and social protection (see appendix 23, and 24). The signing of the tripartite agreement between Cameroon, Chad, and UNHCR permitted hundreds of thousands of refugees to return home in a planned and organized manner underpinned the shared responsibilities and consciousness of voluntary returns (see appendix 38). By signing this agreement, the Cameroonian and Chadian authorities, as well as the UNHCR paved the way to the end of the Chadian refugee's life cycle in Langui camp through voluntary repatriation. This process was successful because of the

⁶²⁶ Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, A/S, Reunion Technique Sur L'accord Tripartite Cameroun/TChad/Hcr En Vue Du, Rapatriement Volontaire Des Refugies TChadiens Du Camp De Langui, Yaoundé, leq 19 JUIL 2011

⁶²⁷ Speech by the representative of UNHCR in Cameroon on the Official signing ceremony of the tripartite agreement between the Government of the Republic of Cameroon, the Government of the Republic of Chad and the United Nations High Mission for Refugees for the voluntary repatriation of Chadian refugees living in Langui camp in Cameroon.

consistent effort and commitment of the Republic of Chad to restore order and security in the country. The consolidation of these security and development initiatives reassured the refugee of effective reintegration into their place of origin.

III. Voluntary Repatriation of Central African Republic (CAR) Refugees from Cameroon

Voluntary repatriation of CAR refugees is the most important cornerstone for durable solutions to the displaced CAR populace in Cameroon. This occupies a central place in the international, regional, and national legal framework protecting the CAR refugees in Cameroon and elsewhere in Africa. The 2012 conflict in the Central African Republic led to many displacements and rendered people homeless pushing many vulnerable persons to seek refuge in other countries, Cameroon inclusive. Cameroon maintains an open-border policy for asylum-seekers⁶²⁸ and is a signatory to all major legal instruments on refugees, including the 1951 Refugee Convention⁶²⁹ and the 1969 OAU Refugee Convention.⁶³⁰ With the hospitality of Cameroon and due to the fact that Cameroon and CAR are both found in the CEMAC zone, Central African Republic refugees have sort refuge easily in Cameroon with their various problems. After so many years in Cameroon, a handful of CAR refugees started as early as 2017 to express their willingness to return to their country of origin. The call brought together the Government of the Central African Republic, the Government of Cameroon (host State), and UNHCR to establish a tripartite agreement that will guard the voluntary returns of CAR refugees to their country of origin. Understanding the extent to which this process is beneficial to returnees is very necessary. So these sections provide brief insights into the origin and causality of the CAR refugee movement, the diverse responsibility shouldered by key stakeholders to enhance voluntary returns, and par anomic representation of the 2019 voluntary repatriation proper.

i. Origin and causality of CAR displacement

Before focusing on the voluntary repatriations of CAR refugees from Cameroon, it is imperative to have an understanding of the origin and the causality of CAR refugees' displacement. This narrative is very significant and it provides us with an informed choice and better latitude to best appreciate the extent to which the absolute repatriation of CAR of these

⁶²⁸ www.unhcr.org-UNHCR country operations profile in Cameroon, consulted on the 15th September 2019.

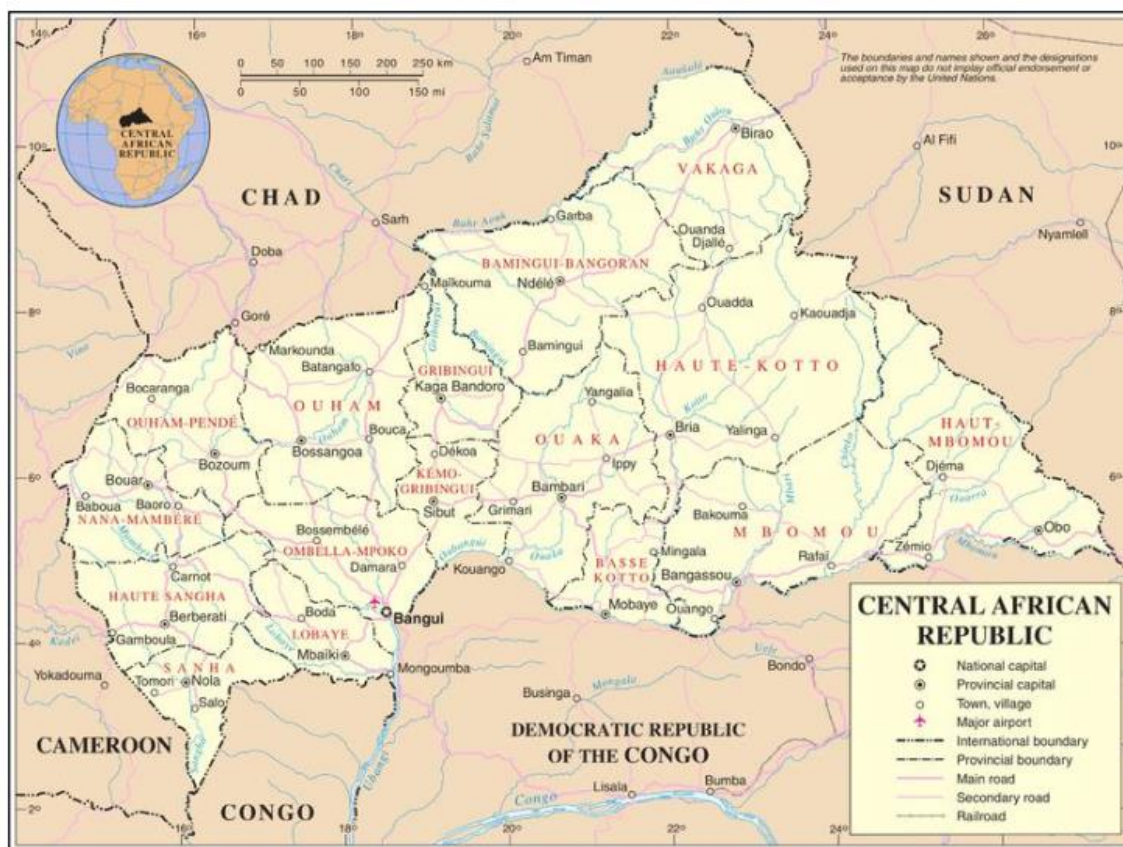
⁶²⁹ Convention relating to the Status of Refugees, 1951.

⁶³⁰ Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969.

refugees from Cameroon will bring an end to their pain and suffering. One of the greatest tenets relevant for voluntary repatriation is to bring to an end the fundamental and well-founded socio-political reasons that led to the flights of so many CAR citizens into Cameroon.

It is imperative to understand that CAR is a land-locked country divided into 16 prefectures with its capital, Bangui, located in the southeast, near the border with the Democratic Republic of Congo (DRC). With an estimated population of 4.6 million⁶³¹ spread over a landmass of 623,000 square kilometers, the country has a relatively low population density. Besides abundant land, CAR is well endowed with natural resources such as timber, gold, and diamonds.

Map 7: Map of the Central African Republic



Source: Map No. 4048 Rev. 6 United Nations⁶³² April 2013, Department of Field Support, Cartographic Section

Culturally, CAR's diverse ethnic groups—primarily the Gbaya, Mandja, Banda, Nzakara, Zandé, Mboum, Sara, Ngbandi, Oubanguiens, Bantou, Pygmées, and the Peulh, have for the most part coexisted peacefully.⁶³³ While inter-communal divisions, marginalization,

⁶³¹ UNFPA, Final Country Programme Document for the Central African Republic, 29 September 2011, p.1.

⁶³² UN map of CAR consulted on the 6th November 2019

⁶³³ A .Marc., Understanding access to justice and conflict resolution at the local level in the Central African Republic (CAR), World Bank ,Washington D.C: 24 February 2012, p. 49.

and rivalries have always been present in the country, they had not typically been a direct source of conflict. Since CAR claimed its independence from France in 1960, the Central African Republic (CAR) has weathered multiple conflicts, coup d'états, and weak leadership.

Table 5: CAR POLITICAL LEADERS SINCE INDEPENDENCE

1960	David Dacko	President post-independence
1966	Jean-Bédél	Coup d'état
1979	David Dacko	Coup d'état
1981	André Kolingba	Coup d'état
1993	Ange-Felix Patassé	Multi-party elections
2003	Francois Bozizé	Coup d'état
2013	Michel Djotodia	Coup d'état
2014	Catherine Samba-Panza	Appointed by National Transitional Council

Source: Department of Operations and Emergencies, International Organization for Migration (IOM), Geneva, Switzerland, Working Paper August 2014.⁶³⁴

Politically, however, CAR has seldom known peace and security. From its earliest history, dating back to the 7th century, various empires and sultanates competed for control over the resource-rich territory; and slave traders ravaged the area during the 16th-19th century. The French, Germans, and Belgians arrived in 1885, and from 1894- 1960, France included it as part of French Equatorial Africa.

However, until 1903, several revolts prevented France from establishing a colonial administration. Small-scale revolts continued to surface in the decades that followed. After the Second World War, a rebellion forced France to grant self-government in 1946. The country won its independence in 1960 under its first president David Dacko. However, five years later (1965) Col. Jean-Bédél Bokassa, known as a highly corrupt and violent leader that led the country to economic ruin,⁶³⁵ instigated the first of what became a long series of successive coup-d'états, with the latest occurring in March 2013.

Since its independence from France in 1960, most political changes have resulted from, mainly violent, coups d'état (1965, 1979, 1981, 2003, and 2013). Even though the country held

⁶³⁴ IOM, Migration dimensions of the crisis in the Central African Republic: Short, Medium and Long-term Considerations, Working Paper August 2014 p.13.

⁶³⁵ Bokassa's regime was heavily supported by the French, both militarily as well as financially. Isse, I. Central African Republic: retaliatory Violence Creating Atmosphere Of Insecurity, Alternatives International Journal (Montreal: 1 December 2013).

elections in 1960, 1993, 2005, and 2011, Central Africans suffered a serious governance deficit characterised by human rights violations, lack of development, limited freedom of political expression, and marginalisation or underrepresentation of certain communities, including Muslims and other minorities. In this context corruption, nepotism, the plundering of natural resources, foreign interference, and criminal elements have flourished.⁶³⁶

Since 2008, the Lord's Resistance Army (LRA) has been actively present in the southeast. Armed opposition to the government of Francois Bozizé, who had seized the presidency in a coup d'état in 2003, intensified following elections in 2005. Many political actors deemed the polls fraudulent and armed movements sprung up in the northeast, a geographically remote area that had been neglected by the central government for years.⁶³⁷ Due to its remoteness and low population density, the northeast had been designated an autonomous district during colonial times. To this day its mainly Muslim population is often referred to as foreigners, even though they have lived in the country for generations.⁶³⁸ Discrimination has led many Muslims to take on a Christian name.⁶³⁹

Several rounds of peace talks were organized between 2007 and 2011 but subsequent agreements were never properly implemented as Bozizé reportedly lacked genuine willingness and the international community failed to exert pressure. Following controversial elections in 2011 that extended Bozizé's rule, several armed movements regrouped in the northeast and eventually coalesced into a coalition called Séléka⁶⁴⁰ towards the end of 2012.⁶⁴¹ Principally motivated by the possible financial benefits of joining the armed opposition, many Chadians and Sudanese (mostly from Darfur) joined the coalition. Séléka thus started as a diverse group of Central African and foreign combatants, the majority of whom were Muslim.⁶⁴² Its agenda was purely political: removing and avenging the Bozizé regime and its beneficiaries, most of whom were Christians, given the country's religious make-up at the time.⁶⁴³

By the end of 2012, which is considered the start of the current crisis, there were already around 132,000 IDPs. The primary causes of displacement were the internal armed conflict

⁶³⁶ UN, Report of the Secretary-General on the Central African Republic, 3 March 2014, p.

⁶³⁷ S. Spittaels and F. Hilgert, Mapping Conflict Motives: Central African Republic, 2009, pp.7-11.

⁶³⁸ L. Lombard, Genocide-mongering does nothing to help us understand the messy dynamics of conflict in CAR, 2014, p.2.

⁶³⁹ Ibid

⁶⁴⁰ Séléka is Sango for coalition

⁶⁴¹ UN International Commission of Enquiry Report, p12.

⁶⁴² International Crisis Group, "Central African Republic: Priorities of the Transition", Crisis Group Africa Report No203, 11 June 2013, pp.7-8.

⁶⁴³ R. Marchal ., "Central African Republic: Back to War Again?" The Global Observatory, 2013, p.1.

between 2005 and 2008, subsequent fighting between armed opposition groups and government forces, clashes between cattle herders and farmers, and attacks by criminal elements and the LRA.⁶⁴⁴ Séléka launched an offensive against the central government in December 2012. Despite the signing of agreements on 11 January 2013 in Libreville,⁶⁴⁵ Séléka resumed its violent offensive and ended the country's coup-free decade by overthrowing Bozizé on 24 March 2013. He was replaced by the leader of the coalition, Michel Djotodia. Bozizé's ousting initially triggered euphoria among the majority fed up with his dictatorship. Séléka welcomed many recruits in its ranks, mostly young Christians from Bangui.⁶⁴⁶

However, the new president was unable to control the various Séléka elements that continued to pillage and burn houses, kill, and rape.⁶⁴⁷ Muslim communities were often less likely to be targeted by Séléka,⁶⁴⁸ adding to a growing anti-Muslim sentiment among the majority Christian population. Séléka was officially disbanded in September 2013 (its elements therefore from then on referred to as ex-Séléka) although this did not bring an end to their human rights violations.⁶⁴⁹ This triggered the resurrection of the anti-balaka,⁶⁵⁰ a combination of local defense groups and remnants of the Central African Armed Forces, made up of mostly, but not exclusively, young men with Christian and/or animist beliefs.⁶⁵¹

They intensified their attacks on ex-Séléka elements towards the end of 2013, with an escalation of the situation in the capital on 5 December, characterised by revenge-motivated violence targeting members of the Muslim community. This included killings and the pillage and destruction of houses, reportedly aimed at removing Muslims from the country.⁶⁵² The retreat of ex-Séléka was as violent as their arrival. On 5 December 2013, the UN Security Council authorised the deployment of an International Support Mission in the Central African Republic (MISCA) of the African Union for twelve months. It also authorised the French forces

⁶⁴⁴ IDMC, Central African Republic: Internal Displacement in brief, as of December 2013, p.1.

⁶⁴⁵ UN Security Council, Department of Public Information. Agreements signed today in Libreville, 11 January 2013, p.1.

⁶⁴⁶ Lombard, op. cit., p.1.

⁶⁴⁷ UN International Commission of Inquiry on CAR, op. cit., p.18-20.

⁶⁴⁸ Marchal, op. cit., p.1.

⁶⁴⁹ International Crisis Group, "Central African Republic: Better Late Than Never", Crisis Group Africa Briefing No96, 2 December 2013, p.3.

⁶⁵⁰ The word balaka means machete in Sango, although some explain the group's name by the French word for an AK-47 bullet (balle AK).

⁶⁵¹ IRIN, Briefing: Who are the anti-balaka of CAR? 12 February 2014, p.2.

⁶⁵² *Ibid*.

in CAR (referred to as Sangaris) to temporarily support MISCA.⁶⁵³ Both forces were unable to bring an end to the violence.

Increased international pressure ultimately led to Djotodia's resignation in January 2014. A new transitional government was inaugurated, led by the former mayor of Bangui, Catherine Samba-Panza. Efforts to end hostilities culminated in the Brazzaville cease-fire agreement of 23 July 2014. The resultant reshuffled government included representatives of ex-Séléka and anti-balaka elements as well as a Muslim Prime Minister.⁶⁵⁴ While violent confrontations between ex-Séléka, Muslim youth self-defense groups, and anti-balaka elements continued, there was a slight improvement in the security situation in certain parts of the country and some returns of IDPs (mostly non-Muslims) were observed. On 15 September, MISCA's mandate was transferred to the UN Multidimensional Integrated Stabilisation Mission in the Central African Republic (MINUSCA). Besides a focus on the protection of civilians, the mission is also expected to prepare for elections.⁶⁵⁵ In October 2014, Bangui witnessed a serious upsurge in violence, resulting in numerous deaths and causing fresh displacement. This triggered violence in other parts of the country.⁶⁵⁶

In 2014, Amnesty International reported several massacres committed by the anti-balakas against Muslim civilians, forcing thousands of Muslims to flee the country.⁶⁵⁷ Other sources report incidents of Muslims being cannibalized. All these happenings in Central Africa caused many of its citizens to flee the country and move to countries that were close to its borders like Cameroon and Chad. According to the UN, almost 90,000 people have fled to Cameroon since December and up to 2,000 a week, (mostly women and children) are still crossing the border. This is how CAR refugees came about in Cameroon. Now, there are many places where Cameroon hosts these refugees like Lolo, Gado, Mbile, Timangolo, Bertoua, and Wanju but our focus is the Lolo refugee site.

The figure below shows the numbers of refugees and asylum seekers that rushed to Cameroon from various countries, including the Central African Republic, according to UNHCR Global Appeal 2014- 2015.

⁶⁵³ UN Security Council Resolution 2127, 5 December 2013, pp.7-9.

⁶⁵⁴ Jeune Afrique, Fiches Pays: République Centrafricaine, 25 August 2014

⁶⁵⁵ UN Security Council Resolution 2149, 10 April 2014, pp.9-10.

⁶⁵⁶ OCHA, Central African Republic: Overview of the Situation in Bangui from 7-19 October, 19 October 2014, p.1.

⁶⁵⁷ *Ibid.*

Table 6: UNHCR Planning figures for Cameroon

Type of Population	Origin	Dec 2013		Dec 2014		Dec 2015	
		Total in country	UNHCR assisted	Total in country	UNHCR assisted	Total in country	UNHCR assisted
Total		101,560	101,560	93,770	93,770	85,590	85,870
	CAR	94,450	94,450	86,470	86,470	78,250	78,250
Refugees	Chad	1,540	1,540	1,640	1,640	1,690	1,790
	Nigeria	1,760	1,760	1,820	1,820	1,870	1,870
	Various	960	960	1,060	1,060	1,080	1,260
	CAR	1,330	1,330	1,300	1,300	1,260	1,260
Asylum-seekers	Chad	460	460	450	450	440	440
	Guinea	240	240	230	230	230	230
	Various	820	820	800	800	770	770

Sources: U.S. Department of State Task Order No. SAWMMA13F2592⁶⁵⁸

The refugees from CAR are by far the largest group of refugees in Cameroon. These refugees have been fleeing at a steady rate since 2005/2006 due to high levels of banditry and other threats to security in the northwest region of CAR. Another wave started fleeing CAR in March 2013 following increased political instability and violence. The 2005 CAR caseload of around 90,000 lives mostly in the East and Adamawa regions, with some urban refugees in Yaoundé. This population is largely from the Mbororo ethnic group and is Muslim. Because of their frequent movement as nomadic pastoralists, they have long-established ties with their host communities, particularly in the East region.

ii. Measures taken by CAR, Cameroon, and UNHCR to Voluntary Return of CAR Refugees from Cameroon

After several years of exile, on 29th June 2019,⁶⁵⁹ the UNHCR, the Government of Cameroon (GOC), and the Central African Republic (CAR) signed a Tripartite Agreement to commence the voluntary repatriation of CAR Refugees in Cameroon. In accordance with the Geneva Convention of 28 July 1951 relating to the status of refugees and its Additional Protocol of 31 January 1967; and most especially the OAU Convention of 10 September 1969

⁶⁵⁸ Field Evaluation of Local Integration of Central African Refugees in Cameroon Final Field Visit Report, U.S. Department of State Task Order No. SAWMMA13F2592, Evaluating the Effectiveness of Humanitarian Engagement and Programming in Promoting Local Integration of Refugees in Zambia, Tanzania, and Cameroon, September 22, 2014, p.5.

⁶⁵⁹ UN High Commissioner for Refugees (UNHCR), *Tripartite Agreement for the Voluntary Repatriation of Central African Refugees Living in Cameroon between the Government of the Republic of Cameroon, the Governments of the Central African Republic and UNHCR*, 29 June 2019, available at: <https://www.refworld.org/docid/5d2f244a4.html> [accessed 14 August 2021]

governing Specific Aspects of Refugee Problems in Africa, and more specifically Article V governing voluntary repatriation CAR refugees were given a durable opportunity to return to their country of origin in safety and dignity. The tripartite Agreement gave each member of the commission a specific responsibility to ensure that repatriation was meaningful and durable.

Responsibility of the Central African Republic

Ensure Voluntary Repatriation is carried out in Safety and Dignity: The commission mandated the CAR to ensure that voluntary repatriation should be safe and indignity. By this, the commission meant that the Government of the Central African Republic has sole responsibility to enhance administrative, judicial, and security structures and take all necessary measures to ensure the voluntary return of refugees in safety and dignity, and their reintegration. This responsibility was only to be carried out once CAR refugees arrived in the territory of the Central African Republic.⁶⁶⁰

Organised Go-and-See / Come-and-Tell Visits on Repatriation and Conditions of Return: Prior to return, the Government of the Central African Republic collaborate with the Government of the Republic of Cameroon, UNHCR, and the Civil Society to organize Go-and-see /Come-and-Tell Visits aimed at providing the refugees with objective and accurate information on their repatriation and reintegration in the areas of return so that the refugees shall be able to decide to repatriate in full knowledge of the facts. During visits to the Central African Republic by Central African refugees living in Cameroon to acquaint themselves with the situation prevailing back in their country of origin, the Government of the Central African Republic ensured the safety of the delegations taking part in the visits and guaranteed their return to Cameroon without any prejudice on the refugee status of the members. In addition, the Government of the Central African Republic was equally obligated to facilitate visits to Cameroon by representatives of returnees already resettled in the Central African Republic so they can share information on the situation prevailing in their areas of residence with those still in Cameroon.⁶⁶¹

Enhance Freedom of Choice of Destination and Freedom of Movement: According to article 20 of the Tripartite Agreement, the Government of the Central African Republic shall reaffirm the right and freedom of Refugees to return to and settle in their area of origin or any other place of their choice in the Central African Republic.⁶⁶² Freedom of movement of

⁶⁶⁰ *Ibid*, Article 18, p.

⁶⁶¹ Article 19 of the Tripartite Agreement for the Voluntary Repatriation of Central African Refugees Living in Cameroon between the Government of the Republic of Cameroon, the Governments of the Central African Republic and UNHCR

⁶⁶² Article 20

returnees was also guaranteed by the Government of the Central African Republic, per the provisions of the Constitution and laws in force in the Central African Republic, and being consistent with International Human Rights Standards. In addition, the Government of the Central African Republic was equally obliged to protect the people from any new displacement and refrained from any resettlement or compelled reintegration.

Recognised Civil Status and Equivalency: The Government of the Central African Republic was called upon to make decisions and actions that recognize any changes in the personal legal status of refugees during their stay in Cameroon, including births, deaths, adoptions, marriages, divorces, and set up a mechanism to recognize and validate academic, technical or vocational diplomas and certificates obtained by Refugees during their stay in Cameroon and to issue appropriate equivalents per the law in force⁶⁶³. In other to ensure that refugees have adequate documentation as they journeyed to their country of origin the government of the CAR facilitated the issuing of national identity documents necessary for the reintegration of returnees within a reasonable period following the resettlement of the returnees in their areas of return.

Reintegration of Returnees: To ensure lasting peace, achieve effective national reconciliation, and better reintegration, the Government of the Central African Republic was mandated to take the necessary measures to guarantee the freedom of movement for returnees to enable them to return to their areas of origin or to resettle in any other locality of their choice.⁶⁶⁴ And to ensure that any Returnee may enjoy all the social, economic, civil, cultural, and political rights attached to Central African citizenship and enshrined in the national laws in force as well as the relevant international instruments, as well as equitable access to public service jobs. The Government of the Central African Republic reaffirms that measures were to be taken to protect the land and property rights of returnees and to guarantee for them where necessary access to justice in accordance with domestic laws in force and international conventions to which the Central African Republic is a party.

Make Easy Entry Procedures: The Government of the Central African Republic were mandated to take measures that simplify the procedures for the return of refugees and citizens of the Republic of Cameroon who are members of any refugee family from the Central African Republic and also enable the entry of their belongings and personal property, which were exempted from customs duties, charges and taxes.⁶⁶⁵ Medical checks and inspections at the

⁶⁶³ Article 23

⁶⁶⁴ Article 24

⁶⁶⁵ Article 25

entry points were carried out promptly. They shall be limited to the minimum requirements and conducted in full respect for the dignity and human rights of refugees.

Facilitate UNHCR Access to Returnees: The Government of the Central African Republic was called to facilitate the UNHCR action during the voluntary repatriation operation by granting its Staff the opportunity to accompany returnees and to access freely and unhindered to areas of return to carry out follow-up activities in the fields of legal and material assistance as well as undertake to facilitate the access by the UNHCR to any voluntary returnee or to any person who benefited from repatriation assistance.⁶⁶⁶ To enable the UNHCR to carry out its supervision functions in accordance with Paragraph 2 of this Article, the Government of CAR had the responsibility to inform the UNHCR of any arrest, detention, and legal proceedings involving returnees; guarantee the handing over to the UNHCR of all relevant legal documentation on the cases in question and allow the UNHCR free access to returnees arrested or detained. Furthermore, access to the UNHCR in pursuance of this Article was extended to the International or Non-Governmental Organizations (NGOs) with which the UNHCR may, in consultation with both Governments concerned, got into Agreements for the conduct of one or more components of the repatriation operation provided for in this Agreement.

Facilitation of Activities of the UNHCR and Its Operational Partners: For better cooperation, implementation, and monitoring, the government of the CAR facilitated the movement of the UNHCR Staff and its operational partners as well as vehicles, essential goods, and equipment duly identified and used within the sphere of the voluntary repatriation operation. The Government of the Central African Republic was further requested to authorize the UNHCR the issue to the Staff throughout the repatriation operation a two-way border crossing authorization whose format was to be determined through the joint consent of all the signatory Parties. It equally provided the UNHCR direct access to the airports/airstrips closest to the final destination areas of the returnees.⁶⁶⁷ In addition, the Government of the Central African Republic facilitated customs and immigration procedures in said airports/airstrips. The safety of the UNHCR Staff and any other Staff involved in the repatriation operation provided for in this Agreement was also provided by the government of CAR.

Customs and Immigration Procedures: The Government of the Central African Republic exempted returnees from taxes, charges, and customs duties on all essential goods;

⁶⁶⁶ Article 26

⁶⁶⁷ Article 27

materials, equipment, and means of transport duly identified and intended for the repatriation and reintegration operation and to ensure the rapid clearance of such goods. They equally authorized the UNHCR to use equipment, frequencies, and the United Nations communication networks effectively and without license fees.⁶⁶⁸ In line with the tripartite agreement, the government of CAR was entrusted with the onus to enable the provision of other frequencies whenever operational need so warrants. The required written authorizations for equipment, frequencies, and cross-border networks were duly issued to the UNHCR upon request.

The Responsibilities of the state of Cameroon

Recognising and protecting the Voluntary Nature of Repatriation. The nature of voluntary repatriation is a primary concern to all stakeholders involved in the search for lasting solutions for CAR refugees. Like the Government of CAR, the asylum country, the government of Cameroon was equally mandated to establish mechanisms that guarantee the voluntary nature of the repatriation of Central African refugees.⁶⁶⁹ This was to be carried out after careful consultations with the High Commissioner who has a generic mandate to make all necessary arrangements to ensure that basic principles underlying international protection are not only implemented but respected. In addition, the Government of Cameroon was equally called to undertake measures that ensure the safety of Refugees seeking voluntary repatriation as long as they shall be in Cameroonian territory, including camps, assembly areas, and when traveling in a convoy to the designated border crossing points.⁶⁷⁰

Information campaigns and visits by refugee representatives (Go-and-See / Come-and-Tell Visits): In order to guarantee the voluntary nature of repatriation, the Government of Cameroon took all necessary measures to ensure that CAR refugees living in its territory were properly informed of the situation prevailing in the Central African Republic. In collaboration with the government of CAR, UNHCR, and CSOs, a Go-and-See-Come and Tell visit was organised to aid CAR refugees make informed choices.⁶⁷¹ This strategy provided CAR refugees with relevant opportunities to make informed and intentional choices. More importantly in partnership with key members of the tripartite Agreement, the government was equally called to facilitate, where appropriate, visits to the Central African Republic by representatives of Central African refugees living in Cameroon to acquaint them with the situation prevailing in the areas of potential return and report to other refugees on their return

⁶⁶⁸ Article 29

⁶⁶⁹ Article 9

⁶⁷⁰ Article 10

⁶⁷¹ Article 11

to Cameroon, without prejudice to their Refugee status. The Government of Cameroon was to be responsible for the security of refugee representatives of the Central African Republic during the visits and permitted the refugees to return to the Central African Republic at the end of the visits.

Status and Treatment of Refugees Who Have not Opted for Repatriation: The Cameroonian Government was given the responsibility to make sure that Central African refugees who did not opt for voluntary repatriation were not directly or indirectly compelled to return to the Central African Republic and that their status shall continue to be governed by the relevant principles and standards of International Protection.⁶⁷² In order to seek better and improved protection for the vulnerable populace, the Government of Cameroon was called to ensure access to refugee status determination procedures for any Central African national seeking asylum in Cameroon, including those who, after having been repatriated, shall be subject to further persecution as defined by the provisions of the 1951 Convention relating to the Status of Refugees, its 1967 Protocol and/or the 1969 OAU Convention.

UNHCR Access to Refugees: The Government of Cameroon was mandated to take all necessary measures to ensure that UNHCR had free and unhindered access to refugees living in its territory for the full implementation of the voluntary repatriation programme. In the same way, any refugee residing in Cameroon is granted access to UNHCR once they express an interest in voluntary repatriation.⁶⁷³ Under this article access provided to UNHCR was extended to International or Non-governmental Organizations (NGOs) with which UNHCR may sign Agreements for the implementation of one or several components of the repatriation operation provided for in the Tripartite Agreement.

Civil Status and Equivalency: The Government of Cameroon had the mandate to legalise, authenticate and issue to the refugees all documents attesting to their civil status, in this case, birth, death, adoption, marriage, and divorce certificates as well as any other documents that had impacted their legal status during their stay in Cameroon. An accelerated procedure for issuing the documents was laid down for this purpose as part of the voluntary repatriation operation.⁶⁷⁴ The Government of Cameroon also provided refugees, before their repatriation and at their request, with authenticated school and apprenticeship diplomas, certificates and testimonials earned during their stay in Cameroon.

⁶⁷² Article 12

⁶⁷³ Article 13

⁶⁷⁴ Article 14

Departure Procedures: To ensure the quick return of refugees and their property, the Government of Cameroon was called to refrain from carrying out the health, customs and immigration procedures normally established at border crossing points, provided that this exceptional measure does not permit the cross-border transfer of prohibited goods and foods. Personal or community property of refugees duly identified as such, including livestock, vehicles, and foodstuffs for personal consumption were to be exempt from all charges, taxes, and customs duties.⁶⁷⁵ If any citizen of the Republic of Cameroon, member of any refugee family from the Central African Republic wishing to be repatriated, decides to settle in the Central African Republic, the Government of Cameroon shall issue him with necessary travel documents. However, the Government of Cameroon was to exempt from taxes, duties, and levies all essential goods, materials, equipment and means of transport duly identified and intended for the repatriation and reintegration operation and to ensure the prompt clearance of such goods as well as authorizes UNHCR to operate United Nations equipment, frequencies and communication networks effectively and free of licensing charges.⁶⁷⁶ Facilitate the allocation of other frequencies whenever operational requirements are required. The written authorizations, required for equipment, frequencies, and cross-border networks were to be duly issued to UNHCR at its request.

Movement and Safety of UNHCR Staff and Resources: The Government of Cameroon was to facilitate the movement of UNHCR staff and implementing partners as well as vehicles, basic needs and equipment duly identified and used within the framework of voluntary repatriation operation; authorises UNHCR to issue to the personnel, for the period of the repatriation operation, two-way border crossing Permits, the format of which shall be decided upon through the joint consent of all signatory parties. The Government of Cameroon has a mandate to finally take all appropriate measures to ensure the safety of UNHCR personnel and other personnel involved in the repatriation operation provided for in this Agreement.

Responsibilities of the UNHCR

Verification of the Voluntary Nature of Repatriation: The core responsibility of the UNHCR during any voluntary repatriation is to verify the effective implementation of the elements of voluntariness. In the situation of CAR refugees, the UNHCR has free and full power to verify the voluntary nature of their decision to return to their country as well as the

⁶⁷⁵ Article 15

⁶⁷⁶ Article 17

effective reintegration of returnees, in a process ensuring the safety and dignity of all concerned.⁶⁷⁷

Information and Awareness-raising Campaigns: The UNHCR in collaboration with other Parties to the Tripartite Agreement organized information campaigns for refugees from the Central African Republic to provide them with relevant, objective, and accurate information on the repatriation and reintegration process and so allow them to decide to voluntarily return to their home country with full knowledge of the situation. The UNHCR in addition to the support of the Governments of the Parties to this Agreement to measures to enable, where appropriate, visits to the Central African Republic by representatives of Central African refugees living in Cameroon to acquaint themselves with the prevailing situation in potential return areas and report to other refugees upon their return to Cameroon, as well as visits to Cameroon by representatives of returnees who returned and are already resettled in the Central African Republic to share with refugees still in Cameroon the information on the prevailing situation in their area of residence.⁶⁷⁸

Registration Provisions and Handling of Residual Cases: Given that the UNHCR is the guarantor of the voluntary nature of the return decision, and in accordance with its mandate, the UNHCR in consultation with the Governments of the Parties to the repatriation Agreement provides the most appropriate means for the consultation and registration of Central African refugees living in Cameroon expressed the wish to be repatriated. The Voluntary Repatriation Form (VRF) duly filled is recognized by the signatory Governments of the repatriation Agreement as a valid identification document in both countries and a document to return refugees to their final destination in the Central African Republic.⁶⁷⁹ The UNHCR is also responsible to ensure that refugees from the Central African Republic who do not opt for repatriation continue to be granted refugee status per the provisions of the 1951 Geneva Convention and its 1967 Protocol, the 1969 OAU Convention as well as the Law applicable in the Republic of Cameroon.⁶⁸⁰ It ensures that in this case the principle of seeking lasting solutions to refugee problems is implemented.

iii. The 2019 voluntary repatriation of CAR refugees

The Government of Cameroon, represented by the Minister of Territorial Administration, Paul Atanga Nji, on June 29, 2019, signed a Tripartite Agreement with the

⁶⁷⁷ Article 30

⁶⁷⁸ Article 31

⁶⁷⁹ Article 32

⁶⁸⁰ Article 32

Government of Central African Republic, represented by the Central African Minister of Humanitarian Action and National Reconciliation, H.E. Virginie BAIKOUA on the voluntary repatriation of Central African refugees living in Cameroon. (See picture below). Also represented was Mr. Buti KALE, UNHCR Resident Representative, in Bangui, for UNHCR; and H.E. Adoum GARGOUM for the Minister of External Relations.⁶⁸¹ This laid a solid ground for key stakeholders for voluntary repatriation to holistically seek an effective and long-lasting path to better initiate the repatriation process of CAR refugees.

Plate 9: Exchange of Tripartite Agreement between the Government of Cameroon and CAR



Source: MINREX

On October 23, 2019, the tripartite commission launched the first voluntary repatriation of CAR refugees from Cameroon. This Phase saw the return of 523 Central African refugees living in Cameroon. The first group included 223 refugees representing 65 households who left the Gado Badzere site for Bouar via Beloko and 300 refugees representing 140 households who left Lolo for Berberati and Carnot in CAR. The voluntary returns of CAR refugees were facilitated by road and organized by the government of Cameroon and CAR with the support of the UNHCR. This phase was strictly carried out in line with the principle of voluntariness.

After the interview conducted by the UNHCR Cameroon, using the voluntary repatriation form, more than 6000 CAR refugees expressed their free will to return to CAR at the end of 2019 with the hope that they might find peace following a Khartoum agreement their

⁶⁸¹ MINREX, Ministère des Relations Extérieures du Cameroun

government signed with rebel groups. However, there were still over 270,000 CAR refugees who were reluctant to leave Cameroon because of sporadic fighting along the border.

During the voluntary repatriation ceremony in Garoua Boulai, Cameroon, the minister of Territorial Administration emphasised that the tripartite accords that he signed on behalf of the Government of Cameroon with the Central African government and with the (U.N.) High Commissioner of the Refugees was done so that it could be put into practice. He said "You know the principle following international standards is that people must go when they want to go. We insist on the word 'voluntary' departure." The Central African Republic had promised to socially and economically integrate refugees who returned from Cameroon. Emphasizing the voluntary return of CAR refugees the U.N. refugee agency's (UNHCR) commissioner to Cameroon, Kouassi Lazare Etien,⁶⁸² said those leaving have seen that the security situation in the CAR has improved, said "We conducted a return intention survey whereby refugees themselves declared their willingness to go back home," Etien said. "When the situation back home warrants their return, this type of ceremony takes place."⁶⁸³

While he spoke of voluntary return, CAR refugees like Mikawe Welivu, 36, said he was not confident it was safe for him and his four children to go home. He preferred to stay in Cameroon because he heard stories of looting, destruction, killings, kidnappings for ransom, and rebel groups attacking each other a few weeks before the repatriation.

Though the President of the Central African Republic, Faustin-Archange Touadera, signed a February peace deal in Khartoum with 14 armed groups - a deal that hoped to usher in a period of stability in the volatile country after several years of conflict, many refugees were still not sure of the effectiveness of the deal. Many of those CAR refugees who chose integration raised concerns about the possibility of reintegration and ongoing security threats in CAR.

⁶⁸² VOA, Hundreds of Cameroon's Central African Republic Refugees Voluntarily Repatriate, By Moki Edwin Kindzeka, October 24, 2019 01:27 PM. <https://www.voanews.com/africa/hundreds-camerouns-central-african-republic-refugees-voluntarily-repatriate>

⁶⁸³ The U.N. refugee agency's (UNHCR) commissioner to Cameroon, Kouassi Lazare Etien during the official ceremony of voluntary repatriation on October 23, 2019.

Plate 10: Humanitarian workers standing in front of a convoy to transport CAR refugees back home, in Garoua Boulai, Cameroon, Oct. 23, 2019.



Source: Voice of America (VOA)⁶⁸⁴

On October 29, 2019, the governments of the Central African Republic, Cameroon, and UNHCR continue the voluntary repatriation of Central African refugees. About 176 were Repatriated through the transit center of Beloko and 305 were Repatriated through the transit center of Berberat, making it together 481 CAR refugees repatriated from Cameroon to their country of origin⁶⁸⁵.

⁶⁸⁴ Voice of America (VOA) is the largest U.S. international broadcaster, providing news and information in more than 40 languages to an estimated weekly audience of more than 280 million people. VOA produces content for digital, television, and radio platforms. Since its creation in 1942, Voice of America has been committed to providing comprehensive coverage of the news and telling audiences the truth. Through World War II, the Cold War, the fight against global terrorism, and the struggle for freedom around the globe today, VOA exemplifies the principles of a free press. VOA is part of the U.S. Agency for Global Media (USAGM), the government agency that oversees all non-military, U.S. international broadcasting. It is funded by the U.S. Congress.

⁶⁸⁵ UNHCR, Cameroon, : *Opération de rapatriement des réfugiés Centrafricains* ,au 14 novembre 2019, p.2 <https://www.ecoi.net/en/file/local/2020069/document-3.pdf>

Plate 11: Convoy of Central African refugees at the border between CAR and Cameroon handing over of the convoy to the CAR authorities



Source: UNHCR Batouri - October 29, 2019

The third phase of voluntary repatriation of 273 CAR refugees took place on November 6, 2019. While about 197 once again were repatriated through the transit center of Beloko and 310 voluntarily repatriated through the transit center of Berberat, making it a total of 507.

Plate 12: Convoy of CAR refugees on their way to Kenzhou, at the border between CAR and Cameroon.

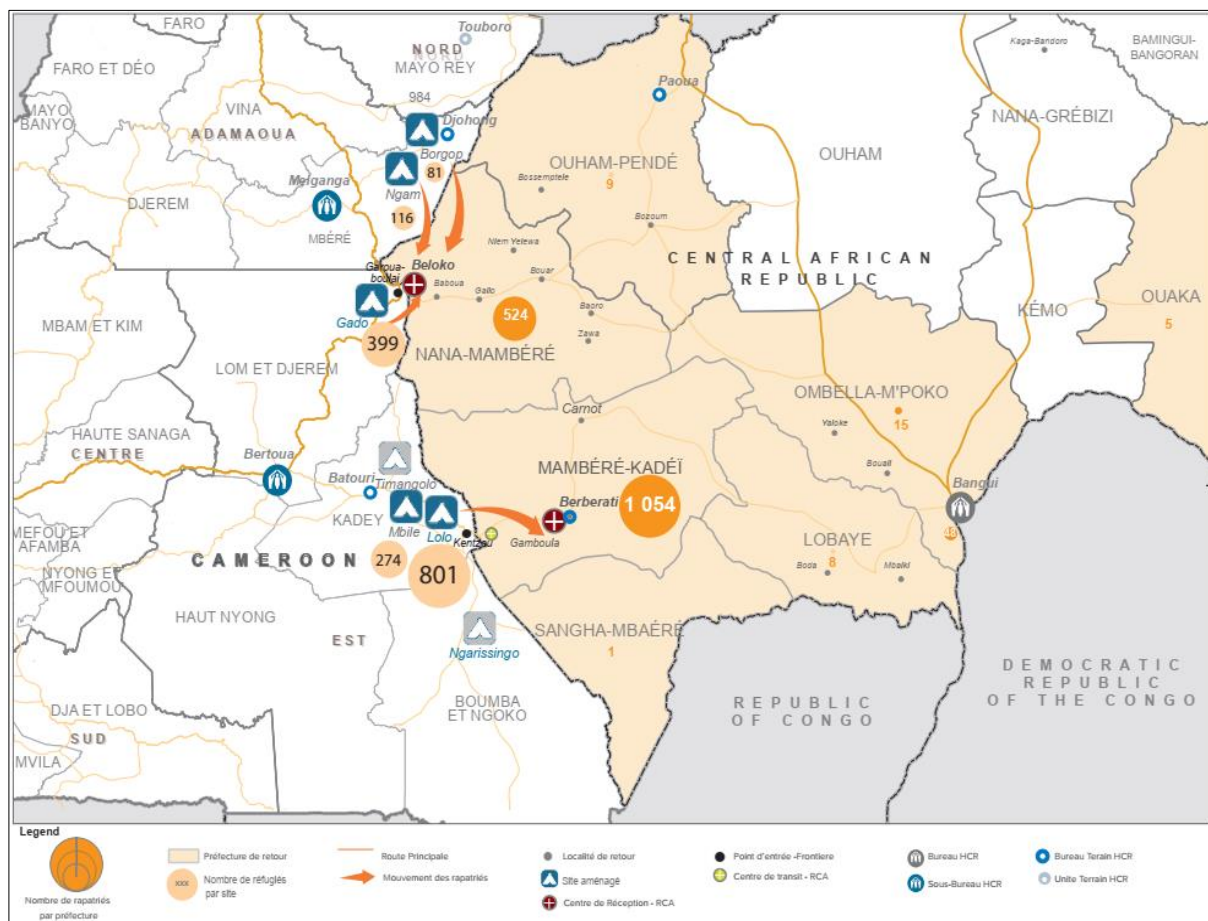


Source: UNHCR Batouri - November 6, 2019

Generally, as of November 13, 2019, 1,671 Refugees from the Central African Republic were repatriated to their country of origin. These voluntary returns were facilitated by road and coordinated by the Governments of Cameroon and the Central African Republic (CAR), the United Nations Refugee Agency (UNHCR), and all stakeholders of the Tripartite Agreement signed on June 29, 2019, for the voluntary repatriation of Central African refugees in dignity

and safety. As of August 31, 2019, 6,350 refugees (1,848 households) had already expressed their desire to return home.

Map 8: Map showing the Operation to repatriate Central African refugees from Cameroon



Source: HCR Bertoua, Meiganga, 27 octobre 2019

Voluntary repatriation of Central African refugees in Cameroon is carried out with the assistance of the Central African and Cameroonian Governments in partnership with the UNHCR office in both countries, and it is done on the voluntary basis of refugees who are in the different towns, provinces, and villages of Cameroon. In the case of the Central African Republic, the voluntary return of refugees does not mean that the political crisis and the conflict of armed groups are already over. No!

Refugees accept to return because their rights and duties are no longer respected, they live in miserable conditions, they no longer have a choice and they prefer to return home. Many of the refugees returned to the Central African Republic before the UNHCR organized the voluntary repatriation, others returned during and after the repatriation without informing the UNHCR office, simply because the UNHCR disappointed them a lot in Cameroon. And others

change their country of asylum which is Cameroon; they left to find refuge in other neighboring countries or third-world countries. Among all those who returned to the Central African Republic upon repatriation, some have still returned to Cameroon, fleeing the persistence of violence committed by armed groups that still brutally kill civilians and set fire to houses and fields.

Conclusion

Over the years, Cameroon has not only served as a safe haven for refugees but has also committed a lot of effort to seek a durable solution to their plights. Through collaboration and cooperation with the Republic of Nigeria, Chad, CAR, UNHCR, and other international humanitarian partners, Cameroon has signed a tripartite agreement relevant for the voluntary returns of Nigerian, Chadian and *Centrafrican* refugees who fled to Cameroon as a result of Boko Haram insurgencies and socio-political upheaval in Nigeria, Chad and CAR respectively. Beginning from the 2004-2005 voluntary repatriation of Nigerian refugees who came to Cameroon as a result of the Taraba conflict; the 2012-2013 voluntary repatriation of Chadian refugees in the Langui camp; the 2017 voluntary repatriation of Nigerian refugees who came to Cameroon as a result of the series of Boko Haram insurgencies in North-Eastern Nigeria; and the CAR refugees. Whether it is voluntary repatriation (as was the case with the 2004-2005 repatriation of Nigerian refugees, 2013-2013 of Chadian, 2019 CAR refugees, or 2019 of Nigerian in Minawao), involuntary or spontaneous repatriation (like the 2015-2016 and 2017 respectively), repatriation operations can be motivated either by pressure from the country of origin or host country. However, for repatriation to be safe and with dignity, returnees must be able to reintegrate into their communities and have access to livelihood opportunities. However, Cameroon was accused and criticized in 2015, 2016, and 2017 for forcefully repatriating Nigerians who showed up at the northeastern Nigeria border to seek refuge. States who have ratified this convention are called upon to guard this principle jealously even though article 33(2) of the 1951 Geneva convention on the status of refugees permits states to counter it especially when the sovereignty and security of the states are at risk. The principle of *non-refoulement* is the fundamental principle in the protection of refugees and asylum seekers as enshrined in the international, regional, and national refugees law.

CHAPTER FOUR

THE DEGREE OF EFFECTIVENESS OF UNHCR URBAN POLICY IN ENHANCING DURABLE SOLUTIONS TO URBAN REFUGEES IN YAOUNDE

Introduction

Since the enactment of the 2009 urban refugees policy by the UNHCR, several efforts have been made to ensure its effective implementation in Cameroon and Yaoundé urban areas in particular. Remarkable progress has been made in diverse domains including urban refugee documentation and status determination, community relation, and ensuring a safe space for sustainable existence, which serves as a drive to attaining durable solutions for urban refugees in Yaoundé, a case under study. For effective analysis of the progress made, 80 urban refugees in Yaoundé were surveyed in order to have a good appraisal of the action of UNHCR. This section was analysed based on the fundamental policy objectives central to the existing policy framework. For a better comprehensive and scientific analysis, this chapter is divided into two parts. The first part highlights the specific progress made in documentation and UNHCR- urban refugee relations in Yaoundé. While the second part of this chapter focuses on promoting self-reliance and socio-economic empowerment. More importantly, understanding the sample base of this argument is of great significance. This analysis is based on a survey of 80 urban refugees in Yaoundé.

I: Progress made in documentation and UNHCR- urban refugees relation in Yaoundé.

In this section, our analysis will be structured under four main objectives, significant in enhancing durable solutions for urban refugees in Yaoundé; these include documentation and Status Determination, Community Relations, and Safe and Sustainable Existences for Urban Refugees.

i. The Documentation and Status determination of Urban Refugees in Yaoundé

In line with the 2009 policy framework, documentation and status determination entails the provision of adequate reception facilities, registration and data collection, and effective documentation. This is to say that the analysis of this section will be centered on the highlighted

policy objectives and how UNHCR's efforts to implement these objectives help to drive durable solutions for urban refugees in Yaoundé.

Providing reception facilities

This entails establishing accessible reception arrangements with appropriate facilities, efficient appointment and referral systems, and the provision of relevant information. In this regard UNHCR has established several offices in different urban centers of Cameroon to receive urban refugees, with regards to Yaoundé, the UNHCR headquarter, and the Technical secretariat all located in Bastos serves as reception facilities for urban refugees in Yaoundé⁶⁸⁶. These facilities are equipped with a first aid toolkit, modern bathrooms, space for pregnant and lactating mothers as well as adequate waiting areas for urban refugees and asylum seekers. During reception hours, urban refugees are attended to by trained reception staff, UNHCR interpreters, eligibility officers, and security personnel who coordinate the orderly entry and reception of individuals. However, with the use of modern communication tools and technology, refugees can call and seek directives from the Technical Secretariat and UNHCR reception facilities. Out of 80 urban refugees interviewed, more than 75% of them further testified that they are free to the UNHCR office and the technical secretariat for the directory when they are unable to locate these establishments.

Additionally, several offices report using email or bulk SMS messaging to facilitate contact with urban asylum seekers and refugees in Yaoundé. Within these facilities are different offices like the identification department, counseling and psychosocial assistance, and the legal department responsible for providing urban refugees with information on legal options such as asylum procedures. Betoujou Raphael a CAR refugee in Yaoundé acknowledged that refugees are provided with some first aid toolkits by the UNHCR and the eligibility officers in times of need when refugees visit⁶⁸⁷.

The reception of refugees is the first and most very important step that helps to drive durable solutions for urban refugees. It's the core objective, very instrumental in the success of the other objectives. It is generally the first point of contact between persons of concern and UNHCR, particularly in urban settings and it permits urban refugees to approach eligibility officers and UNHCR staff to obtain relevant information, seek asylum, renew documents,

⁶⁸⁶ Interview with Mr Tirlamo Norbert Wiener, Chief of Service in charge of relations with UNHCR and interim coordinator of the permanent Technical Secretariat, and focal point in the Ministry of External Relations, MINREX, Yaoundé ,19 June 2019.

⁶⁸⁷ Interview with Betoujou Raphael, CAR urban refugees, Yaoundé, 20 June 2019.

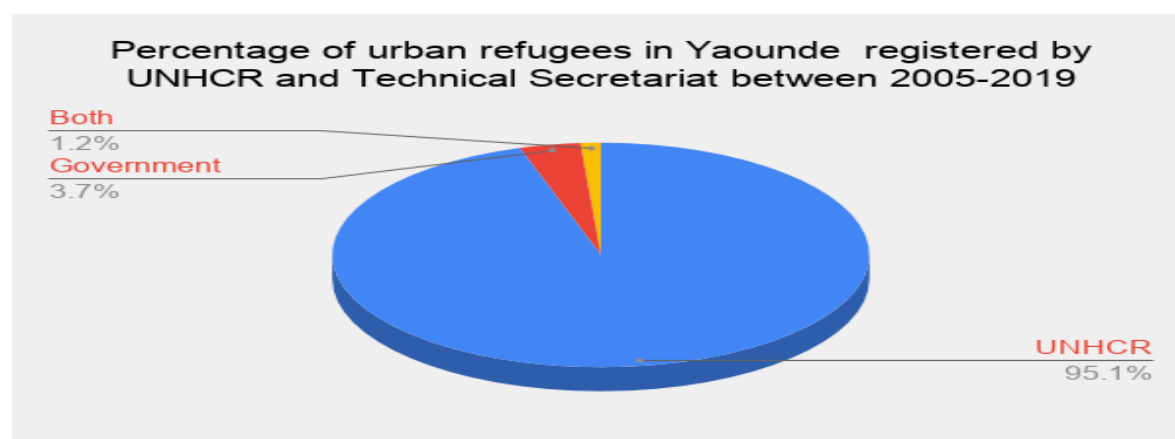
report on protection problems, and request help in the form of assistance and solutions. It also helps to distinguish between various categories of persons, including persons seeking international protection and those with specific needs.

Registration and Data Collection

Regarding the 2009 UNHCR policy framework, the organization has the mandate to support the registration and collection of data from all refugees including urban refugees, not just those in capital cities, and will strive to disaggregate the data in accordance with Age, Gender, and Diversity Mainstreaming (AGDM) principles. Even though registration is primarily the responsibility of the State of Cameroon, since 1982 UNHCR- Cameroon has been the main organ registering and documenting urban refugees within and without Yaoundé. The office during registration provides and sometimes recruits volunteers to provide legal and social counseling to urban refugees in Yaoundé likewise interpreters to help refugees throughout this process. Individual case files are stored in a secure manner and with full respect for the confidentiality of UNHCR staff and eligibility officers.

This situation only changed a year after the establishment of the technical secretariat on August 2, 2016, when the State took over the responsibility for the registration and collection of data. It should be underscored here that, though the government has taken over this task, 80% of the works of the technical secretariat are still being funded by the UNHCR paving the way for effective and holistic registration. According to results presented by our survey between 2005 to 2017 about 95% of registration was done by the UNHCR as seen in **figure 3** below.

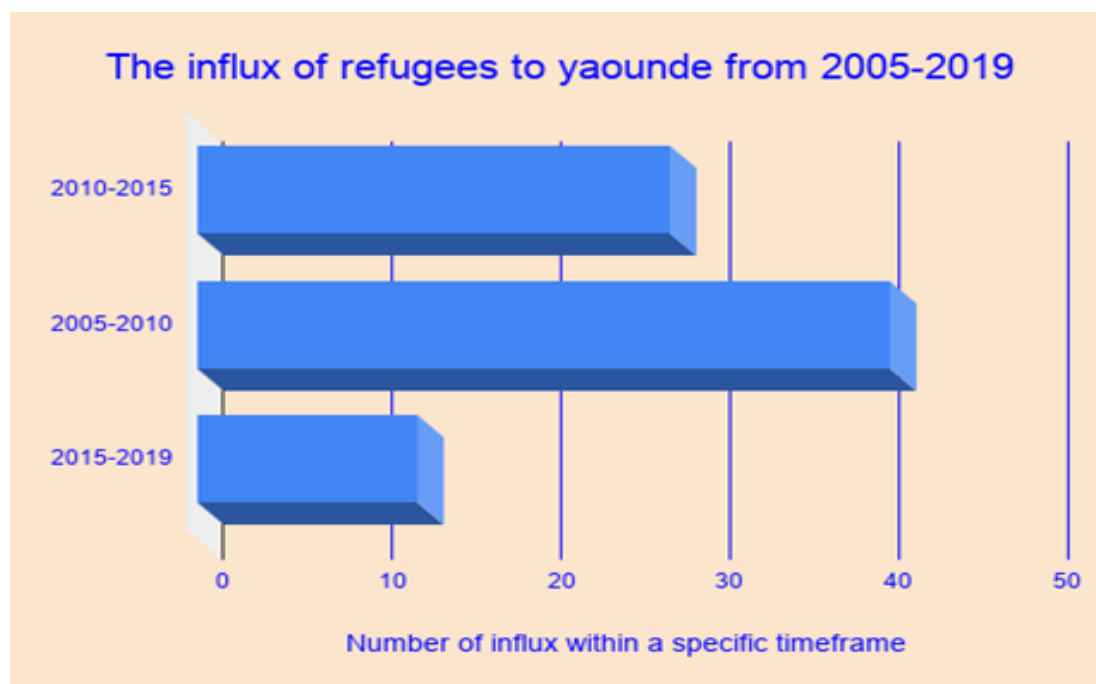
Figure 3: Number of urban refugees in Yaoundé registered by UNHCR and the Technical Secretariat



Source: Data collected from field research by the author, Yaoundé, 20 June 2019

Based on the statistic presented by the graphical representation indicating the yearly influx of urban refugees and the different institutions that received them, we noticed that at the peak of refugee flow to Yaoundé between 2005-2010, UNHCR took full responsibility for the registration of these groups of individuals mostly from neighboring countries as statistically represented in **Figure 4** below.

Figure 4: Different timelines of the influx of refugees in Yaoundé



Source: Data collected from field research by the author, Yaoundé, 20 June 2019

More so, between 2005-2019 and out of 80 respondents interviewed most of the urban refugees were registered by the UNHCR about 95.1 % of them with about 72.5% of them from CAR, 11.2% from Chad, 10% from Rwanda, 2.5 % from Libya and 3.8% from Nigerian. However, this is because after the 2013 presidential decree creating the legal institutions to take over the responsibilities over refugees in Cameroon, the government still lacked adequate resources to foster this incredible agenda as part of its mandate toward refugees in Cameroon.

However, just about 3.7% of refugees who migrated to Cameroon between 2016-2019, were registered at the permanent technical secretariat. Most of the personnel working at the D9 (Department of Cameroonian abroad, foreigners in Cameroon, Refugees and Migrants Issues) noted that registration takes place at government sites and that Cameroon is in the process of taking full control over refugees' predicaments as part of its obligation towards the 1951 Convention and its 1969 Convention.

The registration of urban refugees is a giant step to achieving durable solutions to urban refugees' plight in Cameroon. Registration is largely considered a vital tool of refugee protection, as it provides protection against *refoulement*, access to basic rights, the identification of refugees with urgent and specific needs, the reunification of refugee families, and the pursuit of durable solutions. More importantly, it is an essential component of status determination, which enables UNHCR to collect accurate statistics on urban refugee populations and facilitates the task of needs assessment, program planning, and budgeting.

Ensuring that refugees are documented

Prior to 2009, the 2005 refugee law includes a provision for refugee identity cards. In 2007 the GRC authorized UNHCR to issue identity cards to refugees and in 2008 UNHCR started issuing cards to replace the less durable certificates. The cards are credit card size and are laminated. They have the holder's photo and UNHCR's emblem. In most cases, the cards are the only form of identification that the refugees hold, so it is problematic when the GRC-mandated two-year validity period has expired. UNHCR is now in the process of renewing the cards. The GRC's Department of National Security will take over the issuance of identification cards at some point, but it is believed that the current crisis will further delay the transfer of responsibility. The GRC-issued cards will include the GRC emblem on the card along with the UNHCR emblem. This will be helpful because their current cards are not always recognized by police, banks, and government workers as being official.

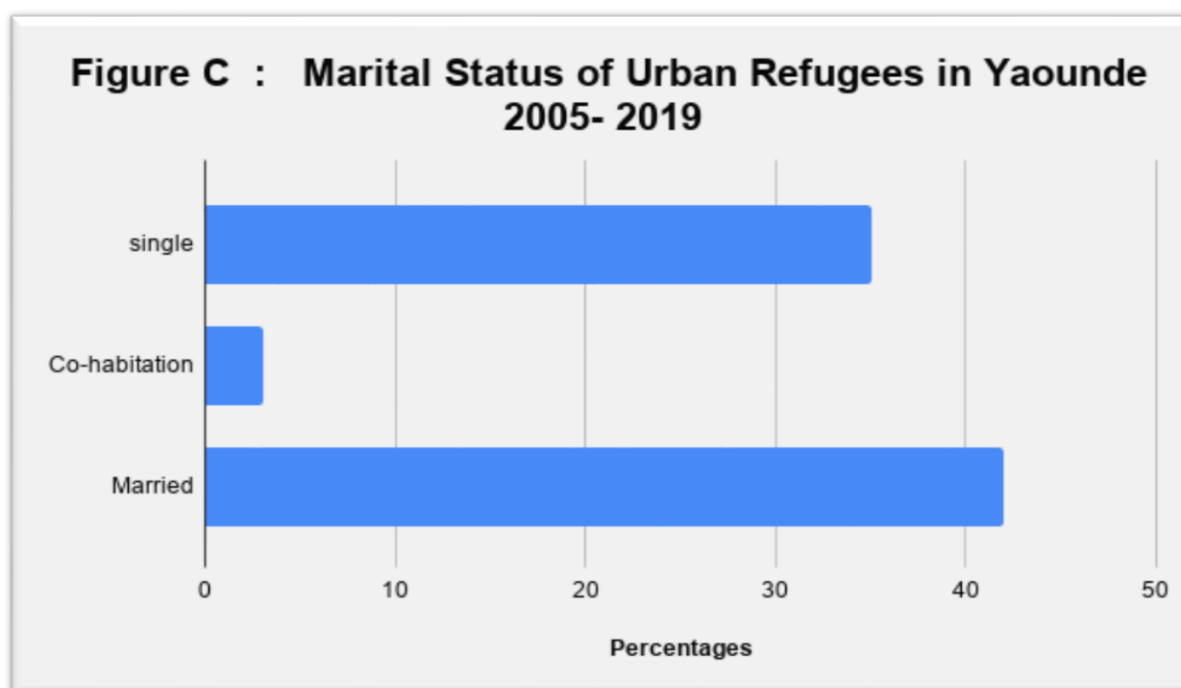
In order to ensure effective implementation of this objective the UNHCR has a responsibility to ensure that documents attesting to urban refugees' identity and status are provided to refugees. Even though it is primarily the responsibility of the state, in situations where the authorities are unable to do so, UNHCR issues its documents to refugees. In 2012 UNHCR Cameroon in line with its Country Operation Plan (COP) for urban refugees in Yaoundé documented hundreds of thousands of asylum seekers resident in Yaoundé. The documentation of asylum seekers and refugees aids the UNHCR, the government of Cameroon, and partners in better assessing the level of assistance and protection needed by these populations. In 2012, UNHCR delivered about 2,143⁶⁸⁸ certificates to asylum seekers', 876 certificates of family composition, 531 documents 'To whom it may concern, 293 certificates in place of birth certificates, 144 identification cards for urban refugees, 41 refugees travel documents for urban refugees (TVC) and 7 cases of supplementary judgments for the delivery

⁶⁸⁸ UNHCR Country operational report for 2013, Cameroon.

of the birth certificate. (See appendix N° 64) Progress has been done by UNHCR, in collaboration with the government of Cameroon to ensure that urban refugees have access to relevant documentation vital to durable solutions. However, UNHCR is the primary provider of documentation for urban refugees in Yaoundé which is generally recognized by the authorities of Cameroon. This includes birth registration, marriage, and death registration, and Identity Card. UNHCR works to ensure that all urban refugee children are registered and receive birth certificates.

Over 80% of children born to urban refugees are registered and receive birth certificates. In order to be able to increase the number of birth registrations⁶⁸⁹, UNHCR raises awareness amongst refugee populations on the importance of birth registration and birth certificates, they also advocate with the government, municipal registry authorities, and health clinics and hospitals to provide birth certificates to urban refugees. From our statistics below, out of the 80 urban refugees interviewed, 53.8% of urban refugees attested to being married, and only a few of them got married without facing administrative challenges. (See figure 5 below).

Figure 5: Marital status of urban refugees in Yaoundé 2005-2019



Source: Data collected from field research by the author, Yaoundé, 20 June 2019

⁶⁸⁹ Interview with Mr Sunday, D9, MINREX

Documentation is a cornerstone for durable solutions, it's essential in fostering integration, resettlement, and voluntary repatriation of refugees. Effective documentation means refugees are no longer in physical danger or at risk of *refoulement*, not confined to camps or settlements, have the right to return to their home country, can sustain a livelihood, are self-sufficient, and have similar standards of living to their hosts, and have access to public services and are socially networked into the host community. Refugees in Yaoundé enjoy much higher levels of integration than their camp compatriots due to their ability to draw on their skills, adaptability, and networks to navigate Cameroon's informal economy and wider socio-political environment. Since they arrived as urban refugees in Yaoundé, a large number of urban refugees have experienced life events that require documentation, such as births, marriages, and deaths. Civil documentation plays a crucial role in securing legal identity within a society, helping to prevent statelessness, and protecting a range of human rights. Less directly, civil documentation affects a variety of other rights, such as the rights to health and education. These are all human rights enumerated in international treaties that are binding on Cameroon and apply to every person within the Cameroon state, including urban refugees.

Determining Refugees Status

According to this policy objectives, in situations in which states do not undertake Refugee Status Determination (RSD) because they have not signed the 1951 Convention or its 1967 Protocol, or where national asylum procedures are not fully functioning, UNHCR continues to determine refugee status in accordance with its mandate. In doing so, UNHCR will establish transparent and consistent RSD procedures. Enormous progress has been made in ensuring the effective implementation of this objective. First and foremost Cameroon has not only signed the 1950 and 1969 Convention relating to the refugee's status it has also enacted a national law protecting and granting privileges to refugees from within its sovereignty. The presence of about 1,713,168⁶⁹⁰ people of concern, including 292,863 Central African and 109,340 Nigerian refugees is evident of the country's commitment to contribute to providing quality livelihood to refugees from neighboring states. The establishment of the permanent technical secretariat mandated to register refugees likewise urban refugees on 2 October 2016⁶⁹¹ is an incredible milestone recorded by the government of Cameroon in its efforts to fulfill its international obligations towards these vulnerable persons.

⁶⁹⁰ UNHCR., Factsheets, Cameroon 28th November 2019.

⁶⁹¹ Roland Mbonteh. Cameroon Tribune: Refugee Permanent Technical Secretariat Inaugurated, 02 August 2016.

In collaboration with the government, the UNHCR has trained eligibility staff who work tirelessly to ensure that the right information is gotten from asylum seekers seeking protection in Cameroon. The eligibility officers asked for pertinent information concerning the refugee and his/her past experiences and circumstances that led him/her to flee the home country. All information provided during the interview is treated confidentially by UNHCR. During the interview, asylum seekers are asked questions about their families, education, place of birth, and the particular reasons for leaving their country of origin. Based on this interview, UNHCR Staff and eligibility officers determined whether or not the asylum seeker is granted refugee status according to international refugee law.

Refugee status determination (RSD) is a core UNHCR protection function as well as the prerequisite to promoting durable solutions for asylum seekers. It permits the UNHCR and the government of Cameroon to determine whether an asylum seeker falls within the criteria for international refugee protection or not. The RSD has potentially profound implications for the life and security of the individuals concerned. It also defines the obligation of UNHCR and the state of Cameroon and even other agencies that UNHCR cooperates with the individuals. Based on the survey we carried out the Table below will give you a general overview of urban refugees RSD in line with the sample size selected for this research.

Table 7: Documentation of 80 urban refugees in Yaoundé

	Age ▼	Gender	Marital Status	Registration	Country of origin	Date of Arrival	Institution	Legal
1	55-65+	Male	Married	Yes	Rwanda	2005-2010	UNHCR	Yes
2	55-65+	Male	Married	Yes	Rwanda	2005-2010	UNHCR	Yes
3	55-65+	Male	Married	Yes	Rwanda	2005-2010	UNHCR	Yes
4	55-65+	Male	Married	Yes	Rwanda	2010-2015	UNHCR	Yes
5	55-65+	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
6	55-65+	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
7	45-55	Male	Married	Yes	Rwanda	2005-2010	UNHCR	Yes
8	45-55	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
9	45-55	Female	Married	Yes	CAR	2005-2010	UNHCR	Yes
10	45-55	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
11	45-55	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
12	45-55	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
13	45-55	Male	single	Yes	Chad	2015-2019	UNHCR	Yes
14	45-55	Female	Married	Yes	CAR	2010-2015	UNHCR	Yes
15	45-55	Female	Married	Yes	CAR	2005-2010	UNHCR	Yes
16	45-55	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
17	35-45	Female	Co-habitation	Yes	Nigeria	2005-2010	Government	yes
18	34-45	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
19	34-45	Female	Married	Yes	CAR	2005-2010	UNHCR	Yes
20	34-45	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
21	34-45	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
22	34-45	Female	single	Yes	CAR	2005-2010	UNHCR	Yes
23	34-45	Male	single	Yes	libya	2015-2019	UNHCR	Yes
24	34-45	Male	Married	Yes	Rwanda	2005-2010	UNHCR	Yes
25	34-45	Female	Co-habitation	Yes	CAR	2010-2015	UNHCR	Yes
26	34-45	Male	Married	Yes	Nigeria	2005-2010	UNHCR	Yes
27	34-45	Male	single	Yes	CAR	2005-2010	UNHCR	Yes
28	34-45	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
29	34-45	Female	single	Yes	Rwanda	2010-2015	UNHCR	Yes
30	34-45	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes

31	34-45	Male	single	Yes	CAR	2010-2015	UNHCR	Yes
32	34-45	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
33	34-45	Male	single	Yes	CAR	2005-2010	UNHCR	Yes
34	34-45	Male	Married	Yes	Chad	2005-2010	UNHCR	Yes
35	34-45	Male	single	Yes	CAR	2005-2010	UNHCR	Yes
36	34-45	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
37	34-45	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
38	34-45	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
39	34-45	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
40	34-45	Female	Married	Yes	CAR	2005-2010	UNHCR	Yes
41	34-45	Female	Married	Yes	CAR	2015-2019	UNHCR	Yes
42	25-35	Male	single	Yes	CAR	2010-2015	UNHCR	Yes
43	25-35	Female	single	Yes	CAR	2010-2015	UNHCR	Yes
44	25-35	Male	Married	Yes	Chad	2010-2015	UNHCR	Yes
45	25-35	Male	Married	Yes	CAR	2015-2019	UNHCR	Yes
46	25-35	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
47	25-35	Male	single	Yes	Chad	2005-2010	UNHCR	Yes
48	25-35	Female	Married	Yes	CAR	2010-2015	UNHCR	Yes
49	25-35	Male	Married	Yes	CAR	2015-2019	UNHCR	Yes
50	25-35	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
51	25-35	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
52	25-35	Male	single	Yes	Chad	2005-2010	UNHCR	Yes
53	25-35	Female	Married	Yes	CAR	2005-2010	UNHCR	Yes
54	25-35	Male	Married	Yes	CAR	2010-2015	UNHCR	Yes
55	25-35	Female	single	Yes	Chad	2015-2019	Government	Yes
56	25-35	Female	Co-habitation	Yes	CAR	2005-2010	UNHCR	Yes
57	25-35	Male	Married	Yes	CAR	2005-2010	UNHCR	Yes
58	15-25	Female	single	Yes	CAR	2010-2015	UNHCR	Yes
59	15-25	Female	single	Yes	CAR	2015-2019	UNHCR	Yes
60	15-25	Female	single	Yes	CAR	2015-2019	UNHCR	Yes
61	15-25	Male	single	Yes	CAR	2015-2019	UNHCR	Yes
62	15-25	Female	single	Yes	CAR	2010-2015	UNHCR	Yes
63	15-25	Male	single	Yes	Chad	2005-2010	UNHCR	Yes
64	15-25	Female	single	Yes	CAR	2010-2015	UNHCR	Yes
65	15-25	Female	single	Yes	CAR	2010-2015	UNHCR	Yes
66	15-25	Male	single	Yes	CAR	2015-2019	UNHCR	Yes
67	15-25	Female	single	Yes	CAR	2015-2019	UNHCR	Yes
68	15-25	Male	single	Yes	CAR	2015-2019	UNHCR	Yes
69	15-25	Female	single	Yes	CAR	2010-2015	UNHCR	Yes
70	15-25	Female	single	Yes	CAR	2005-2010	UNHCR	Yes

71	15-25	Female	single	Yes	Chad	2005-2010	UNHCR	Yes
72	15-25	Female	single	Yes	Nigeria	2005-2010	UNHCR	Yes
73	15-25	Male	single	Yes	libya	2005-2010	UNHCR	Yes
74	15-25	Male	single	Yes	CAR	2010-2015	UNHCR	Yes
75	15-25	Male	single	Yes	CAR	2005-2010	UNHCR	Yes
76	15-25	Male	single	Yes	Rwanda	2005-2010	UNHCR	Yes
77	15-25	Male	single	Yes	CAR	2005-2010	UNHCR	Yes
78	15-25	Female	single	Yes	CAR	2005-2010	UNHCR	Yes
79	15-25	Female	Married	Yes	Chad	2005-2010	UNHCR	Yes
80	15-25	Male	single	Yes	CAR	2005-2010	UNHCR	Yes

Source: Data collected from field research by the author, Yaoundé, 20 June 2019

Based on the age group the majority of the urban refugee population surveyed ranged between 15-25 years, making a total population of 31.3% with 7.5% within the age range of 55-65+ being aging. Most of these young people shoulder responsibility most of the family responsibilities since most aging parents cannot speak or understand the national languages of Cameroon. So the registration of these groups of people is important for the family's well-being since it will help to provide them with opportunities to access diverse services to support their family. However, 63.7% are male, 43.6 are not married, and all the 80 refugees registered (this is vivid evidence that enormous progress has been made by UNHCR to increase refugees registration and documentation since 2009), 72.5% come from CAR. In addition, the majority of refugees were registered by the UNHCR in 2019 through legal means postulated by the 2009 UNHCR urban refugees' policy.

ii. Improving urban refugees -UNHCR relationship

In this sub-part, we shall look at the progress made by UNHCR in building, maintaining and strengthening relations with urban refugee residents in Yaoundé. Our focus will be on the following policy objectives, outreach program organized by UNHCR, fostering constructive relations with urban refugees, and maintaining/ ensuring security.

Community outreach initiative

This gives the UNHCR a moral obligation to adopt a variety of different outreach methods to reach refugee communities including those individuals with specific protection concerns, such as women, girls and children. In this light, in other to maintain a good relationship with the dispersed urban refugees population in Yaoundé, UNHCR has developed a different approach that permits the organization to reach out to urban refugees that is, by

assisting, carried registration, and conducting outreach through field visits in specific quarters where refugees resident in Yaoundé, like Bafia, Tongolo, Melen, Mvan, Nsam, and Nkolbisong. In other to attend to specific needs, UNHCR-Cameroon partners with local NGOs and other UN organisations to assist the refugees. For example in partnership with local NGOs like the Trauma Center Cameroon, the organization works to ensure the psychological well-being of these persons, through trauma counseling most refugees are influenced to start a new life in Yaoundé, and with other international organisations like PLAN Cameroon, and UNICEF the body also attained to educational, and health needs of urban Refugees in Yaoundé.

Remarkably, progress has also been recorded in assisting individuals with specific protection concerns like women, girls and children. During our interview with UNHCR workers, staff revealed that UNHCR-Cameroon provides outreach and support for women and girls through programs to prevent and respond to Sexual and Gender-Based Violence (SGBV). However, they further reiterated that the organisation equally provides medical assistance, particularly pre and post-natal care, HIV prevention, life skills, self-reliance and violence prevention, and support for small-scale crafts and income generation projects to urban refugees in Yaoundé.

Also, UNHCR has measures in place to support protection for children. The organization maintains partnerships with NGOs and civil society organisations that work on child protection to identify children who are unaccompanied, separated, or vulnerable for other reasons.

Effective outreach is very important in fostering durable solutions to urban refugees' plights in Yaoundé because it creates an opportunity for refugees to be registered, understands their rights and responsibilities, and comprehend the options available to them in terms of services and responsibilities. Through outreach activities, refugees are also being informed of the situation of conflicts in their respective countries and the different options on the table. Others are being allowed to voluntarily decide whether they preferred to return to their country of origin or seek resettlement in a third country of asylum. This is true of the recent CAR and Nigeria refugees' voluntary repatriation carried out by UNHCR in collaboration with their respective countries. Effective outreach remains very eminent because of the varied opportunities its avail to urban refugees.

Fostering constructive relations with urban refugees

This entails that, UNHCR will establish constructive dialogue and positive partnerships with refugees in urban areas; this includes the application of age, gender, and diversity mainstream (AGDM) principles, use of the Community Based Approach, and multifunctional teams (MFT) composed of UNHCR staff with varied expertise, e.g., a Protection Officer, Health Officer, and Education Officer. With the case of urban refugees in Yaoundé, feasible progress has also been registered in this domain. UNHCR offices in Yaoundé are employing a range of staffing approaches to enable outreach to urban refugees, including using implementing partners to reach out to refugee populations and build constructive relations. In collaboration with its implementing partners, UNDP, and UNICEF, existing staff are trained on urban refugee issues, and deployed for a short-term to work with the refugees in Yaoundé. UNHCR also trains multi-functional teams comprised of protection, health, and educational officers to attain the unlimited needs of urban refugees in Yaoundé. The organization works with refugee community leaders to identify refugees who can volunteer to interpret for others who understand neither English nor French, which are the two official languages used in Cameroon.

During one of our observatory missions to CAR urban refugee residential areas like in “Nlongkak -Yaoundé” we observed that there existed a harmonious relationship among these communities. The UNHCR through refugee communities meeting has helped enormously to get them better organized themselves by electing community leaders whose capacity are improved thereafter, to maintain communal peace amongst the refugees. All the CAR refugees Communities we visited support cultural, social, recreational, and other community activities to build relations with each other. More importantly, UNHCR is making enormous efforts to use the resources available in an effective manner in working with the refugees towards a better understanding of their needs which are significant prerequisites to effective durable solutions.

Every two years, each community elects a community leader that also acts as a liaison officer between the community and UNHCR. UNHCR, in conjunction with the Adventist Development and Relief Agency, constructed refugee community centers, which permit each community to work within a specific limited space. Every three months, UNHCR staff meet with the refugee leaders to discuss concerns and work to find solutions together.⁶⁹² For UNHCR

⁶⁹² Mrs Anda Gloria, UNHCR protection officer, Yaoundé, 20 June 2019

and implementing partners working together with the refugee community in Yaoundé is a key component of problem-solving and finding adequate solutions.

It is equally important to note that the UNHCR is often the first stop for refugees in Cameroon, as they are registered with the organization and provided with identification documents. While this service was one of several intended to be transferred to the auspices of the Cameroonian government following the November 2011 Presidential decree that legitimized the 2005 Refugee Law (*Portant Statut des Réfugiés au Cameroun*)⁶⁹³, this has unfortunately not yet occurred. While an Eligibility Commission and an Appeals Commission have been formally established by the government, “they are not yet functioning, and the eligibility officers and support staff have not yet been selected” and, as a result, UNHCR continues to “carry out registration, refugee status determination, and ensure the issuance of documents in Yaoundé and Douala”.⁶⁹⁴

The refugee identification cards issued by UNHCR are vital to the lives of refugees in Yaoundé, as they take the place of the national I.D. cards issued to citizens by the Cameroonian government. Cameroonian law requires all persons to carry identification cards at all times, and “in sweeps and at pervasive immigration enforcement checkpoints and roadblocks, police frequently arrest, beat, and extort money from those with no documentation.”⁶⁹⁵ The UNHCR refugee I.D. cards act as legal I.D. cards and help refugees to “avoid police harassment” and, at least in theory, legally “engage in business and obtain almost all necessary licenses and permits on par with nationals. This service is vital for urban refugees like those in Yaoundé. UNHCR also assists refugees in a variety of other areas, but their main focus goes on the health and education sectors.

Ensuring security

This demands that UNHCR will seek to avert security incidents at UNHCR premises by working with refugees and their community representatives in a spirit of understanding and cooperation. This will be complemented with appropriate security and contingency plans, effective training of guards, and capacity development for police and/or other security services.

⁶⁹³ *Portant Statut Des Réfugiés Au Cameroun, Pub. L. No. L'Assemblée Nationale-2005/006, La République du Cameroun* (2005).

⁶⁹⁴ The United Nations. The United Nations High Commissioner for Refugees. *Submission by UNHCR for the Office of the High Commissioner for Human Rights' Compilation Report-Universal Periodic Review: CAMEROON*. Geneva: U.N., 2012. Print.

⁶⁹⁵ "World Refugee Survey 2009: Cameroon." *2009 Country Updates*. U.S. Committee for Refugees and Immigrants, 2009. Web. 23 Apr. 2014.

In its efforts to improve the social and economic well-being of urban refugees in Yaoundé, the organization also works to protect UNHCR officials and staff, and its headquarters. This is to ensure that efforts to fulfill its mandates to urban refugees should not be at the expense of UN staff and properties, which are indispensable human and material resources needed to provide durable solutions to urban refugees in Yaoundé.

However, UNHCR has employed measurable strategies and approaches to secure its headquarters in Yaoundé. For instance, the organization has installed a surveillance camera from the main entrance, at the receptionist, and at different offices rendering services to refugees in Yaoundé. At the gate, the organization has also employed security offices that direct and provide valuable information to refugees and visitors who visit the headquarters. UNHCR through information campaigns, consistent messaging, and effective outreach, helps to prevent security incidents at UNHCR premises which have helped to prevent seat-down strikes around the premises and violence by unruly and disgruntled refugees whose aspirations might not be well met. Ensuring the UNHCR officials and staff, and protecting the office premises are indispensable measures vital in achieving durable solutions for urban refugees in Yaoundé.

II: Promoting self-reliance and socio-economic empowerment

In this section, we are going to highlight the positive progress registered by UNHCR in promoting urban refugees' reliance and socio-economic empowerment. Generally, our analyses will be centered on the progress made in enhancing livelihood and self-reliance, health, education, and other social services, material needs, long-lasting solutions, and freedom of movement. This section is further divided into two subparts, that is, UNHCR's positive actions made in promoting urban refugees' self-reliance and progress made in promoting socio-economic empowerment.

i. Progress made by UNHCR in promoting self-reliance

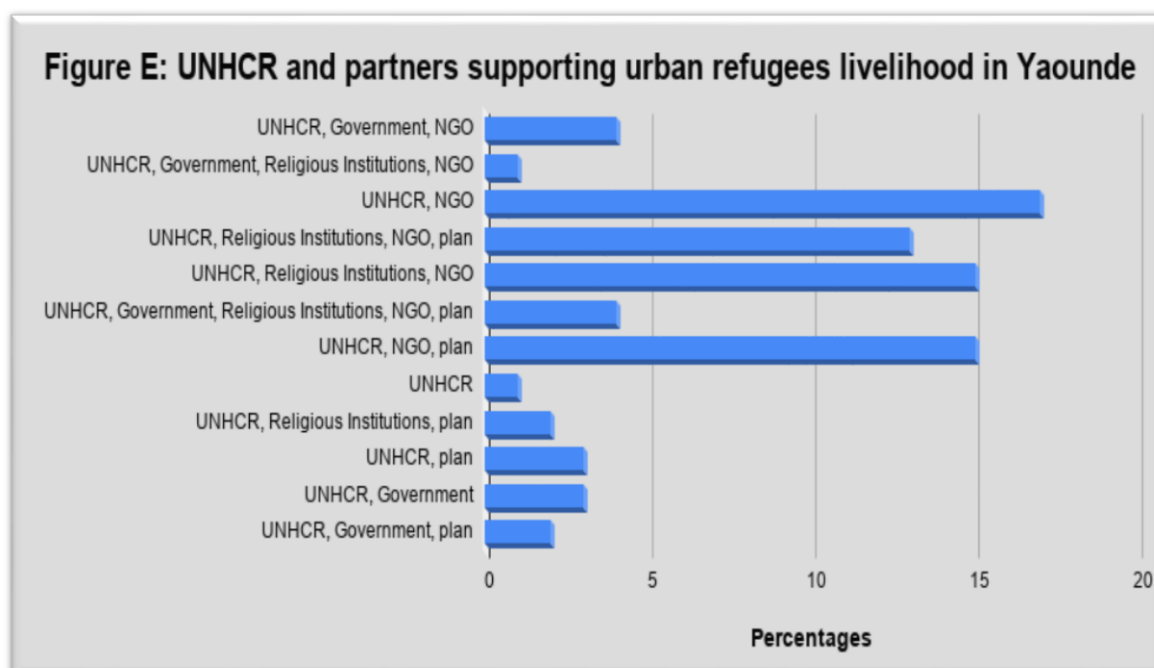
In this subsection, we will highlight progress made in promoting livelihoods and self-sufficiency, education, health, and other social services.

Promoting livelihoods and self-sufficiency

This necessitates that, UNHCR will support the efforts of urban refugees to become self-reliant; to the extent possible in respect of national laws, and will engage and advocate with authorities and other partners to realize that. In other to achieve this objective, UHNCR advocates with the government and provide livelihoods training, provide support for unobtrusive livelihood activities. The increasing flow of urban refugees to Yaoundé has further

influenced the organization to advocate for effective legal protection and livelihood initiatives. Some refugees interviewed revealed that they participated in some capacity-building programs organized by the UNHCR in collaboration with Plan Cameroon, which has helped them to find jobs in the informal sectors or create small businesses for themselves and family. Of all the urban refugees interviewed attested receiving livelihood assistance from UNHCR, 17.5% from the Government, 43.8 % from religious institutions, 48.8% from local NGOs, 86.3% from PLAN Cameroon, and 83.8% of them from local communities. The 100 % support from the UNHCR is evident that the organization is leaving up to the expectation of the 2009 policy and in line with international norms that mandated the structure to help find sustainable solutions to refugee problems. Livelihood supports received has helped to push 58.8% of urban refugees interviewed in Yaoundé to be self-reliant and about 32.5% affirmed that they can survive without the support of UNHCR. (See figure 6)

Figure 6: UNHCR and Partners supporting urban refugees' livelihood in Yaoundé



Source: Data collected from field research by the author, Yaoundé, 20 June 2019

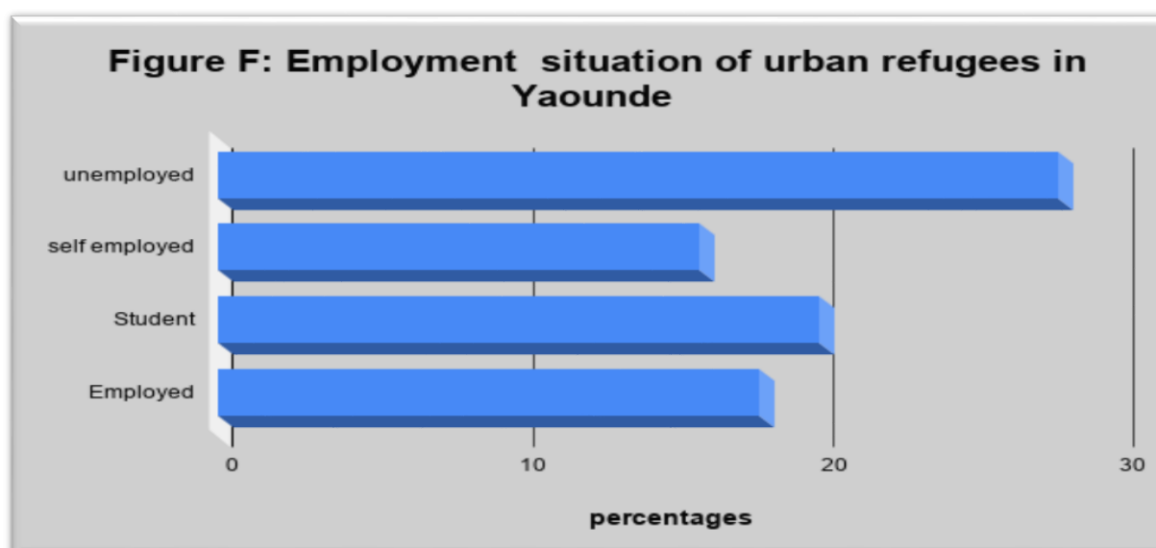
Over the years UNHCR and in collaboration with other implementing partners and NGOs have built urban refugees' capacity on business training, and upon completion, they are given a start-up kit for their business which includes activities like selling peanuts and other small food items, as well as small shops that sell various goods. Only 8.7% of these refugees believe that they cannot survive without the help of UNHCR. This signifies UNHCR's

unflinching support and determination to define a durable path to urban refugees' livelihood in Yaoundé.

The organization RESPECT offers training in sewing skills for many refugee women, so they can work as dressmakers and tailors. Many women want to participate in this program, but according to the organization, the problem is having money to purchase materials for the women to work with and sell. Other organizations like Trauma Center Cameroon have also taken commendable actions to ensure the psycho-social well-being of urban refugees who are still traumatized by the situation back in their home countries.

However, despite the measure taken by UNHCR, 85% of urban refugees who took part in this survey survive on a budget line from 0-30,000 cfa. This is because many of the skilled and well-paid jobs have been secured by many Cameroonians who according to some are more educated and can be trusted than them. Only 15% of urban refugees earned between 30.000-50.00 cfa. This has made it very difficult for urban refugees in Yaoundé able to acquire basic social needs like good housing, house rent, education for their kids, and good health for their families. With regard to the housing system, 36.6% of refugees in Yaoundé lives in cars or boats, 48.8% percent in a bungalow (face me a face you), 7.5 in an apartment, 6.3 in a self-contained house, and 1.2 in the park. The difficulties to find jobs in Cameroon have caused about 33.8% of refugees surveyed unemployed, and only 41.3 % of them can secure a job with regard to employment, **figure 7 below** gives us a visual description of it.

Figure 7: Employment situation of urban refugees in Yaoundé



Source: Data collected from field research by the author, Yaoundé, 20 June 2019

Promoting urban refugees' livelihood and self-reliance is a very intriguing means of achieving durable solutions to refugees' problems. Livelihood support prepares refugees for self-reliance which is one of the indicators of local integration of refugees. This is one of the main pillars of a durable solution. It's important to recall that the UNHCR core mandate strives to bring the refugees' dependency cycle to an end, and the only indicator is when refugees are locally integrated into the host community, voluntarily repatriated into their country of origin, and resettlement into the country of the third asylum. In other to meet this, UNHCR through positive partnership has employed enormous strategies with scaled up the employment opportunities for these urban refugees in Yaoundé. Rich and diverse employment opportunities are not only an indicator for integration but a pacesetter to attain self-sufficiency.

Ensuring access to education, healthcare, and other services

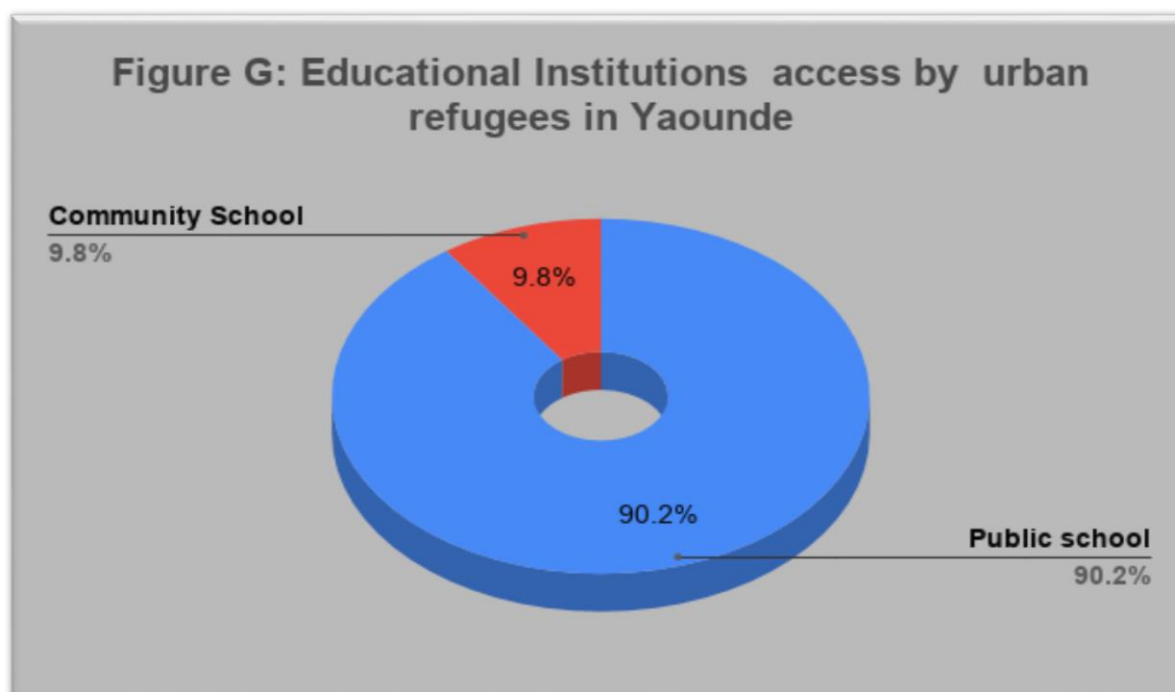
In line with the 2009 policy objective, UNHCR will pursue a three-pronged strategy of; advocating for refugees to have access to public services, monitoring refugees' utilization of health, education, and social welfare services, with particular attention to those who are most vulnerable and have specific needs and augmenting the capacity of existing public and private services healthcare and other services. However, much progress has been recorded in this domain through a commendable partnership between UNHCR, the government of Cameroon, and specific educational, health, and social establishments (express union, credit union, banks, and communication companies like orange and MTN).

More specifically, the 2005 refugee law promulgates education as an inherent right and privilege of all refugees resident in Cameroon⁶⁹⁶. The 2005 law further guarantees free access to public and private education to all refugees including urban refugee residents in Cameroon. Through meaningful advocacy, the UNHCR has worked to increase space for more refugees in Cameroon schools and colleges. Based on the survey carried out, 98.8% (as illustrated in figure 4.6 below) of total urban refugees who are students have access to public education while only 1.2% are not capable due to lack of financial resources, individual and family willingness to register their children in public schools. Urban refugees are advised by the UNHCR to seek admission in government educational establishments because enrollments require little or no finance and 90.2% of refugees of school-going age have access to public education because of its low cost. Notwithstanding, private education is equally available to refugees who have the financial capacity to acquire it.

⁶⁹⁶ Article 9 and 10 of the National law for refugees in Cameroon

UNHCR in partnership with UNICEF, PLAN Cameroon, and RESPECT, refugees are given scholarship opportunities to pursue university studies abroad while opportunities are also created at the local universities in Cameroon. Some of the refugees interviewed in the course of this research are students at the University of Yaoundé 1, Yaoundé II, and some are even students in the International Relations Institute of Cameroon-IRIC. In addition, through a positive partnership with RESPECT, a letter exchange initiative was created with a school in Canada that gives scholarship opportunities for refugees to compete and practice their writing and communication skills, as well as learn about children in Canada and also have the opportunity to teach them about the lives of refugees.

Figure 8: Urban refugee's access to Education



Source: Data collected from field research by the author, Yaoundé, 20 June 2019

Education continues to be an important factor as far as the development of any community is concerned. A community may have all the available resources for development but might still be lacking in other developmental aspects due to the inadequacy of educated elites to harness the available resources into meaningful development for the community. According to Lord Frederick Lugard, the primary purpose of colonial education was to fit the ordinary individual to fill a useful part in his environment to bring happiness to himself¹³². Thus, education was to provide man with the availability to contribute to the advancement of his community and not to its detriment. Also, according to “Socrates”, the goal of education is to

develop the power to think, not just to transmit information. Education leads to a greater understanding through the process of asking and answering questions. Education is a search for virtue or personal worth, rather than for technical skills. It looks for lasting solutions and truth based on reason, not merely on opinions or practical knowledge based on changing conditions.

While refugee students are eligible to receive funding provided by the government, the UNHCR through its implementing partners assists refugee children in primary, secondary, and university education as well as vocational training. Within the framework of primary education, the UNHCR liaises with its partners to ensure that refugee children aged six (6) and above attend primary school. This is also the case with respect to secondary and college education and is done through direct financial assistance to parents. However, high school and university education as well as other professional schools take the form of scholarships. Thus, the “*Deutsche Akademische fluchtlings Initiative Albert Einstein*” (DAFI), which can be translated as "Albert Einstein German Academic Initiative for Refugees" can be cited.

The DAFI (Albert Einstein German Academic Refugee Initiative) scholarship programme offers qualified CAR refugee students the possibility to earn an undergraduate degree in their country of asylum. Through the dedicated support of the German Government, UNHCR, and private donors, the programme has supported over 18,000 young refugees to undertake tertiary studies since 1992. The strategic priorities of the DAFI programme are to:

- Promote self-reliance of sponsored students through opportunities for employment and entrepreneurship;
- Empower students to contribute knowledge, skills, and leadership and to facilitate peaceful coexistence with host communities during displacement and upon return;
- Strengthen the protective impact of education by encouraging lifelong learning;
- Provide role models for refugee children and youth to demonstrate the impact of education on individuals, communities, and societies⁶⁹⁷.

The scholarship covers a range of costs, including tuition, fees, study materials, food, transportation, accommodation, and other expenses. To amplify academic achievement and skills development, DAFI scholars receive additional support through close monitoring, academic preparatory and language classes based on students’ needs, as well as mentoring and

⁶⁹⁷ Annual Report on the DAFI Programme (Albert Einstein German Academic Refugee Initiative) 2020

networking opportunities⁶⁹⁸ This tremendous educational program has been and still is a unique opportunity for statutory refugees to pursue higher education in 10⁶⁹⁹ public and 19 private academic institutions in Cameroon in the cities of Yaounde, Douala, Bertoua, Ngaoundéré, Garoua, Maroua, Bamenda and Kongsamba. The application for the DAFI scholarship is launched in May of each year.

Specifically, about the DAFI scholarship scheme, 2001 marked the first year of its implementation in Cameroon though it was suspended in 2002 with the closure of the UNHCR office in Cameroon. The programme was reinstated in 2004 with the Cameroon Red Cross as the main implementing partner to the UNHCR. Since 2011 the programme has been implemented by ADRA under the supervision of the UNHCR on basis of a partnership accord reached between the two. Between 2004 and 2015, the programme enabled about one thousand three hundred (1300) refugee students in Cameroon to pursue higher education and vocational training worth about eight hundred million (800,000,000) Francs CFA.

To benefit from the DAFI scholarship, the applicant must have refugee status, be a holder of at least, a Baccalauréat (equivalent to the G.C.E Advanced Level) or any other equivalent diploma, have excellent college and university results, be underprivileged, taking into consideration the socioeconomic status of the applicant's family, be at most (28) years of age by the start of university education, choose a short term field of training which guarantees employment. The selection process is done by a UNHCR-ADRA-German Embassy Education Committee which meets to examine application files and proceed with shortlisting meritorious candidates following preliminary interviews with them. By the year 2014/2015 academic year, fifty-five (55) DAFI students were registered compared to seventy-five (75) in the previous school year.

As regards the Cameroon DAFI Club, is an association comprised of not only refugee children benefitting from the DAFI scholarship scheme but also other interested students. It was created in December 2011, and its function began in 2012. The club has an executive bureau headed by a National President and consisting of fifteen (15) members. In 2012 which was its first academic year, the representatives ranged from Chad, the Democratic Republic of Congo, South Sudan, Rwanda, the Central African Republic, Liberia, Burundi, and Nigeria. The DAFI Club enables members to pull their strengths in view of academic support,

⁶⁹⁸ *Ibid*

⁶⁹⁹ *Ibid*

community activities, and intercultural exchanges. It is also an instrument for information sharing and the valorization of the potential of students. As earlier mentioned, it is also considered a platform that enables younger students to continue their education. There are plans underway to reinforce international cooperation between DAFI Clubs given the fact that similar associations exist in Nigeria, Chad, and Burundi.

As part of their activities, the DAFI club takes part in commemorative activities on World Refugee's Days. During such occasions, the members of the club are sensitized to issues ranging from other ICTs and the dilemma of war facing refugees. They also use the club as a means to encourage refugees whose countries have returned to peace and tranquility to voluntarily return. Most of the club's activities are organized at the Refugee's Community Centre in Yaoundé. Regular and active participation in activities of the club is rewarded during end-of-year prize award ceremonies.

The education partners of the UNHCR include the Adventist Development and Relief Agency (ADRA), Plan International, and Public Concern International Solidarity. In Douala, ADRA works in the field of primary, secondary, high school, and university education in addition to vocational training for refugees. However, in Yaoundé, it works only in the area of high school and University education given that Plan International Cameroon is the principal UNHCR partner preoccupied with primary and secondary education for urban refugees alongside the construction of classrooms. ADRA's vocational training programme mostly concerns refugees above school-going age. This is basically in areas like cookery, tailoring, hairdressing, barbing, etc. the ADRA refugee programme is funded by the UNHCR, the reason why the former submits report to the UNHCR on a weekly, monthly, midterm (half a year), and yearly basis.

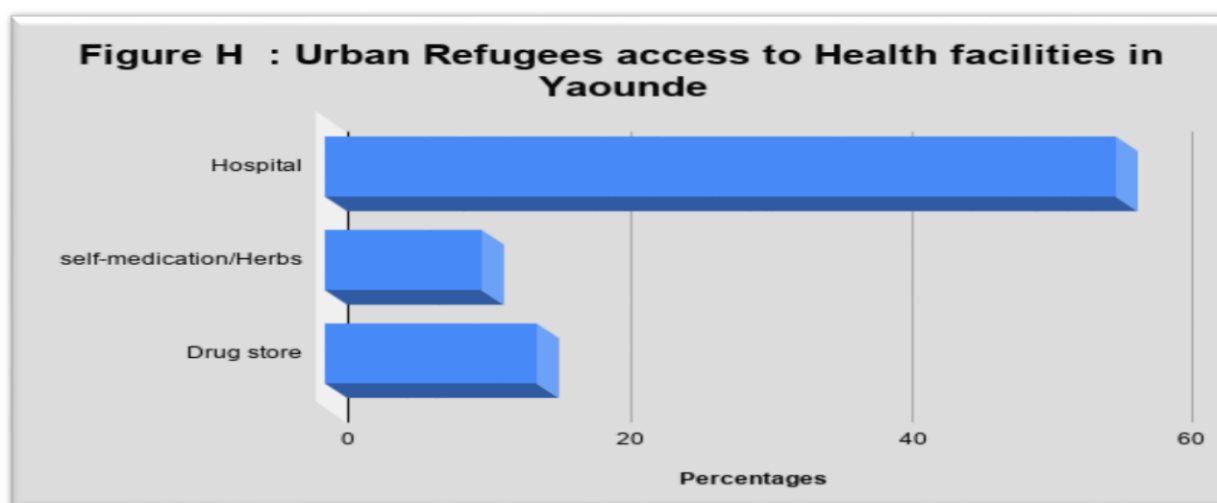
ADRA has partner accords with schools as it is the refugees/parents who decide or choose the educational establishment they want for their children. To guarantee that refugee children have special consideration, ADRA/UNHCR programme has entered into partnership accords with some heads of educational institutions. There are also agreements with regional and divisional delegates of secondary education to facilitate the enrolment of refugee children in public schools. Given the fact that entry places are competitive and thus limited in such schools, these agreements enable ADRA/UNHCR to get authorization from the concerned stakeholders to ease the enrolment of refugee children in public secondary schools.

Health service

With regard to access to health facilities and services, it should equally be noted that the 2005 refugee law promotes free access to public health facilities for all refugees with urban refugees inclusive. Remarkably, all the participants in this survey asserted that they have full access to healthcare sometimes their challenges to access stem from lack of available finance not lack of rights. In other to meet up with their responsibility toward urban refugees, UNHCR in partnership with public health clinics and hospitals, provide specific services to people who are seriously ill (HIV and TB) and for those with other diseases requiring specialized care like physical disabilities, unaccompanied children and victims of trauma, torture and SGBV, separated children and elderly people, people with mental illness and single-parent families, pregnant and lactating women.

Refugees living in Yaoundé do have some medical assistance available to them. Several refugees interviewed complained of medical problems, especially with the children. A problem for some was illnesses related to malnutrition, such as calcium deficiency and anemia, for these cases, UNHCR assists refugees with their special diet needs. For those who have medical problems or are recovering from treatment that requires them to have a caretaker, UNHCR will pay for the refugee who volunteers to care for the patient. Unfortunately, medical problems tend to persist because of unsanitary living conditions, malnutrition, and unsafe drinking water, among other things. However, out of the 80 urban refugees interrogated, about 68.8% rely on hospital consultation, 18.8 % on drug stores without proper consultation, and 12.5% take local herbs as seen in **figure 9**.

Figure 9: Urban refugee's access to Health services in Yaoundé



Source: Data collected from field research by the author, Yaoundé, 20 June 2019

In a follow-up interview with Kangigugafu Grace, a CAR refugee, she said has received aid from UNHCR for one of her children. She explained, “the UNHCR give me some financial assistance to my daughter who was sexually assaultedand I remain grateful⁷⁰⁰” She went on to explain that while the assistance is only for her daughter, the family “survives through it”⁷⁰¹. While Grace was grateful to receive this aid, she did stress that, in her experience, her situation is very unique and it is generally very difficult to receive this type of assistance from UNHCR. A majority of the few CAR refugees interviewed in the course of this research share their thoughts. Several refugees interviewed complained of medical problems, especially with the children. A problem for some was illnesses related to malnutrition, such as calcium deficiency and anemia, for these cases, UNHCR assists refugees with their special diet needs. For those who have medical problems or are recovering from treatment that requires them to have a caretaker, UNHCR will pay for the refugee who volunteers to care for the patient. Unfortunately, medical problems tend to persist because of unsanitary living conditions, malnutrition, and unsafe drinking water, among other things.

Health care assistance is 99.99% reserved for children from 0 to 5 years old, pregnant women, people with HIV, or diseases caused by a tumor. Other cases are not eligible for the health care granted by the UNHCR in partnership with FAIR MED⁷⁰². The Central African refugee community in Cameroon finds that the different methods of their integration are not correct and eligible compared to those of other countries and even those of countries bordering Cameroon. Charles went further to say, “our brother Central African refugees who are in other countries bordering Cameroon, their integration methods are purely respected in terms of the 1951 Geneva Convention attributing to the status of refugees, their rights and duties are respected as compare to our situation in Cameroon”. In addition according to the 2009 UNHCR Report, all urban refugee residents in Yaoundé and Douala had access to medical care, people living with HIV and AIDS were also assisted and all survivors of sexual and gender-based violence receive medical, psychological, and legal assistance. Women were also provided with sanitary kits every month. Most of the women interviewed in the course of this survey affirmed this report while also reiterating that the situation today is not the same. Access to health, education, and other social services are indicators of refugees’ well-being within a host

⁷⁰⁰ Interview with Kangigugafu Grace, a CAR refugee, Round Point Lonkak Yaounde .

⁷⁰¹ *Ibid*

⁷⁰² Charles, CAR Refugee

community. This is also very important in fostering durable solutions to urban refugee's plights and so cannot be overlooked.

ii. Socio-economic empowerment of urban refugees in Yaoundé

In this part, we are going to focus on highlighting commendable progress made by the UNHCR in providing/meeting material needs, promoting Integration, Voluntary repatriation and Resettlement, and freedom of movement for urban refugees in Yaoundé.

Meeting material needs

This requires that, when self-reliance is not a viable objective, UNHCR, in collaboration with partners, will seek to meet the needs of urban refugees by other means including collective accommodation, subsidized housing, food assistance, and non-food items, and cash transfers. In this regard, UNHCR-Cameroon has made progress in linking material support to self-reliance programs. This includes providing micro-credit, income generation, and entrepreneurship initiatives, and vocational-technical and skill training aims to build urban refugees' capacity. Through community outreach programs, home visits, case-by-case reviews, and continuous needs assessments, UNHCR has helped to target material assistance efficiently.

Our survey has shown that 97.5% of urban refugees received financial and logistic support from the UNHCR and only 2.5% of them did not acknowledge receipt. Only 36.3% of urban refugees can afford three square meals a day and 62.5% can afford two while 1.3% of them can afford one square meal which is low compared to an average Cameroonian family. To some, UNHCR was even supposed to place them on permanent salaries. In an interview with Mr. Tilamo Norbert, he said if it's the case who will not like to be a refugee⁷⁰³. Although cash assistance is frequently criticized for undermining self-reliance UNHCR has made great efforts to be able to link material support to self-reliance.

Promoting Integration, Voluntary repatriation, and Resettlement

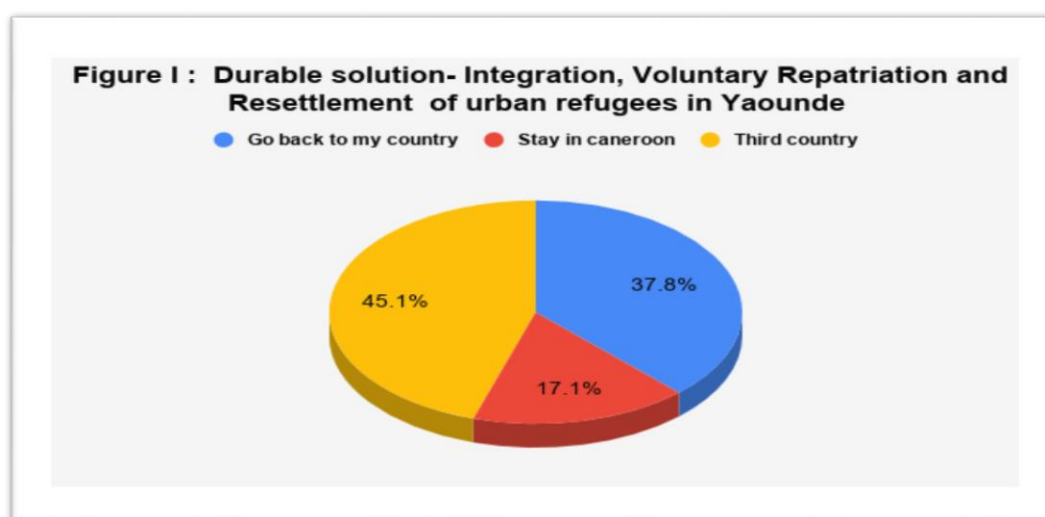
This entails that, UNHCR will work for the early attainment of durable solutions for all refugees and will strive to ensure that all refugees within a given country and region shall enjoy similar standards of treatment and have equal access to durable solutions opportunities, including voluntary repatriation, local integration or resettlement. UNHCR together with other state parties has made great progress to encourage integration, voluntary repatriation, and resettlement of refugees likewise urban refugees in Cameroon. Refugees are given the free will

⁷⁰³ Interview with Tilamoh Nobert MINREX

to choose whether they want to remain in Cameroon, return to their home country, or a third country. Since 2011 UNHCR in collaboration with the government of Chad, Nigeria, and CAR has facilitated the voluntary return of refugees from these countries back to their country of origin. Promoting durable solutions to Refugees is an indispensable circle in the life of refugees and is centered on voluntary repatriation, local integration, and resettlement which are highly supported by UNHCR and state parties to the refugee convention.

Our survey has shown that 17.1% of urban refugees want to remain in Cameroon. These are a group of people who are somehow satisfied with all that the country offers from, education, health, livelihood opportunities, housing, and access to justice as compared to the situation back in their home country, etc. while 37.8 percent wish to be voluntarily repatriated to their country of origin. However, it should be noted 72.5% of refugees interviewed during this survey were all CAR refugees who since 2019 have started returning to their country after the tripartite agreement signed between UNHCR, CAR, and the Cameroon government. On the other hand, 45.1 % of these groups of people want to resettle in a third country of asylum as seen in figure 10 below. However, these groups of persons are those who have little or nothing to return to even though they are being promised reintegration into their local communities. They hope that migrating to another country will give them greater opportunities.

Figure 10: Durable solution- Integration, Voluntary Repatriation, and Resettlement of urban refugees in Yaoundé



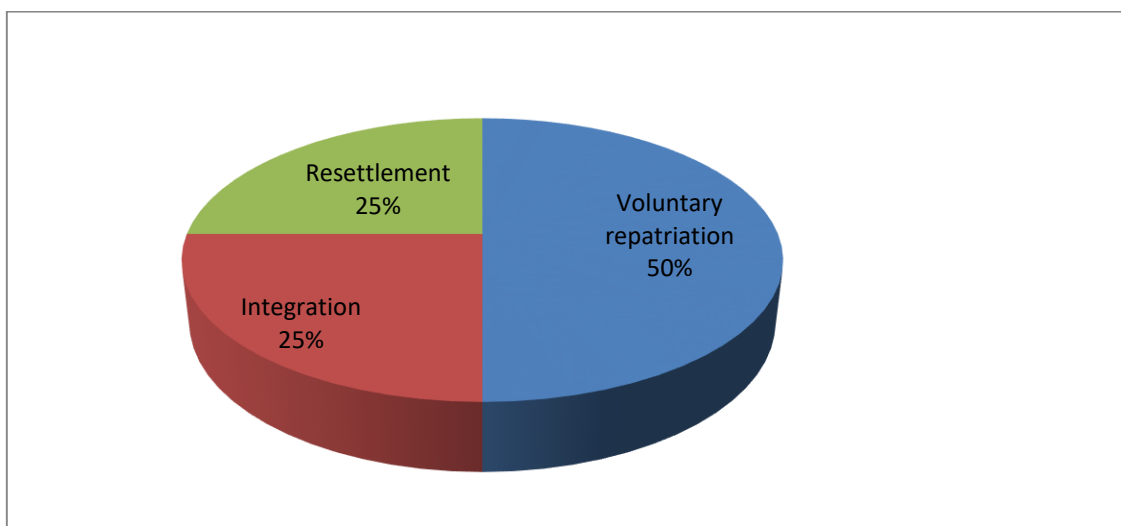
Source: Data collected from field research by the author, Yaoundé, 20 June 2019

Promoting local integration, voluntary repatriation, and resettlement is the optimum durable solution that UNHCR seeks to provide to refugees. Once these concepts are promoted

in line with the 1951 convention protecting refugees against discrimination, marginalization, exploitation, and refoulement, durable solutions become an ideal end to the refugee cycle.

Comparatively, research has proven that voluntary repatriation is central to the quest for durable solutions. One of the most important elements in the verification of voluntariness is the legal status of the refugees in the country of asylum. If refugees are legally recognised as such, their rights are protected and if they are allowed to settle, their choice to repatriate is likely to be truly free and voluntary⁷⁰⁴. If, however, their rights are not recognised, if they are subjected to pressures and restrictions and confined to closed camps, they may choose to return, but this is not an act of free will. As a general rule, UNHCR should be convinced that the positive pull factors in the country of origin are an overriding element in the refugees' decision to return rather than possible push factors in the host country or negative pull factors, such as threats to property, in the home country. However, to ensure a sustainable and durable solution to the refugees' predicament, the United Nations High Commission for refugees has formulated three basic components. These include resettlement, integration, and voluntary repatriation. But voluntary repatriation is hail and encourage by this organisation because it helps to restore the citizenship of vulnerable people. This is represented on a pie chart (figure 11) below.

Figure 11. The three components of Durable solutions for refugees



Source: UNHCR handbook of voluntary repatriation: International Protection, Geneva, 1996, P.9.

Figure 11 above explains the three principal components of a durable solution to the refugee's predicament. That is voluntary repatriation, local integration, and resettlement.

⁷⁰⁴*Ibid.*

Voluntary repatriation is far more likely to be lasting and sustainable. The 50% allocated to voluntary repatriation explains the reason why it is the most preferred Durable solution while integration and resettlement are of the same scale of 25%. Furthermore, the principle of voluntariness is the cornerstone of international protection with respect to the return of refugees⁷⁰⁵. Voluntariness does not only mean the absence of measures that push the refugee to repatriate but also means that he or she should not be prevented from returning, for example by dissemination of wrong information or false promises of continued assistance⁷⁰⁶. In certain situations, economic interests in the country of asylum may lead to interest groups trying to prevent refugees from repatriating. Besides, the principle of voluntariness is more than an issue of principle.⁷⁰⁷ While the issue of voluntary repatriation as such is not addressed in the 1951 Refugee Convention, it follows directly from the principle of *non-refoulement*: the involuntary return of refugees would in practice amount to *refoulement*. A person retaining a well-founded fear of persecution cannot be compelled to repatriate. The requirement of voluntariness, therefore, constitutes a pragmatic and sensible approach to finding a truly durable solution. The issue of "voluntariness" as implying an absence of any physical, psychological, or material pressure is, however, often clouded by the fact that for many refugees a decision to return is dictated by a combination of pressures due to political factors, security problems or material needs⁷⁰⁸. The difficulty of identifying true "voluntariness" enhances the need for UNHCR to scrutinise objectively the refugees' situation.

Promoting Freedom of Movement

This demands that UNHCR will strive to ensure that refugees who travel to urban areas are provided with adequate documents and will advocate with the authorities and security services to ensure that they are not penalized for traveling and that they are allowed to remain in an urban area for as long as necessary. UNHCR provides refugees with refugee ID Cards that permit them to move from rural settlements to urban areas without any hindrance. In collaboration with the government of Cameroon through the Delegation of National security, police officers are educated on the right of refugees to prevent them from treating them as other

⁷⁰⁵ UNHCR Handbook on Voluntary Repatriation: International Protection, Geneva, 1996, p.9.

⁷⁰⁶ J.Crisp et al ;Journal on Migration and Human Security Safe, *Voluntary Refugee Repatriation: From Principle to Practice* 'Center for Migration Studies of New York, JMHS Volume 4 Number 3 (2016): pp. 141-147.

⁷⁰⁷UNHCR, "*Ensuring Return in Safety and with Dignity*": In Handbook - Voluntary Repatriation: International Protection. Geneva: UNHCR, Department of International Protection. <http://www.refworld.org/docid/3ae6b3510.html>. (Accessed 6 march 2017)

⁷⁰⁸UNHCR "Voluntariness." In *Handbook - Voluntary Repatriation: International Protection*, Department of international protection, Geneva, 1996 <http://www.refworld.org/docid/3ae6b3510.html> (Accessed 5 march 2017).

aliens. These officers are also given samples of refugees' ID cards so that they should be recognized at any point and time. Our survey has shown that 63.4% of urban refugees in Yaoundé do not face problems with moving because the document is recognized by the police officers while 34.1% (see figure 12 below) of those under the survey attested they have the freedom to move around without any fear of arrest and detention, unlike in the past though not always because sometimes it depends on how knowledgeable and well informed the police officer interrogating a refugee is. Only 2.5% of refugees interrogated said they are afraid to walk around for fear of arrest and detention because they misplaced their ID and are waiting for a new one.

Figure 12: Freedom of movement for urban refugees in Yaoundé



Source: Source: Data collected from field research by the author, Yaoundé, 20 June 2019

Generally, freedom of movement is the core of this policy in which the enhancement of other objectives, rights, and privileges depends on it. It is a prerequisite to advancing and accelerating durable solutions to refugee plights. Laterally with the right to *non-refoulement*, and the right to work UNHCR offices advocate most strenuously for the principle of freedom of movement to be respected. The right to move requires a significant amount of humanitarian diplomacy, and patient and persistent advocacy because of its indispensable role in fostering refugee livelihood, self-reliance, and durable solutions.

III. Yaoundé city as a legitimate protection space for refugees in Cameroon

The 2009 UNHCR policy on refugee protection and solutions in urban areas had two overwhelming principal objectives central to the survival and integration of urban refugees in Yaoundé and all urban centers in Cameroon: ensuring that cities are recognized as legitimate places for refugees to reside and exercise their rights and maximizing the protection space

available to urban refugees and the humanitarian Organisations that support them. The promulgation of this law came at a time when the government of Cameroon issued a law on the 27th of July 2005 (**see appendix 45**) granting freedom of movement and the right to gain right access to different social services to all refugees resident in Cameroon. This policy has though global has further empowered convention⁷⁰⁹ refugees in Cameroon to move to urban areas like *Yaoundé* to seek a better livelihood in the city (**see appendix 42**). However, issued in September 2009, responds to the phenomenon of refugee urbanization, partly mirroring the global trend towards urbanization⁷¹⁰ but also reflecting sub-standard care and protracted stays in refugee camps in which freedom of movement is restricted, self-sufficiency or employment opportunities are limited, and access to full human rights is far from assured. The reason why refugees moved to *Yaoundé* is very imperative in assessing the level of protection enjoyed by the refugees.

i. Factors influencing movement from camp setting to Yaoundé and other urban areas in Cameroon

There are principally two factors that influenced refugees, especially CAR refugees to move to Yaoundé and Douala. Based on empirical findings we chose to classify these factors under push and pull catalysts for utmost comprehension of rations underpinned by the study. All urban refugees in Cameroon are either pushed or pulled to move to Yaoundé.

Camp or local Push factors

The 2005 refugee law in Cameroon provides refugees freedom of movement⁷¹¹. (**See appendix N° 40**) Though some African countries like the case of Kenya still practiced encampment policy toward refugees the government of Cameroon has to develop a more inclusive and comprehensive policy to facilitate durable solutions to refugees' predicaments. There are currently four camps in Cameroon, three located around the eastern border of Adamawa (Borgop, Ngam, and Gado), near the CAR border in north-eastern Cameroon, and one in Minawoa at Mokolo, in the Far North region of Cameroon near Northeastern Nigeria and Four in the eastern region border to CAR, Tim Angolo, Mbile, Gado and Ngarissingo.

⁷⁰⁹ Convention refugees refers to displaced persons who have well-founded fear of being persecuted for reason of race, religion, nationality membership of a particular social group or political opinion is outside his country of origin and is unable to avail himself the protection of that country. Article 1 of the 1951 convention.

⁷¹⁰ UN High Commissioner's Dialogue on Protracted Refugee Situations, 1 Dec 2008: <http://www.unhcr.org/4937de6f2.html>

⁷¹¹ Paragraph III (section 9) of law N° 2005/006 27 July 2005

The refugee camp in the eastern –Adamawa borders serves as a camp for CAR refugees and the Minawao camp hosts Nigerian refugees driven by the Boko Haram insurgencies. The UNHCR's latest Policy on Refugee Protection and Solutions in Urban Areas, issued in September 2009, responds to the phenomenon of refugee urbanisation, partly mirroring the global trend towards urbanisation but also reflecting sub-standard care and protracted stays in refugee camps in which freedom of movement is restricted, self-sufficiency or employment opportunities are limited, and access to full human rights is far from assured⁷¹². Established on the common ground that the rights of refugees are not affected by location, nor the inherent responsibilities of UNHCR's mandate affected by these factors. This new policy opens a broader channel for refugees to move to urban areas.

Findings from our survey of 80 urban refugees in *Yaoundé* revealed five main factors encouraging refugees resident in a camp setting to quit the camps. This includes security threats, lack of adequate education and medical services, limited livelihood opportunities, and harsh climatic conditions. In terms of security, a handful of refugees, particularly women, were concerned about the level of sexual violence and killings in the border towns and sometimes household fighting in the camps, particularly in Gado and Mbile in the Eastern region of the country. This is confirmed by the 2019 global reports from UNHCR, which state that cases of sexual violence have increased, in camp settings. Several humanitarian organisations also pointed to violence in the camps, often related to tensions between different clans and ethnic and political groups. There have also been reports in Cameroon that Boko Haram terrorist group is recruiting young men in the camps. This, to many, has been their main fear and concern.

Many men leave the camps and move to Yaoundé in search of better economic opportunities. Cameroon's labour code provides an opportunity for people to work and earn better wages including the refugees. This code in consonance with the preamble of the constitution of the republic does not place any limitation on the population of concern. However, 50% of the refugees interviewed in the course of this survey claim that the buying power of refugees in the Camp setting is very low since 90% of refugees in the camp setting still depend on incentives and material assistance from UNHCR and partners Organizations for

⁷¹² UN High Commissioner's Dialogue on Protracted Refugee Situations, 1 Dec 2008: <http://www.unhcr.org/4937de6f2.htm>

survival. This has made business in the camp very challenging. So, many see that choice of the city as a breakthrough to a sustainable livelihood.

Another common push factor is the lack of secondary education and medical facilities in the camps. In Minawao, 15% of the camp population is estimated to be out-of-school youth according to a survey conducted by Marshal Oben in 2020. Living conditions more generally are poor and Camps are becoming increasingly overcrowded, particularly in Minawao, Gado, and Mbile where the population keeps increasing due to perpetual attacks carried out by Boko Haram in Northeastern Nigeria and political tension in the CAR.

Urban Pull Factors

The main pull factors drawing people to urban areas include livelihood opportunities and the possibility of greater security. Many refugees engage in petty trade or gain employment in small and medium-sized businesses. Some have relatives or connections already living in Yaoundé and use these networks to find work and accommodation. CAR refugees in particular exploit family or other networks in Yaoundé and Douala, to the extent that many CAR refugees head straight for Nairobi and do not go to the camps at all. Others who go to the city temporarily for medical assistance or further education often stay on; young people, in particular, are unwilling to return to life in the camps. According to the narrative of one of the CAR refugees interviewed in Yaoundé, many young people leave the camp because they feel that they have a primary responsibility to fend for their families and to provide for some of their aging parents who have no strength at all. He further reiterated: “as for me I came to the city because one day I will like to get married and also establish a family. I am looking for money to bring my fiancé to town so that we can start a family”

While others come for collective reasons, many come for personal reasons due to social responsibility. However, refugees used to living in urban areas in their countries of origin may also be more reluctant to stay in the camps⁷¹³, while city life offers greater independence and a consequent sense of self-worth and dignity⁷¹⁴. For some, protection is another concern.

ii. The experience of urban refugees in Yaoundé

The urban integration of urban refugees in Cameroon particularly those in the city of Yaoundé can be summed up in conditions of access to the employment market, relationship

⁷¹³ Interview with Yoyam Brigitte, Rwandan refugee, Yaounde

⁷¹⁴ Interview with Badoum Prisca, Rwandan refugees, Yaounde

with law enforcement officers, and its effectiveness. Understanding the complex reality of Yaoundé is pivotal to the understanding of the urban refugees' situation in Yaoundé.

The Complexity of Yaoundé for urban refugees

Yaoundé is a growing urban center in a lower-middle-income country experiencing both demographic transition and an influx of refugees and immigrants. Yaoundé is estimated to be growing at a rate of 5% each year, with growth primarily occurring in areas already struggling with adequate access to electricity, water, sanitation, and other city services⁷¹⁵. Despite a large number of Cameroonians already struggling to meet their basic needs, the country continues to host growing numbers of refugees from surrounding countries⁷¹⁶. Similar to the situation in many countries of the world, increasing numbers of these refugees are skipping the traditional camp context, which represents, to some, less opportunity for livelihood with the potential to increase their vulnerability. They, therefore, choose to relocate to cities where they see more and better livelihood opportunities⁷¹⁷.

According to the most recent published refugee statistics, at the end of 2017, there were an estimated 598,570 refugees, internally displaced persons, and asylum seekers in Cameroon, of which over 22,000 are estimated to live in urban areas⁷¹⁸. The urban statistics vary widely. This is due, in part, to the transition of Refugee Status Determination from UNHCR to the Government which has been underway since 2014 and was effectively completed in 2016.

As earlier highlighted, Cameroon is a signatory to the 1951 Convention relating to the Status of Refugees, the 1967 Protocol, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. Cameroon also adopted Law N 2005/006 on July 27, 2015, which further articulated the specific rights of refugees living in Cameroon⁷¹⁹.

In addition to ensuring that refugees abide by the same laws applicable to Cameroonian citizens, this law allows for freedom of religion, the right to own property, the right to associate, the right to sue, the right to work, the right to government issue identity documents, and the right to citizenship, if they decide to go that route. Additionally, Cameroon grants prima facie status to individuals arriving in the territory, requesting that they make their request for asylum

⁷¹⁵ UN Habitat, *The Future we Want, The City we Need, 1*. Nairobi: UN Habitat. 2015 <http://doi.org/10.1017/CBO9781107415324.004>

⁷¹⁶ E. Mattheisen, p.9.

⁷¹⁷ S. Rainbird, *Asserting Existence: Agentive Narratives Arising from the Restraints of Seeking Asylum in East Anglia, Britain*. *Ethos*, 42(4), 2014, 460–478. <http://doi.org/10.1111/etho.12064>

⁷¹⁸ UNHCR., 2018 UNHCR Country Profile-Cameroon. Geneva: UNHCR.

⁷¹⁹ Church World Service., *Accessing services in the city*. New York: Church World Service Publications, 2013.

within 15 days of entry.⁷²⁰ However, during my fieldwork, I heard multiple complaints across refugee communities that these realities only existed on paper, and that harassment and access to basic human rights and services, challenges that many Cameroonians face as well, are often complicated by their refugee status. Refugees in Cameroon have typically settled on their own, with camps cropping up only since 2013 with the influx of refugees from Nigeria and the Central African Republic, combined with fears of terrorism and security threats infiltrating the population⁷²¹ Rwandan and Chadian refugees were some of the first to arrive in relatively large numbers to urban areas in Cameroon, coming in different waves over the past two decades.

Access to the Job Market

Access to the job market is one of the key pillars which determine whether an urban refugee will be able to be self-reliant or attain self-sufficiency in a long run. In contrast to any other group or family new to a particular area, the process of integrating into a novel social construct other than its own remains an absolute problem. In order to determine the extent to which urban refugees in Yaoundé have access to the labour market, certain investigations, particularly field surveys, allow us to grasp the problems and integration strategies adopted by refugees in the city of Yaoundé.

Life of an urban refugee in Yaoundé with proper documentation

Today most refugees arrive in the urban setting without their proper and sometimes with an expired identification document and so this, in turn, limits them from trading for fear of arrest. In reality, the vast majority of this population does not have formal education making the ability to communicate a greater challenge. In the face of such difficulties, many developed illegal and herculean strategies to seek a solution to their starvation and misery. Thereby exploiting the weaknesses of law enforcement officers to obtain Cameroonian national identity cards by fraudulent means⁷²².

Contributing money to occasionally bribe the authorities in the event of an arrest has become a tradition for the refugees in Yaoundé. In an interview with registered refugees, he revealed that:

life is very difficult for refugees without their identification documents, especially with the current socio-political challenges in Cameroon, we are

⁷²⁰ E . Mattheisen.,“Because I am a stranger”: Urban refugees in Yaoundé, Cameroon.2012

⁷²¹ UNHCR 2015 Country Profile-Cameroon. Geneva: UNHCR.

⁷²² Anonymous

forced to pay a lot of money to the police officers to regain our freedom when arrested, and we are constantly harassed, intimidated, and discriminated against in police checkpoints even those of us with rightful identification papers, many of our brothers and sisters bribe because of the way they are treated by the police officer .. that is why some even go as far as bribing to get the Cameroon national Identify card⁷²³”

Urban refugees in Yaoundé resolve to such practices because of their utmost desires to walk the street like normal people, trade like normal people, go to the market without fear or intimidation, and be arrested. English and French are the two official languages of Cameroon. But, in practice, French is the most used in the Cameroonian capital. However, urban refugees who speak only their native languages face double difficulties making more complex the process of adaptation and penetrating the urban fabric difficult. In other to find a solution enthusiastic and highly motivated urban refugees register in linguistic centers to learn French or English depending on their individual needs, which can take from six months to a year for dedicated learners. This was reaffirmed by one of our interviewees Makim Charles who said

I have been in Cameroon since 2013, I came to Cameroon when I could only speak French, on arriving in Cameroon I noticed that I had a lot of people to compete in the job market and I decided to learn basic English language in other to have a broader opportunity of choices to make in the job market. This has helped me to be able to secure a job for myself even though that salary might not be as good as I might prefer it to be but at least I get some money from it to send my daughter to school and to put food on my family table⁷²⁴

Employment opportunities

The city, like a living organism, is a pole for the development of various activities, through which goods and services are produced to satisfy all the individuals who live there including the refugees. There are so many refugees of different nationalities in Yaoundé. According to a report from the Ministry of External Relations, Cameroon hosts refugees from 22 different African countries. Coupled with the unemployment rate in Cameroon most refugees turn to secure a job mostly in the informal sector.

Urban refugees’ women in business

Surviving in the city is not a question of choice, age, and even abilities. This goes the same for all city dwellers including the urban refugee population. Refugee women in the city

⁷²³ Bombane Thiery , CAR refugees, Yaounde

⁷²⁴ Makim Charles, CAR refugees, Yaoundé

of Yaoundé are one of the most dominant groups of refugees operating small businesses around major roundabouts in Yaoundé city. They are engaged in selling pile nodes, groundnut, and “cola-nuts”. Refugee women feel more comfortable selling on the streets and in the markets because this gives them liberty and is also exempt from paying taxes. Most of these women can be seen in a major roundabout in Yaounde like “*Ronpoint Express*, “*Ronpoint lonkack*”, “*carreffou Melen*” and so on.

One of the women explained to us how they cope on the street, he said

the street is like our own shop or supermarket, we spend close to about 10 to 14 hours a day on the street looking for money to feed our children, send them to school, and take them to the hospital when they fall sick. I have been in Yaoundé for 12 years, my husband is working as a night watch and I support him to meet the needs of the family to my peanuts business. Every day I make a profit of about 2000 to 2500 and sometimes 5000 when business is very good. This helps the family to pay our bills and basic needs⁷²⁵

For her, selling roasted peanuts is much more profitable. This business allowed her to take care of her children when her husband was arrested by the police. While aging women sell on a specific spot on the street young girls and boys move from one drinking spot to the other selling peanuts and groundnuts. Yoyam Brigitte⁷²⁶ is one of those urban refugees we interviewed. Once she returns from school in the evening she will go out and hawk for about three hours before returning home. She has made it a daily routine to help her more on the street. Sometimes she makes a profit of at least 2000 to 3000 whenever she goes out and sells.

An observation in major round out made us to better understand the daily struggle of urban refugees in Yaoundé. These women have come up with innovative ways of producing and packaging peanuts, chinchin, fried corn, and groundnuts. For instance, in the past peanuts, and groundnuts were sold in tin tomatoes containers for 25 and 50 frs today are being sold in plastic papers and bottles for 700 and 1500 XAF per bottle. Many Cameroonian street sellers doing the same business learned this art from them. The dynamism and innovative abilities of these women attract the envy of indigenous women involved in peanuts sales to join this business. In addition, refugee women also sell fruits (bananas, pear, pineapples, watermelon) and onions. Many urban refugees are effectively integrated into Yaoundé though they still face some protection challenges.

⁷²⁵ Interview with Badoum prisca , Chadian refugees

⁷²⁶ Interview with Yoyam Brigitte, CAR refugees, hawker, Yaounde

In addition, one of the most outstanding and most profitable activities that have attracted particularly Chadian women to the city of Yaoundé is the sale of *bili-bili* or lager and liqueurs. Many of the women interviewed say they started with the modest sum of ten or fifteen thousand francs. According to Nétel Jeannette⁷²⁷, an urban refugee who has followed her husband to Cameroon since 2009, she started this business two months after her arrival. When she discovered the difficulties they were facing to cope with life in Yaoundé she decided to embark on manufacturing *bili-bili* in the neighborhood Etoa-Meki. She narrated

At the start, I rented a pace in a bar where I pay 2000 frs after each sale. I later joined a small jangi group which permitted me to take a small loan and invest in my business. Today I am financially independent because of the business. Above all, I became the main producer and supplier of this hot drink.

Relying on trade for survival

In almost all countries, recruitment into the civil service has become complicated. Every year, high schools and universities graduate thousands of students to the job market. This makes things very difficult for job searchers. So many graduates turned to compete with jobs reserved for foreigners in the past. For instance, on a street where we used to see 2 call boxes we now have about 5 or 8 people on the street doing the same job. This made surviving more difficult for refugees in Yaoundé. Many persons short down their business because of increasing competition. The street of Cameroon has become a space for all kinds of business activities: street vendors, car washers, and so forth. In the informal sector, the notion of qualification does not exist. In Cameroon, access to formal employment is governed by a legal arsenal that favors nationals as in most countries of the world. This means that urban refugees need to be four times smarter to succeed under such unfair circumstances.

In all, urban refugees in Yaoundé who depend on small trade for survival know how to live far from home, even if they are having difficulties. Many want to return all the refugees that we interviewed in the course of this scientific exercise expressed their willingness to return home when opportunities surfaced. To return to their country of origin they need money not to reintegrate home, but to pay for transport for their family. It's is pretty hard to pay for the trip of a whole family when with a little amount of money⁷²⁸.

⁷²⁷ Interview with Natel Jean

⁷²⁸ Interview with Paya Christian, Chadian, Refugees

iii. Experience with law enforcement officers and impact on urban refugees' protection

Interviews and focus group discussions with refugees in Yaoundé attest to deep-rooted suspicions and negative perceptions of refugees among police officers in the city. There is a widespread belief within the police that refugees should be restricted to camps, and there is little understanding of the reasons why they might want to reside permanently in Yaoundé. Police officers also typically assume that refugees are criminally minded, especially with the recent security threat in Cameroon.

A refugee revealed to us that they suffer a lot of harassment from police officers, particularly in the junior ranks, seem unfamiliar with refugee documentation, and are usually highly suspicious of the validity and authenticity of refugees' documents⁷²⁹. Although UNHCR routinely passes copies of its documents to police stations in Yaoundé and other police stations in Cameroon, staff turnover and a lack of training mean that many officers do not have the necessary knowledge and awareness to properly police refugees in the urban areas. According to a commander⁷³⁰ interviewed at Melen police station, there have been instances when refugees have been arrested and taken to court, only to find that they were on their rights and had valid documents. Language barriers, lack of knowledge of their rights and how to uphold them, fears of exposure, and previous traumatic encounters with police authorities in their countries of origin or Cameroon all make refugees very nervous around the police. This, coupled with a lack of familiarity with the legal system makes them prone to seek on-the-spot solutions with individual officers, rather than taking matters up with higher authorities.

The focus group discussions indicated that newcomers are particularly vulnerable as they are less familiar with police encounters in Yaoundé. Focus group discussions with refugee communities in Yaoundé revealed widespread patterns of abuse and extortion, with refugees being routinely stopped, arrested, and charged with 'idling with the intent of committing a crime or being an 'unlawful presence'. Arrests are almost always made to extort money from detainees, who are usually released once a bribe has been paid.

According to the majority of refugees interviewed in Yaoundé, patrols and searches are deliberately arranged to maximize bribe-taking. For example, men are mostly targeted during the day, while women are usually targeted at night because police officers know that families and communities fear the possibility of sexual abuse and are willing to pay substantial amounts

⁷²⁹ Interview with Bombande Thierry, CAR refugees

⁷³⁰ Mbanlave Pius melen police station

of cash to release a woman. According to one refugee, a Chad man⁷³¹, police officers demand around 25000cfa for a woman, and around 1000 Cfa for a man. If refugees refuse or cannot pay the bribe, they are jailed. If they are still unable to pay they are taken to court. As the case escalates, higher and higher bribes are demanded. There were also allegations of officers stealing valuables such as jewelry and mobile phones, and respondents of both sexes reported violence during identity checks and arrests, including kicking, slaps, beatings, and verbal and sexual abuse. The majority of Chad and CAR refugees said that, when stopped or arrested, they did not confront the police because doing so would only make matters worse. Many do not report police abuses because they do not know-how, and are afraid that doing so would further jeopardise their precarious legal status.

The five police officers interviewed admitted that extortion of refugees was a problem within the force, but maintained that the situation was improving and that the police were working to tackle corruption. One told us that the police were trying to find creative solutions, including allowing refugees to carry photocopies of documents to prevent corrupt officers from destroying the originals. It is also worth noting that refugees from the Rwanda we interviewed told us that police harassment and extortion had significantly decreased as compared to situations in the past. It should also be said that extortion is a problem for many Cameroonians as well, albeit the bribes may seem to be much lower than the rates paid sometimes by the refugees, and their more straightforward documentation (in most cases all they need to produce is a valid Cameroon national ID card) makes them less vulnerable to accusations that their papers are invalid or fake.

A senior officer we interviewed refuted many of the accusations made by refugees, claiming that, if they have the appropriate documents, most police officers would not harass them and they should therefore have nothing to fear. Even in cases where refugees were arrested and brought to the station, the officer claimed that their documents would always be verified for authenticity and, if the documents were deemed valid, they would be released. Refugees without valid documents are taken to court and either deported to their country of origin or returned to the camps. Other officers, however, told us that in most instances cases were resolved on the spot, and refugees were only rarely taken to a station. More broadly, several senior officers told us that they were well aware of the Refugee law and knew how to treat a refugee.

⁷³¹ Tanyard former Chadian head of camp, Yaoundé

Although police harassment seems to affect different groups in different ways, it is clear that fear of the police is restricting refugees' freedom of movement around Yaoundé. Many refugees in Yaoundé rarely travel to other towns like Ebolowa and Buea, and refugees without documentation minimise travel both outside and within Yaoundé, preferring to remain at home as much as possible until they have the valid document.

The impact of refugees on the urban economy

The presence of refugees in the urban setting is a plus to the growth of the economy. There is a general belief by many that refugees are miserable people with no home, no money, and no education. This narrative is not true, because, during our research, we encountered refugees who before the disturbing political circumstances in their place of origin were down well in terms of business, agriculture, experienced shepherds, and career, though limited in number. Generally, the refugees are capable of transforming primarily a residential area into a vibrant commercial and business center, retail outlets (from small-scale hawking and street stalls to shopping malls), cafes and restaurants, and international money transfer and exchange services.

IV. Protection of urban refugees in Yaoundé: International and regional laws

The peculiar protection and material needs of urban refugees in recent decades have received much-needed attention. Urban refugees as a class of refugees are entitled to protection under international law, more particularly under international human rights law and international refugee law.⁷³² These laws provide the framework within which the protection of and assistance to refugees should be undertaken. Over the past, three decades' urban refugees have been regarded as atypical and, at times, as illegal and offensive to the state establishment. This view is particularly prominent in most African countries where urban communities are now hosting a bulk of the forcefully-displaced population. The unwillingness or rebuff of governments to recognize urban refugees is contradictory to historic and customary practice, where 'people recognized as refugees have been of urban origin and have established a safe haven in urban environments'⁷³³. This is because in the urban environment refugees can locate places of transitory protection, where they are more dependent on their networks and personal resilience⁷³⁴ since the UNHCR provides minimal support to this vulnerable group of refugees

⁷³² G. Goodwin-Gill "The politics of refugee protection" *Refugee Survey Quarterly* ,2008, p. 8.

⁷³³ G . Hoffstaedter 'Between a rock and a hard place: Urban refugees in a global context' in K Koizumi & G Hoffstaedter (eds) *Urban refugees: Challenges in protection, services and policy* ,2016,pp. 1-10.

⁷³⁴ *Ibid.*

in the areas of accommodation and food, livelihood, and limited access to education and healthcare⁷³⁵.

Governments, international institutions, and agencies often have minimal information on urban refugees⁷³⁶ as compared to encamped refugees ‘who are generally supervised with their identity and location known’.⁷³⁷ For instance, urban refugees are usually unmanaged, discrete, and unregistered, and are regarded as spontaneous or self-settled refugees – those who have abandoned the encampment regime.⁷³⁸ Different from the camps, urban refugees are scattered, making it more difficult for service providers to correctly appraise their needs.⁷³⁹ For example, a 2008 report by UNHCR revealed that ‘about 30 per cent of the essential needs of refugees are not being met.’⁷⁴⁰ These most basic needs include livelihoods, health, and education for their children.⁷⁴¹ The ability of refugees to access education and health, particularly in an urban context, depends on their ability to generate an income.

Urban refugees face other extreme challenges that do not affect those residing in camps and settlements.⁷⁴² Campbell contends that while refugees who remain in camps and settlements have access to basic provisions such as shelter, food, and water, refugees residing in urban areas have no choice but to be self-reliant.⁷⁴³ The International Rescue Committee contends that in most cases urban refugees do not have legal recognition and protection in the host country, making it more complicated to access basic services as well as exposing them to abuse and exploitation.⁷⁴⁴ Even though they lack proper identification and documents, Bailey argues that ‘they must find employment and face the threat of detention, deportation or forced relocation’.⁷⁴⁵ Even in countries where they do have legal recognition and protection, urban refugees are frequently faced with harassment by police, including physical abuse,

⁷³⁵ UNHCR *UNHCR policy on refugee protection and solutions in urban areas*. 2009 <http://www.unhcr.org/refworld/docid/4ab8e7f2.html> (accessed 7 April 2017).

⁷³⁶ P Marfleet “‘Forgotten”, “‘hidden”: Predicaments of the urban refugee’ ,2007, *Refuge* 24, pp. 36-45.

⁷³⁷ *Ibid*

⁷³⁸ *Ibid*

⁷³⁹ G Hoffstaedter ‘Between a rock and a hard place: Urban refugees in a global context’

⁷⁴⁰ Voice of America *UNHCR: Thousands of refugees in camps, urban areas left without basic aid* (2008).

⁷⁴¹ G Hoffstaedter ‘Between a rock and a hard place: Urban refugees in a global context’

⁷⁴² *Ibid*

⁷⁴³ E.H Campbell ‘Urban refugees in Nairobi: Problems of protection, mechanisms of survival, and possibilities of integration’ 2006 (19) *Journal of Refugee Studies* 396.

⁷⁴⁴ International Rescue Committee *Urban refugees* (2012) 1

⁷⁴⁵ B Sarah ‘Is legal status enough? Legal status and livelihood obstacles for urban refugees’ MA thesis, The Fletcher School, Tufts University, 2004 31.

intimidation, illegal detention, and demands for bribes. Women refugees are particularly vulnerable to physical and sexual abuse⁷⁴⁶.

In most African countries plagued by economic crises and social problems, refugees are used as convenient scapegoats. For instance, in Sudan, Buscher observes that ‘the local population accuses refugees of being responsible for higher rents, intermittent shortages of necessities, overcrowded schools, and inadequate healthcare facilities, increasing crime rates and other urban ills.’⁷⁴⁷ In most African countries ‘landlords and employers often take advantage of urban refugees who do not have legal protection by charging them higher rents or paying them less than locals with equivalent skills’⁷⁴⁸. There is also a misconception among governments that refugees in urban areas cause an increase in crime rates in the cities. Meanwhile, Landau and Jacobsen observe that ‘migrants and refugees are far more likely to be victims of crime or police harassment than locals’.⁷⁴⁹ Particularly, the experiences of urban refugees in cities such as Cairo, Johannesburg, Kampala, and Khartoum are typified by a high level of helplessness due to the subjective enforcement of international and national protection regimes.⁷⁵⁰ In practice, therefore, the laws are often an impediment rather than a solution. For example, these laws are used to perpetuate their status as refugees indefinitely.⁷⁵¹ In light of the foregoing, the international and regional mechanisms governing the protection of refugees are discussed with reference to refugees in urban settings.

i. Protecting urban refugees under the international human rights system

Six decades after the adoption of the 1951 Convention, the fundamental rights and freedoms of refugees and asylum seekers are still being contested on political, economic, legal, and humanitarian grounds.⁷⁵² The Universal Declaration of Human Rights (Universal Declaration) can be considered the bedrock of international human rights law.⁷⁵³ Although declarations are non-binding, United Nations (UN) declarations with the backing of the UN

⁷⁴⁶ P Marfleet, pp. 36-45.

⁷⁴⁷ B Dale ‘Case identification: Challenges posed by urban refugees’ Annual Tripartite Consultations on Resettlement, June 2003. P.8.

⁷⁴⁸ *Ibid*

⁷⁴⁹ L. Landau and K .Jacobsen ‘Refugees in the new Johannesburg’ (19) *Forced Migration Review*, 2004, pp.44-46.

⁷⁵⁰ A Fábos and G Kibreab ‘Urban refugees: Introduction’ 2007 (24) *Refugee* 3-8.

⁷⁵¹ G Kibreab ‘Refugeehood, loss and social change: Eritrean refugees and returnees’ in P Essed et al (eds) *Refugees and the transformations of societies: Agency, policies, ethics and politics* ,2004, p 19–30.

⁷⁵² G. Goodwin-Gill ‘The politics of refugee protection’

⁷⁵³ WA Schabas *The Universal Declaration of Human Rights: The travaux préparatoires Vol 1, October 1946 to November 1947* , 2013, p.37.

General Assembly (UNGA) present strong expressions of the principles of international law.⁷⁵⁴ The Universal Declaration offers some level of protection for urban refugees, despite its non-binding nature, as well as its lacking a treaty body to monitor member states' compliance with the obligations imposed by it. The 1968 Proclamation of Tehran calls the Universal Declaration 'a common understanding of the peoples of the world concerning the inalienable and inviolable rights of all members of the human family and constitutes an obligation for the members of the international community.'⁷⁵⁵ Therefore, it has been argued that the Universal Declaration has acquired the status of *jus cogens* through the frequent reaffirmations by the UNGA, other international institutions and governments.⁷⁵⁶ *Jus cogens*, unlike treaty law, is binding on all states, cannot be derogated from⁷⁵⁷ and evolves through 'consistent and general practices of states emanating from a sense of legal and moral obligation'.⁷⁵⁸ Undoubtedly, the Universal Declaration has incontestable 'political standing and symbolic significance'⁷⁵⁹ as a universally-recognised enumeration of fundamental human rights and freedoms.⁷⁶⁰ Article 14(1) of the Universal Declaration provides that 'everyone has the right to seek and to enjoy in other countries asylum from persecution'⁷⁶¹ thus representing the first attempt to make the right to seek refuge a universal right.

The core objective of the Universal Declaration, namely, that of culminating in binding human rights instruments,⁷⁶² came to fruition when the International Covenant on Civil and Political Rights (ICCPR)⁷⁶³ and the International Covenant on Economic, Social, and Cultural Rights (ICESCR)⁷⁶⁴ were adopted in 1966. Discrimination on the grounds of a person's status is proscribed by both Covenants.⁷⁶⁵ The ICESCR guarantees the rights of refugees to the enjoyment of just and favourable conditions of work,⁷⁶⁶ to an adequate standard of living,

⁷⁵⁴ J Morsink *The Universal Declaration of Human Rights: Origins, drafting, and intent*, 1999, p.146.

⁷⁵⁵ Proclamation of Teheran, Final Act of the International Conference on Human Rights UN Doc A/CONF 32/41 3 1968, para 2.

⁷⁵⁶ H Hannum 'The status of the Universal Declaration of Human Rights in national and international law', *Georgia Journal of International and Comparative Law*, 1995, p. 287.

⁷⁵⁷ *Portugal v India* 1960 ICJ 123 135. Fernandez J was of the opinion that 'in principle, special rules prevail over general rules but there are exceptions to this principle because no special rules prevail over *jus cogens*'.

⁷⁵⁸ Art 38(1)(b) of the Statute of the International Court of Justice states that 'sources of international law applied by the Court includes international custom evidenced by general practice accepted as law'.

⁷⁵⁹ K. Decker et al 'Human rights and equitable development: Ideals, issues and implications' background paper for the World Development Report, 2006, p. 10.

⁷⁶⁰ L .Henkin 'The International Bill of Rights: The Universal Declaration and the Covenants' in R Bernhardt & JA Jolowicz (eds) *International enforcement of human rights*, 1987, p. 1

⁷⁶¹ Arts 14(1) & (2) Universal Declaration.

⁷⁶² TRG van Banning *The human right to property*, 200, p. 42.

⁷⁶³ ICCPR, 19 December 1966, 999 UNTS 171

⁷⁶⁴ ICESCR, 16 December 1966, 993 UNTS 3.

⁷⁶⁵ Art 2(2) ICESCR; arts 2(1) & 26 ICCPR.

⁷⁶⁶ Art 7 ICESCR.

including adequate food and housing,⁷⁶⁷ and intellectual property.⁷⁶⁸ Through General Comments, the UN Committee on Economic, Social and Cultural Rights (ESCR Committee) has also considered the application of the principle of non-discrimination to specific covenant rights, including the rights to housing, food, education, health, water, work, and social security.⁷⁶⁹

On the other hand, the ICCPR provides that ‘everyone lawfully within the territory of a state shall within that territory have the right to liberty of movement and freedom to choose his residence. This right, however, may be restricted through the provisions of national law. It also protects ‘aliens’ from illegal expulsion⁷⁷⁰. The Human Rights Committee (HRC) explains that article 12 implies that the enjoyment⁷⁷¹ of Covenant rights is not limited to citizens of States Parties but also available to all individuals, regardless of nationality or statelessness, such as asylum seekers and urban refugees, who may find themselves in their territory or subject to their jurisdiction, thus guaranteeing the enjoyment of rights in the ICCPR also to urban refugees.

Since its adoption, the 1951 Convention has remained the bedrock of refugee-specific rights under international law. Central to the provisions in this Convention is ‘access to work and social security,⁷⁷² as is clearly emphasised by the *Ad Hoc* Committee on Statelessness and Related Problems, who stated in 1950 that⁷⁷³

the new refugee convention should make refugees self-reliant in the host countries. They must be integrated into the economic system of the countries of asylum and should be able to provide for their own needs and those of their families unless they consent to repatriation. This is necessary because it is critical for the refugee to enjoy an equitable and stable status as well as to lead a normal existence and be integrated rapidly.

⁷⁶⁷ Art 11 ICESCR.

⁷⁶⁸ Art 15(b) ICESCR.

⁷⁶⁹ The UN Committee on Economic, Social and Cultural Rights (ESCR Committee) General Comment 4 on the right to adequate housing (1991); General Comment 13 on the right to education (art 13) (1999); General Comment 14 on the right to the highest attainable standard of health (art 12) (2000); General Comment 18 on the right to work (art 6) (2005); and General Comment 19 on the right to social security (2008).

⁷⁷⁰ Art 13 of the ICCPR states that ‘an alien lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law’.

⁷⁷¹ Art 12(3) of the ICCPR states that ‘[t]he above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant’.

⁷⁷² International Refugee Organisation ‘Communication from the International Refugee Organisation to the Economic and Social Council’ UN Doc E/1392, 11 July, 1949, pp.35–37.

⁷⁷³ Memorandum by the Secretary-General to the *Ad Hoc* Committee on Statelessness and Related Problems UN Doc E/AC.32/2, 3 January 1950, pp. 6–7.

This implies that refugees are entitled to basic survival and dignity rights, as well as access to domestic courts for the enforcement of such rights. The 1951 Convention also recognises the risk of economic marginalisation and exploitation for refugees and, therefore, enfranchises refugees within the social welfare system of the host state.⁷⁷⁴

It must, however, be noted that all the substantive rights other than non-discrimination, freedom of religion, access to the courts, and *nonrefoulement* may be waived during the signing or ratification of or accession to the Convention by a state.⁷⁷⁵ This loophole has the potential of weakening the protection that the 1951 Convention offers to urban refugees as repressive states can waive other critical rights that are crucial to the basic and survival needs of refugees, in general, and urban refugees specifically.

To establish a body to oversee the application of the conventional rights enshrined in the 1951 Convention, article 35(1) obliges state parties to⁷⁷⁶ co-operate with the UNHCR or any other agency of the UN which may succeed it in the exercise of its functions and shall, in particular, facilitate its duty of supervising the application of the provisions of this Convention.

This provision further charged the UNHCR to ‘supervise international conventions providing for the protection of refugees and recognise that the effective coordination of measures taken to protect the rights of refugees will depend upon the co-operation of States with the UNHCR’.⁷⁷⁷ This demand underscores the critical role of the cooperation between the UNHCR and states in protecting the rights of all refugees. Kalin considers these obligations as highly versatile and evolving.⁷⁷⁸ However, since article 35(1) of the 1951 Convention does not put a time or functionality restriction on the relationship between state parties and the UNHCR, ‘the duty to co-operate also follows the evaluative duties of the UNHCR’.⁷⁷⁹

In 2009, the UNHCR adopted the Policy on Refugee Protection and Solutions in Urban Areas (Urban Refugee Policy) to safeguard and protect the rights of urban refugees. The policy is underpinned by two key principled objectives:⁷⁸⁰ first, to guarantee the recognition that urban

⁷⁷⁴ J. Hathaway *The rights of refugees under international law*, 2005, p. 96.

⁷⁷⁵ The UNHCR Executive Committee ‘Agenda for Protection’ UN Doc EC/52/SC/ CRP.9/Rev1, 26 June 2002 Part III, Goal 1, Point 1

⁷⁷⁶ *Ibid*

⁷⁷⁷ *Ibid*.

⁷⁷⁸ W. Kalin ‘Supervising the 1951 Convention Relating to the Status of Refugees: Article 35 and beyond’ in E Feller et al (eds) *Refugee protection in international law UNHCR’s global consultations on international protection* (2003) 615

⁷⁷⁹ V. Turk *The UNHCR’s supervisory responsibility*, 1992, p.162.

⁷⁸⁰ *Ibid*

areas are legitimate places for refugees to live and enjoy their rights; and second, to expand the protection space entitled to urban refugees as well as the organisations that assist them.

Based on these objectives, the policy stresses that ‘urban refugees like other refugees are entitled to protection and other durable solutions and hence they must be able to enjoy their rights provided in the 1951 Convention as well as in other refugee and international human rights laws⁷⁸¹’. Therefore, it advances that the rights of refugees and the obligations of key actors towards them are not affected by their location, their means of arrival in urban areas, or their status (or lack thereof) in national legislation.⁷⁸²

ii. The enforcement of pro-refugee law by the government of the Republic of Cameroon:

The preamble of Cameroon’s 1996 constitution states that “every person shall have the right to settle in any place and to move about freely, subject to the statutory provisions concerning public law and order, security and tranquility.”⁷⁸³ In that spirit, the government ratified the 1951 Convention relating to the Status of Refugees, without reservation, its 1967 Protocol, and the 1969 Convention governing the Specific Aspects of Refugee Problems in Africa.⁷⁸⁴

Cameroon’s Refugee Law provides that refugees should have access to social services and public assistance in terms of equality with Cameroonian nationals. However, numerous obstacles prevent refugees from accessing these services. As a general matter, lack of resources, unclear and complex procedures, inefficient follow-up of requests, poor reception/counseling of beneficiaries, favouritism, and corruption all make accessing social services difficult, especially for refugees. For example, even though by law public education is free of charge, refugees regularly report that they are required to pay bribes, which they often cannot afford, for their children to be enrolled in public schools.

In July 2005, Cameroon adopted a law defining the legal framework for refugee protection, and the relevant decree followed in November 2011.⁷⁸⁵ The law applied the refugee definitions of both Conventions and prohibited *refoulement* of refugees or the extradition of refugees “for reasons other than national security and public order, pursuant to a lawful

⁷⁸¹ Key actors include the UNHCR, governments and other humanitarian organisations delivering services to refugees.

⁷⁸² *Ibid*

⁷⁸³The Revised 1996 Constitution of the Republic of Cameroon, p.1.

⁷⁸⁴P. Mouton, *Social Security in Africa: Trends, problems and prospects*, Geneva: ILO, 1975, p. 33.

⁷⁸⁵Section 6 (3), the 2005 Law Relating to the Status of Refugees in Cameroon, p.3.

decision and with 72hours notice to UNHCR”.⁷⁸⁶Section 7 of the law states that “no person shall be turned back at the border ... to return to a territory where that person's life, bodily integrity or freedom would be threatened.”⁷⁸⁷

Since 2011, there have been some cases of *refoulement* but there has not been systematic governmental harassment or serious physical risk.⁷⁸⁸ In 2014, two commissions from the Republic of Cameroon on eligibility and appeals were created and their members were nominated from different parts of the government with UNHCR to play an advisory role but had not yet gone operational due to issues related to office space.⁷⁸⁹ The UNHCR has since 2014 continued to hear claims and made decisions on refugee status in Cameroon and Yaoundé in particular. UNHCR held appeals hearings until the appeals commission could start functioning.⁷⁹⁰

Rights and obligations of urban refugees in Yaoundé

We shall focus on the rights and obligations of the urban refugees as seen in the subsequent paragraphs.

The rights of refugees: When an individual is granted the status of a refugee, he enjoys certain rights which are well spelled out both in the 1951 Convention and the OAU Convention governing specific aspects of refugee problems in Africa without forgetting the Cameroon constitution. These rights are the main pillars upon which the 2009 urban refugees’ policy was constructed. It is important to underscore that urban refugees have rights to national treatment; refugees have the same favorable treatment given to them by the state as well as the nationals in the following domains without any discrimination;⁷⁹¹ Religious Liberty, Intellectual and industrial property, Rights to justice, Access to primary education, Public assistance, Court legislation, Social security.⁷⁹²

They have the right to freedom of movement. This applies to refugees who are recognized and registered as refugees in Cameroon, with identification documents.⁷⁹³ They

⁷⁸⁶*Ibid*

⁷⁸⁷*Ibid*, p.45.

⁷⁸⁸ Interview with Ndeye Ndiougue, 46, UNHCR Representative, Yaoundé, 21 of November 2020.

⁷⁸⁹*Ibid*.

⁷⁹⁰ Interview with Charlotte Ridung, 53, UNHCR Agent, 23rd of October, 2020.

⁷⁹¹ V. Barbelet ., “Livelihood strategies of Central African Refugees in Cameroon”, HPG working paper, March 2017, pp. 4-5.

⁷⁹² *Ibid*.

⁷⁹³ L. Carroll, UNHCR and International Refugee Law: From Treaties to Innovation. New York, 2012, p. 226.

can move to and from any part of the national territory (city, urban or local areas) and are free to settle where they wish. However, they are prohibited from going into their country and back because this signifies that, their countries of origin or habitual place of residence no longer poses a well-founded fear of persecution.

Also, they have a travel document “*A qui de Droit*” (To Whom It May Concern) which enables refugees to travel within the CEMAC region for a maximum period of 3 months, usually issued by the UNHCR. For refugees to travel out of the CEMAC zone, they are issued a document called “Convention Travel Document” issued by the Delegation for National Security⁷⁹⁴ precisely the immigration service of the sub-department of Emi-Immigration. This is the courtesy of the Ministry of External Relations which plays an intermediary role.

They also have the right to equal treatment given to alien inhabitants in the country. This involves freedom of association. Note that, here only apolitical and trade unions are accepted. Associations that are politically inclined are not accepted. - They also have the right to work and be paid as well as private or self-employed jobs - Rights to lodging and acquisition of properties both movables and the immovable.

Urban Refugees do not only have rights but also obligations to fulfill. In as much as they are protected so as well they are supposed to respect the norms/legislation of their residing country. This has to do with abstention from politics as well as the conditions for the respect of asylum.

Obligations to respect the laws. All refugees residing in Cameroon are bound to respect the rules and regulations of the country and equally measures in preserving and maintaining public order.⁷⁹⁵

The obligation of reserve and political abstention. All refugees on Cameroon soil have the obligation the reserve or abstain from all subversive activities. This was one of the burning issues during the conception of the OAU Convention.⁷⁹⁶ It should be noted that refugees are not supposed to be a risk to the security of the receiving country through subversive acts and propaganda toward their country of origin. Furthermore, members of the OAU took engagements not to permit refugees that are established on their territories to go against the

⁷⁹⁴ In terms of internal arrangement of the DGSN, the immigration service is the competent organ for the delivery of this document.

⁷⁹⁵ Article 2 of the convention of 1951 and art III (I) of OAU.

⁷⁹⁶ *Ibid.*

interest of any member states. That is, not to allow refugees to become a source of conflict between the member states.

According to OAU subversive act refers to activities of all nature that can bring tension amongst member states notably through the press, writing, and radio. In Cameroon, refugees are obliged to sign a declaration to uphold Cameroon's policy of good neighborhood relations with her neighboring countries.⁷⁹⁷ Non-violation of the asylum conditions as well as respect for the goals and principles of the UNO and OAU. No one by no means seeking refuge in Cameroon has the right to go against these two organizations.

Conclusion

Generally, the UNHCR has done a lot of efforts to foster and enhance these policy objectives relevant to promoting durable solutions to the refugee predicament in Cameroon and Yaoundé in particular. Since the publication of its 2009 policy on urban refugees, the UNHCR has made commendable progress in protecting, assisting, and seeking durable solutions to urban refugees in Yaoundé, thanks to its positive and strategic partnership with key stakeholders working in this domain. The analyses of our survey show that commendable progress has been done in the implementation of the 2009 policy framework ranging from good reception facilities to freedom of movement. However, the UNHCR still faces normative and institutional challenges hindering the full implementation of the 2009 urban refugee policy framework despite commendable progress registered.

⁷⁹⁷ HCR 140/1185 p.34.

CHAPTER FIVE

FINDINGS, CHALLENGES ENCOUNTERED AND RECOMMENDATIONS TO IMPROVE DURABLE SOLUTIONS FOR REFUGEES IN CAMEROON

Introduction

The collective efforts continually invested by traditional stakeholders with an inherent mandate to effectively and efficiently develop and implement strategic operations destined to bring an end to refugees' predicament in Cameroon had sometimes met gigantic mountains and plains. Central to UNHCR mandates towards refugees in Cameroon are three key pillars, voluntary repatriation, effective local and urban integration, and voluntary resettlement generally refers to as durable solutions. With the most preferred being voluntary repatriation. Throughout this work, our analysis was based on voluntary repatriation and effective urban integration. These ultimate solutions are highly driven by the logistical, economic, medical, and psycho-social assistance given to refugees within a social construct, urban or rural. However, despite commendable progress made by UNHCR and partners in fostering voluntary repatriation of refugees in Cameroon, and effective urban integration in Yaoundé (in consonance with the fundamental objectives of UNHCR 2009 policy on urban refugees), they continue to face challenges hindering the effective and efficient implementation of the diverse normative frameworks guiding the attainment of a durable solution for refugees in Cameroon and Yaoundé in the case of urban integration. This chapter presents the findings of our research; highlights the challenges encountered by UNHCR in attaining durable solutions, and also suggests policies that can be explored and exploited by multi-stakeholders to increase effectiveness and efficiency.

I. Research Findings

In line with our research objectives, this section presents relevant milestones registered by multi-stakeholders with legitimate mandates toward the refugee population in Cameroon. Its response to our fundamental research questions, from existing normative and institutional frameworks to the extent to which these frameworks contribute to finding durable solutions for refugees in Cameroon. The findings of this work will be subdivided into the refugee's

protective framework work in Cameroon (which includes normative and institutions frameworks); voluntary repatriation of Nigeria, Chadian, and CAR refugees from Cameroon, and UNHCR and government of Cameroon efforts to make urban locality of *Yaoundé* a legitimate space for settlement.

i. Refugee's protective framework in Cameroon

In terms of normative justification, our research found out that, there exist legal norms and good policies governing stakeholders' quest for durable solutions for refugees in Cameroon. In principle, Cameroon is a conducive host environment for refugees. Cameroon is one of the States in Central and West Africa sub-regions that for long have maintained an open-door policy towards a massive percentage of Refugees from all African countries. Without any reservations, the country has ratified the major legal instruments for refugee protection, including the 1951 Refugee Convention and the 1969 Organization of African Unity (OAU) Refugee Convention. These commitments have been translated into a progressive legal framework allowing refugees to work, move freely and reside within the country. A progressive legal framework unveiled in 2005 and officially in force since 2011 allows refugees to work, move around freely, and reside in the country. In essence, the 2005 refugee law incorporated the definitional elements provided for under both the 1951 Refugee Convention and the 1969 OAU Convention governing the specific problem of refugees in Africa. On 19 September 2016, the government of Cameroon joined other members of the United Nations to vote in support of the New York Declaration for Refugees and Migrants, a set of commitments designed to enhance the protection of refugees and migrants. This shows the progressive attitudes of the government toward finding meaningful durable solutions for refugees in Cameroon.

In addition, our research found out that the Government of the Republic of Cameroon is committed to a "no encampment" policy and is supportive of local (urban) integration. In principle, Cameroonian law permits freedom of movement, and hence the freedom to the self-settle outside of formal camps as well as the freedom to settle in any town or city depending on their specific interest. Like the case of the Government of Cameroon, the study found no indication that UNHCR was following a policy of encampment; or had instructions from the government that refugees must be in camps. The refugees we interviewed in the course of our study acknowledge the fact that they are permitted to move and settle in any part of Cameroon but they must have moved along with the Refugees Card to prevent harassment, arrest, or detention at any point of their journey. Some police officers interviewed in Yaoundé revealed

that they had been instructed by the central authority not to detain individuals without refugee status, but to refer them to UNHCR for identification, registration, support, and assistance. The “no encampment” policy of the government is in alignment with the constitution of Cameroon and other refugee-related legal instruments. The preamble of Cameroon’s constitution states that “every person shall have the right to settle in any place and to move about freely, subject to the statutory provisions concerning public law and order, security and tranquility.” In that spirit, the Government of Cameroon signed the 1951 Convention relating to the Status of Refugees, without reservation, its 1967 Protocol, and the 1969 Convention governing the Specific Aspects of Refugee Problems in Africa. In practice, other concerns, including security and fear of crime, influenced how the legal and policy framework was interpreted and implemented by local authorities.

Our research further revealed that, before the extension of Boko Haram insurgencies in Cameroon, the issue of security and fear of crimes was not a bigger factor when it comes to the relationship between the central government and the refugees. In the early phase of the humanitarian crisis in North-Eastern Nigeria and the Central Africa Republic, the government adopted a policy of encouraging refugees able to self-settle to do so. Our research found a massive change and hardening of government attitudes towards the movement of refugees when hundreds of thousands of refugees were streaming into its territory at the height of insecurity in the Lake Chad Basin. Since then, growing concerns around insecurity, in particular, the infiltration into Cameroon of armed groups from CAR and the conflict with Boko Haram in the north of the country, appear to have prompted a more assertive approach to self-settlement, and refugee movement in general. This is a legitimate concern: armed groups have crossed over the border into Cameroon and committed violent acts against refugees and local Cameroonians, contributing to a general sense of insecurity, and displacement of hundreds of Cameroonians in the Far North Region, and instability in the east of the country. As earlier mentioned before, the government was open to local (urban) integration, but with the rising complex securitization in the country, this is no longer possible. The security issue has become more crucial. This more controlling approach towards refugees translated into an increased emphasis on managing refugees’ movements and encouraging refugees to settle in specific locations. As one humanitarian worker explained: ‘The position of the government is that there is an area for refugees. In implementing this policy, the authorities directed where assistance could be delivered and where it could not, forcing refugees to choose between receiving assistance or accessing informal support through family members and seeking

livelihood opportunities in cities such as Yaoundé, Douala, Garoua, and Bertoua. Refugees' freedom of movement was also being curtailed, further affecting livelihood opportunities and hampering economic and social integration.

Generally, in terms of policy advancement, our research found that the Government of Cameroon has continually made renewed efforts to provide improved protection and assistance to refugees in Cameroon. As earlier highlighted, Cameroon is a signatory to the 1951 Refugee Convention and the 1967 African Union protocol. The government adopted a refugee law in 2005 (Law No. 2005/006), which entered into force in 2011. Together, these international and national regulations guarantee refugees freedom of movement, the right to work, free access to education and healthcare, and access to assistance from UNHCR. They also require authorities to register all asylum seekers and guarantee refugees the right not to be forcibly returned to their country of origin. The government has recently made additional commitments to support refugees within its borders. At the 2016 Leaders' Summit on Refugees and Migrants, Cameroon pledged to improve access to primary and higher education, strengthen the process of providing biometric ID cards, and facilitate voluntary returns for refugees. In addition, the government issued a Letter of Development Policy in August 2017, in which it requested financing from the IDA18 sub-window and articulated the government's commitment to move toward a long-term strategic approach to forced displacement. The government is committed to preparing a medium-term strategy to manage refugees, facilitating greater access to basic social services for vulnerable populations affected by forced displacement, improving legal security for refugees issuing biometric and travel documents for refugees, and issuing birth certificates for children of refugees born in Cameroon.

In terms of an institutional framework, our research reveals diverse multi-international, regional and national institutions operating and collaborating at different levels toward finding comprehensive durable solutions for refugees in Cameroon. Guided and directed by the UNHCR these institutions are guardians of the cross-sectorial normative norms protecting the rights of the refugees in Cameroon. The UNHCR has established partnerships with a wide variety of international, regional, and local actors to deal with the crucial issues of refugee protection, durable solutions, and operations. In Cameroon, it collaborates with Multilateral, bilateral, international, regional, and national partners to seek durable solutions for refugees. These partners are classified under implementing, operating partners, and donors. Most specifically, in order to meet up with its robust objective to increase protection and seek durable solutions for refugees in Cameroon, the UNHCR works in collaboration with Key Government

Partners: Ministry of Territorial Administration (MINAT), Ministries of External Relations (MINREX), Ministry of Economy, Planning and Regional Development (MINEPAT), the Directorate of General National Security (DGSN). MINADT is the focal ministry for humanitarian affairs and plays a central role in the government's management of refugees in rural areas through local government representatives, governors, or *prefets* and *sous-prefets*. However, refugee issues, including status determination, are managed separately by a technical secretariat within MINREX. The provision of identity documents for all residents of Cameroon, including refugees, is managed by a separate structure, the Directorate of General National Security (DGSN) and the Ministry of Economy, Planning, and Territorial Administration (MINEPAT). The World Bank, the IDA18 sub-window fund for refugees in developing countries has given billions of dollars to the government of Cameroon to foster comprehensive solutions for refugees in Cameroon. Overall, it appears there is no clear institutional arrangement to manage a medium- or long-term response to forced displacement as responsibilities either overlap among or are lost between ministries. To implement their programs, humanitarian and development actors typically coordinate separately with their Cameroonian focal ministries and with sectorial ministries (for instance the Ministry of Education and Ministry of Health). The capacity and dynamism of these ministries vary substantially. NGOs working in both humanitarian and development sectors have fruitful coordination with local authorities and greater challenges coordinating at the central level.

Institutionally, our research further revealed that in the light of reception, responsibility, and holistic integration once refugees arrive on Cameroonian soil, they present themselves to the UNHCR, make an appointment, and get identified. The identification is based on or made with a supporting document; which can be the national identity card, passport, or birth certificate. After being identified by UNHCR agents, these refugees are subjected by the UNHCR to harsh interrogations regarding the reason for their exile in Cameroon; their professional, political, educational, and social lives. And they recount with accuracy their journeys to arrive on the Cameroonian territory. The interrogation with the agents or staff of the UNHCR is done by multiple appointments, and it lasts for years so that others can obtain the status of refugees, family composition for numerous subjects. However, while waiting, the refugees will move around or go about their business with a "To Whom It May Concern" document issued by the UNHCR and renewable for every 3 months, and others every 6 months. Economically, one of the refugees interviewed recounted "refugees particularly Central African refugees are the majority in Yaoundé are poor; financially, economically, and

materially. Their economic situation is very miserable, they live at the expense, and they are vulnerable people. They are fleeing persecution and they were stripped in their homes or their journeys before they found themselves in Cameroon.” He continued to lament that “*Les réfugiés à Yaoundé reçoivent aucune assistance alimentaire, matériels, pour améliorer leurs conditions de vies particulières, d'autres trouvent refuges la nuit sur les bancs des écoles publiques et dans les maisons inachevés, d'autres loue et ne parviens pas a payé le loyer... etc* which can be translated as, the refugees in Yaoundé receive no food assistance, material assistance, to improve living conditions, others find shelter at night on the benches of public schools and in unfinished houses, others rent and fail to pay the rent etc.

Concerning the urban integration of refugees in Yaoundé, this work revealed that at the educational integration level, the UNHCR partner with Plan International to enroll in public schools, the children of refugees who are recognized by the Geneva Convention of 1951, and those whose name appears in the family composition of parents or guardian’s cards. According to the scholarship scheme, Refugee children enrolled in schools are entitled to an amount of twenty thousand per term to buy books and other school needs for children as part of the UNHCR–PLAN scholarship program placed under the management of Plan International, Cameroon. However, our interview with some refugees revealed that many have not been able to receive this famous scholarship and the cause is unknown, despite claims that have been made by the parents and guardians of students to the service in charge of this scholarship program their legitimate claims remain unanswered, so the children are left to themselves and the burden falls entirely on the parents and guardians who are already economically poor and vulnerable. For Refugee children whose parents or guardians are still asylum seekers, the educational burden falls entirely on the parents and guardians. In addition, conventional refugees who are 28 years old or younger and who have just completed or been admitted to the baccalaureate program, have the opportunity to apply for the DAFI program. The DAFI program is an assistance fund made up of voluntary contributions donated to the UNHCR by the German Federal Government's Ministry of Foreign Affairs. This program has been and still is a unique opportunity for statutory refugees to pursue higher education in 10 public and 19 private academic institutions in Cameroon in any city of their choice; Yaoundé, Douala, Bertoua, Ngaoundéré, Garoua, Maroua, and Bamenda. The DAFI scholarship is launched in May of each year.

Socially, our research found out that the refugees take care of themselves, they are the sole guarantors of their professional initiatives, According to one of our interviewee, « *le HCR*

n'accompagne pas les réfugiés centrafricains dans leurs initiatives de projet, ni de leurs octroyés une fonds de commerce, chacun se débrouille à son niveau pour s'approvisionner de quoi a manger et payé son loyer » « Les réfugiés se lancent dans des petites activités génératrices de revenus malgré le défi est énorme, d'autres travail chez les particuliers comme : Domestiques, Agents de sécurité, Nounou, Femme de ménage, chauffeur, cultivateur, et dans les chantiers de construction... Ils se lancent dans tous les activités génératrices de revenus pour être utile dans la vie active et subvenir aux besoins quotidiens de leurs familles réfugiées. Malheureusement beaucoup d'entre eux se trouvent innocemment en prison, faute de quoi ? Le fait de réclamer leurs salaires où dette de salaire envers le recruteur, et aussitôt ça pose problème, le recruteur créé un motif de vol et le coupable c'est le réfugié, aussitôt il se retrouve en prison sans aucune preuve, tout simplement parce qu'il a réclamé son salaire où la dette de salaire”.

Furthermore, our study revealed that the health care of refugees is reserved only for children from 0 to 5 years old, pregnant women, people with HIV, or diseases caused by a tumor. Other cases are not eligible for the health care granted by the UNHCR. The majority of the refugees we interviewed claim that the treatment accorded to them in Cameroon is tremendously different from that received by their peers in other countries of asylum. One said *“Par contre, nos frères réfugiés centrafricains qui se trouvent dans d'autres pays limitrophes du Cameroun, leurs méthodes d'intégration sont purement respecter en terme de convention de Genève de 1951 attribuer au statut des réfugiés, leurs droits et devoirs sont respecté et l'accueil est chaleureux.*

Despite tremendous energy and effort invested on refugees in Cameroon, many still believe that they are unfairly treated. One of the urban refugees in Yaoundé during our interview told us *“ Les réfugiés centrafricains à Yaoundé vies dans la précarité totale, leurs droits et devoirs ne sont pas respectées, leurs besoins particuliers ne sont pas satisfaites, ils sont vulnérables et misérables, ils vivent au détriment, ils se voient nulle valeur à l'avenir de retrouver une vie normal et paisible au Cameroun. Car, quotidiennement ils sont victimes des troubles de jouissance à l'égard de leurs entourages.”* While the integration of refugees remains a sensitive subject, the government has accepted that their presence will be long-term, requiring more involvement on its part and closer partnerships with humanitarian organisations and UNHCR on the ground. While UNHCR and other humanitarian organisations have long worked at the technical level with line ministries, there were indications that the central government's increasing interest in managing the refugee situation was prompting greater

collaboration at a more strategic level. Reflecting on this, UNHCR's livelihoods strategy for 2016 states that it will increasingly work with the government though it remains to be seen whether it will be able to provide the right incentives to allay government concerns around integrating refugee needs into national development plans. The World Bank provides the necessary incentive through the extension of its global concessional financing facility, announced in October 2016,⁷⁹⁸ to support Cameroon in hosting refugees while also dealing with development challenges. However, the responses continue to rely on separate humanitarian funding, limiting the scope for interventions aimed at improving refugee livelihoods. Multi-year strategies such as UNHCR's multi-year livelihoods strategies in east Cameroon could help extract long-term gains from short-term funds. However, current funding gaps and the continued prioritization of protection and assistance to the most vulnerable remain a challenge for livelihoods programming.

Institutionally, our study equally revealed that Cameroon became one of the first countries to receive financing through a new sub-window of the World Bank's 18th replenishment of its International Development Association (IDA18), which provides additional financing to low-income countries hosting a large number of refugees. With the rationale that the government of Cameroon has a progressive refugee legal regime and made commitments in 2016 to expand refugee protection. The projects financed by the sub-window seek to strengthen Cameroon's health and education systems, support decentralized local governance, and strengthen social safety nets to benefit both refugees and host communities. The Bank's sub-window financing is a bold new approach to protracted forced displacement in Cameroon and elsewhere. Our research equally found out that the government of Cameroon has not only adopted a progressive refugee policy, but the central government is also willing to engage with new approaches that are commendable. However, the government has not yet fully delivered on its commitments, including around forced returns, and there is significant concern among the humanitarian community that Cameroon may not robustly implement its progressive policies. With regards to the World Bank-funded projects that expand existing Bank work to areas hosting refugees, it is unclear how they will include refugees in decision-making or adapt to their particular needs.

ii. Voluntary repatriation of refugees in Cameroon

⁷⁹⁸ For more on this facility see <http://www.worldbank.org/en/news/feature/2016/10/04/following-the-refugees-new-globalconcessional-fnancing-facility>.

Over the years, the government of Cameroon has made persistent efforts to live up to its international obligations toward the refugee population in Cameroon. This is seen through the different tripartite agreements signed between the Government of Cameroon, refugees' countries of origin, and the United Nations High Commissioner for refugees.

Since the early decades of the new millennium, the Government of Cameroon has voluntarily repatriated Nigerian, Chadian and CAR refugees who sought refuge in its territory. Even though in 2017 the government was heavily criticized for the alleged forceful repatriation of Nigerian refugees Cameroon has made significant efforts to live up to the expectation of the international refugees' protective regime. Before the formulation and enactment of the 2005 law guarding the refugee status in Cameroon in 2004, the State of Cameroon voluntarily repatriated Nigerian refugees who migrated to Cameroon as a result of the Taraba conflict in North-Eastern Nigeria. This was after a tripartite agreement was signed between Cameroon and Nigeria under the watchful eyes of the UNHCR. On the 12th of August 2012, the Government of Cameroon followed the same procedure after signing a tripartite agreement of repatriation with the Government of Chad to facilitate the voluntary repatriation of Chadians to their country of origin. In its ever-growing ambition to seek solutions for refugees, Cameroon on March 2, 2017, the government of Cameroon again engaged the Nigerian government to sign another tripartite agreement of repatriation to foster the repatriation of Nigerian refugees who fled to Cameroon in 2009 as a result of the Boko Haram insurgency. Shortly after the tripartite agreement, Cameroon was massively criticized by the international community and the Nigerian government in particular for forcefully repatriating Nigeria seeking entry into its territory. Even after heavy criticism on June 29, 2019, Cameroon represented by the Minister of Territorial Administration, Paul Atanga Nji, signed a Tripartite Agreement with the Government of the Central African Republic, represented by the Central African Minister of Humanitarian Action and National Reconciliation, H.E. Virginie BAIKOUA to enhance the voluntary repatriation of Central African refugees living in Cameroon. The tripartite Agreement remains the most important instrument and process to foster voluntary repatriation. All the different repatriation except the complex scenario in 2017 have been in line with the principle of voluntariness enshrined in different international, regional, and national laws guarding refugees' durable solutions in Cameroon.

Our research equally found out that Voluntary repatriation of Central African, Chadian and Nigeria refugees (except for the controversial 2017 case) in Cameroon was/is carried out with the assistance of the countries of origin and the Cameroon Government in partnership

with the UNHCR office in both countries, and it is done on the voluntary basis of refugees who are in the different towns, provinces, and villages of Cameroon. In the case of the Central African Republic, one of the central African refugees that we interviewed told us “*le retour volontaire des réfugiés ne veut pas dire que la crise politique et le conflit des groupes armés sont déjà terminé. Non! Les réfugiés acceptent de rentrer parce-que leurs droits et devoirs ne sont plus respecté, ils vivent dans des conditions misérables, ils n'ont plus le choix et ils préfèrent rentrée chez eux.*”

We equally found out that many of the refugees had returned to the Central African Republic before the UNHCR organized voluntary repatriation; others returned during and after the repatriation without informing the UNHCR office, while others left Cameroon to find refuge in other neighboring countries. Our informant added that “*parmi tous ceux qui sont rentrés en Centrafrique lors du rapatriement, certains sont encore revenue au Cameroun, en fuyant la persistance des violences commises par des groupes armés qui tuant encore brutalement des civils et incendiant des maisons et des champs.*”

Based on the complicated nature of the 2015-2017 complex repatriation of Nigerian refugees who came to Cameroon as a result of the Boko Haram insurgencies in North-Eastern Nigeria, more findings will be presented for better comprehension. This will be based on the state's respect for the principle of *non-refoulement*, and the reason why Nigerian refugees were repatriated from Cameroon. The 2015-2016 repatriation of Nigerian refugees was highly criticised by the international communities as a violation of the principle of *non-refoulement* as well as the non-respect of the principle of Voluntariness found in the UNHCR handbook of voluntary repatriation respectively. This sub-part of our research presents the findings based on the sovereign right of the state, the refugee's right to seek protection, and the implication of violating the international, regional, and national refugee law. These enable us to understand if the repatriation of Nigerian refugees in Cameroon was in respect to the principle of *non-refoulement*. That will form the basis of our findings.

Cameroon's justification for repatriating 2015-2017 Nigerian refugees

Even though Cameroon has ratified international and regional refugee laws one can argue that these laws are not necessarily part of Cameroon's national legislation. Historically, terrorist organisations and other State adversaries have always exploited the situation of refugees in many parts of the world to carry out their egregious acts against a democratically elected government. This and others issues related to insecurity have put the government in a

very complex situation in setting boundaries and making choices depending on who gains access to its State. Cameroon like many other states in Africa, Europe, the Americas, and the Middle East has at one point looked deep into the situation of refugees because of its primary mandate to protect its citizens. Though for over decades, Cameroon has continued to work with other partners to enhance voluntary repatriation, the recent 2017 repatriation of Nigerian refugees within its territory has placed a little grey spot on its clear image and works towards the refugees in Cameroon. The recent accusation of Cameroon by the UNHCR for not respecting or falling short of its obligations under the international refugee law cannot be condemned without looking at the security justification of the act. Based on the theory of securitisation, the fear of insecurity can be pinpointed as the main reason for the repatriation of these Nigerians who flew into Cameroon. These parts exist to outline the legal exceptions, especially in the case of the state of exception.

Security Motive and the primary obligation of the government toward its citizens

Since July 2015, the government of Cameroon was accused by UNHCR of involuntary repatriation and mass deportation of the 2015, 2016, and 2017 batch of Nigerian refugees who migrated into Cameroon's territory as a result of the Boko Haram insurgencies in the North-Eastern part of Nigeria. This accusation has continued to tarnish the international reputation of Cameroon as a host country to refugees par excellence. This series of deportations attracted the international community and human rights advocates who condemned the act. The Cameroonian authorities invoked the threat of security to the nation⁷⁹⁹ as a rationale for looking deep into the flow of persons moving to its territory including refugees and other economic migrants. The government exploited its inherent obligation to protect its citizen against insurgency to justify its actions and went ahead to suspend the prima facie refugee status that was granted to Nigerian asylum seekers. The mass influx of these Nigerians into Cameroon from the second half of 2009 till the present date has exposed Cameroon to the threat of Boko Haram insurgency⁸⁰⁰. A series of Boko Haram attacks have killed so many Cameroonians and made thousands of Cameroonians from the northern region internally displaced. Villages and schools have been destroyed by this terrorist group, so, it was, therefore, necessary for Cameroon to send back some persons who approached its North-Eastern Nigerian boundary in order to better screen those who have well-founded reasons for fleeing.

⁷⁹⁹Interview with the Ahamad , age 52, sub- director in charge of migration and foreign policy in west Africa. MINREX-Yaoundé 24th April 2017.

⁸⁰⁰ Interview with Ngangjoh Mama lanya age77,Prison administrator, Yaounde,10 March 2016.

The government of Cameroon claimed that these Nigerians who came in the guise of refugees have been involved in these Boko Haram attacks. The Cameroonian government is of the opinion that those repatriated are members of the Boko Haram group. The presence of these refugees in the Northern part of Cameroon has generated conflict between the inhabitants and the newly arrived. Cameroonians in that part of the country are accusing them of theft. Cameroonians are convinced that the presence of these refugees in the Northern part of the country is a threat to national security and have seen them as a necessary evil even if it goes contrary to international, regional, and national law. This has made the Cameroonian government be acting defensive by making it difficult for these Nigerian refugees to reach and cross the border.

Furthermore, looking through the security lens, article 33(2) which is the exception to the principle of *non-refoulement* gives the government of Cameroon the right to retreat any refugee who is guilty of such this article. It states that “if the asylum country has good grounds to regard an asylum seeker as a threat to its security then it has the right to repatriate that asylum seeker back to his or her country of origin regardless of the fact that he or she might face persecution back home”. The government of Cameroon is convinced that the presence of these refugees in its territory is a threat to its national security and so deemed it very urgent and necessary to respond to the interest of the citizens. The series of the tripartite agreement signed between Cameroon and other stakeholders shows its consistency and determination to maintain a good international image towards the management of the refugees and seek durable solutions to their predicament.

State Sovereignty and the Right of State Exception

Beyond security concerns, the sovereignty of a state gives it the ability to transcend the rule of law for the general good of the public. Sovereignty can be understood as the full right and power of a state to govern itself without any interference from the outside body. A sovereign can be taken to be the one who decides on the state of exception⁸⁰¹. In a state of exception judicial and legislative powers are suspended⁸⁰². According to Agamben, in a state of exception constitutional rights can be diminished, bypassed, and even abolished where the government wants to claim the extension of power in a case of urgency. Modern states have

⁸⁰¹M.Conkey, *Anarchy, Sovereignty, and the State of Exception: Schmitt's Challenge*, 2013. Available at http://www.independent.org/pdf/tir/tir17/03/05_mconkey.pdf (accessed 28 June 2017).

⁸⁰²A.Giorgio. *State of Exception*. Chicago: University of Chicago Press, 2005, p. 104.

used the state of exception as their justification for bypassing judicial and legislative orders. An order which requires due process, respect for human rights, respect for international law, respect for refugee rights, and so on is trampled or set out during a state of exception⁸⁰³.

The state of exception is characterised by the suspension of law and the abolition of the separation of power between the legislative, executive, and judiciary⁸⁰⁴. During the state of exception, the political powers obtained by a government or branch of a government make it very powerful to exercise power outside the ordinary law. During the time of exception, certain actions shall be regarded as privileged and legal. Following the state of exception, the repatriation of Nigerian refugees from Cameroon can be justifiable. The Cameroonian constitution in article 9 states that a state of exception can be applied if it is for the general good⁸⁰⁵. According to the constitution, a state of exception applies in extreme situations that affect the security of the public, its nation, and its institutions. The government has proven that the presence of these refugees within its territory has generated insecurity and has also threatened its national security. Its citizens are no longer comfortable with the numerous terrorist attacks in the northern part of Cameroon. The government believes that the Boko Haram terrorist organisation is exploiting the vulnerability of so many refugees around the borders to spy and stage an attack against the State of Cameroon. However, the government of Cameroon has different backings for returning these refugees to Nigeria. It has evoked security as its main concern. If one has to look kindly at the issue of security it will be discovered that the issue of Security is covered by article 33(2) of the 1951 convention and the Cameroon constitution which gives the government the power in the state of exception to trample on the law. The government of Cameroon evoked security as the main reason for its repatriation of these Nigerians within its territory and legal exceptions, especially in the case of the state of exception.

iii. The Need for the International Right for Protection and Legal Implication

However, against the fact that the government of Cameroon evoked security issues as the main reason why Nigerian a handful of Nigerian refugees who approached the borders were denied access into the national territory, article 33(2) gave the government of Cameroon and any other contracting member of the 1951 refugees convention the ultimate right to carry out this

⁸⁰³Ibid.

⁸⁰⁴Ibid.

⁸⁰⁵ Article 9 of the revised 1997 constitution of the Republic of Cameroon.

repatriation. This is because it was based on the basic protective clause of the principle of *non-refoulement* that such action was staged. Laudably, paragraph (2) of Article 33 gives legal backing to the repatriation of these refugees from the Cameroonian territory. More significantly the article fails to provide an unshakable ground upon which a refugee can be considered a threat to national security as such it is left at the discretion of the authority to decide. The government of Cameroon claimed the 2020 repatriated refugees were members of the Boko Haram sect who came under the guise of refugees⁸⁰⁶. But in the aspect of refugees' fundamental right to international protection and the respect for the principle of *non-refoulement*, this piece of work continues to bring out findings that show that the Nigerian refugees need international protection.

The Need for International Protection

What makes refugees different from other persons in need of humanitarian aid is their need for protection by the international community. They need protection from persecution because they find themselves in a situation where they can no longer rely on their government for protection. To qualify for such protection, these refugees need to belong to a group considered by international law as being the recipient of rights. These refugees are made up of an identified group upon which countries or states have accorded their protection under international law⁸⁰⁷. Since the institutionalisation of the UNHCR in Cameroon in 1982, Cameroon as a nation with its hospitable populace has been very receptive to refugees coming from different parts of Africa especially its immediate neighbours: Chad, CAR, Niger, and Nigeria. Cameroon has been referred to as a host country par excellence because of its strong and unflinching attachment to its responsibilities as pinpointed in the 1951 refugees convention.

Through partnership, cooperation, and collaboration the Republic of Cameroon has expressed its magnanimity towards this vulnerable populace. This is seen from her protective role, assistance, and seeking durable solutions (Local Integration, voluntary Resettlement, and voluntary Repatriation). Over the years Cameroon has successfully organised and championed the voluntary repatriation of Nigerian refugees the case of 2005 and 2015- 2017, and 2019 and the voluntary repatriation of Chadian refugees in 2002, 2012, and 2013 as well as many other nationals who came to Cameroon to seek protection and assistance. In the late decade of the

⁸⁰⁶*Ibid.*

⁸⁰⁷D. W. Greig, "The Protection of Refugees and Customary International Law", Australian National University, 1980 p.10. <http://www.austlii.edu.au/au/journals/AUYrBkIntLaw/1980/4.pdf> accessed June 2017.

2020s Cameroon received myriad of criticism and condemnation from humanitarian bodies and human rights watch groups for violating the core principles of the 1951 Convention. The Nigerians who fled into the Cameroonian territory did so because they are desperate in need of protection. They constitute that group considered by international law as recipients of rights.

Nigerians found in the Northern part of Cameroon whether documented or undocumented live with the danger of being arrested, detained, and repatriated back to their country. Amongst those repatriated are refugees, asylum seekers, those the government of Cameroon considered to be members of the Boko Haram insurgent and economic migrants. Within these different groups, you have orphans, women, and children. This group of people warrants particular attention due to their vulnerability. As already mentioned the government of Cameroon considered all those repatriated as a threat to its security. Most of the attacks in Northern Cameroon have been blamed on Boko Haram and the authorities believe these militants are entering the country disguised as refugees⁸⁰⁸. Some of the refugees are believed not to have the rightful documents. Some are considered economic migrants.

Since 2009, these Nigerians have been fleeing from the violent attacks of Boko Haram and most of them have suffered socio-economic deprivations because of their religious, cultural, and socioeconomic situation. Some CSOs preferred to refer to these refugees as survival migrants. Survival migrant is a new terminology concerning refugee and migration. A survival migrant as defined by Alexandra Betts and Esra Kaytaz is an individual running away from an existential danger for which he or she has no domestic remedy. The cause of their flight might be a result of state collapse, environmental disaster, and livelihood failure⁸⁰⁹. These Nigerians are facing livelihood failure because all their villages and farmlands have been destroyed. Even if these migrants are economic migrants, their reasons for fleeing their country are interrelated. Amongst them is those fleeing prosecution from Boko Haram⁸¹⁰. The mass influx of Nigerians into the Cameroons only started with the rise of the Boko Haram insurgency. They came under very unfavorable conditions in need of food and shelter.

⁸⁰⁸BBC NEWS , Focus on Africa ,Boko Haram crisis: Cameroon 'forcing Nigeria refugees home' ,21 March 2017 . accessed June 28, 2017. <http://www.bbc.com/news/world-africa-39343514>

⁸⁰⁹A.Betts and E.Kaytaz “National and International Responses to the Zimbabwean Exodus”, New Issues in Refugee Research, UNHCR, paper 175, July 2009 .<http://www.unhcr.org/4e5f9a079.pdf>. accessed June 28, 2017

⁸¹⁰BBC NEWS, Focus on Africa, Boko Haram crisis: Cameroon 'forcing Nigeria refugees home' ,21 March 2017 . Accessed June 28, 2017. <http://www.bbc.com/news/world-africa-39343514>

Not contradicting the claim by the Cameroonian government that those repatriated are militants of the Boko Haram insurgent and economic migrants, there is still the conviction that there are also some fleeing persecutions from the Islamic group Boko Haram. This later faction may be fleeing due to the fear of persecution as enshrined in the 1951 convention and as such need international protection. Returning them is a breach of international, regional, and domestic obligations. If the government of Cameroon is repatriating them without necessary inquiries, then it is guilty of *refoulement*. The Cameroonian government not admitting a Nigerian at the border who is seeking asylum is acting contrary to its international and national obligations. According to a report on BBC on this, “every government needs to carry on a good investigation of an individual status before repatriation. This is to ensure that genuine asylum seekers are not repatriated. It is rather unfortunate that this is not what is done in Cameroon”⁸¹¹. Because of this negligence, the government was accused of repatriating those who needed international protection.

The 1959 OAU Convention while maintaining the definition of a refugee as contained in the 1951 Convention includes, “owing to external aggression, foreign occupation or domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality”⁸¹². This implies that within the African context, for one to be considered a refugee and issued a refugee status, he or she need not prove a well-founded fear of persecution. It suffices for him or her to be able to show that there are events that are seriously disturbing public order in his or her country of origin or place of habitual residence. The Boko Haram insurgency is seriously disturbing public order in the Northern part of Nigeria and this has caused most of these Nigerians to flee for safety to neighbouring countries. Those that came to Cameroon are qualified for international protection and under no condition should they be repatriated against their will.

Some of those repatriated by the government of Cameroon are regarded as economic migrants not finding the fact that they are Nigerians who may have a valid refugee claim as consecrated in the 1951 Convention. The UNHCR has qualified most of these Nigerians as refugees given the conditions under which they came to Cameroon. They fled from the numerous raids of the Boko Haram insurgency. A person may still flee as a result of mixed

⁸¹¹*Ibid*

⁸¹²UNHCR 1951 convention on refugees.

motives, economic reasons, and the fear of being persecuted. Such a person should be given protection if he or she can be proven to have a well-founded fear of being persecuted. In line with the issue of mixed motives Michelle Foster thinks that, whenever the asylum seeker has decided to seek refugee status on the grounds of economic reasons which has nothing related to the fear of being persecuted, this does not preclude a claim if the person in question has a well-founded fear of being persecuted⁸¹³. Following this context even though these Nigerians are considered economic migrants by the government of Cameroon, they should be granted refugee status because there is evidence of well-founded fear of being persecuted.

The impact of voluntariness and the tripartite agreement

Generally, countries that have ratified the 1951 Convention and the 1967 Protocol to the Convention, grant asylum to those who suit the definition of a refugee as enshrined in these texts. Cameroon has ratified many international laws that bestowed the obligations to protect these refugees under international law. Cameroon has continually and persistently made tremendous and incredible efforts to secure and protect the rights of Chadians, Nigerians and CAR refugees, and other refugees from other African countries. Though, Cameroon, like any other country in the world experiencing terrorist infiltration and insurgencies is more cautious about who they allow entering its territory. This is expressed as to why some Nigerian refugees fell prey to such circumstances in late 2016 and early 2017. However, there are often some international legal effects on contracting states that violet the cornerstone of refugees' protective regime.

International law sets out the right of a refugee to return and the right not to be subjected to a forceful return to a situation of persecution or where the refugee's life may be in jeopardy. The 1951 Convention has laid emphasises the right not to be returned to a place where one is likely to face persecution which is the right to *non-refoulement*. The 1951 Convention refers to repatriation in terms of the negative side of *refoulement*. The UNHCR statutes on the other hand assigned the High Commissioner to facilitate the voluntariness of repatriation wherever appropriate. Based on well-informed statistical data, and rational and historical evidence the UNHCR has continued to collaborate with the government of Cameroon and the different governments of refugees from different nations hosted by Cameroon to facilitate their voluntary return in safety and dignity through the tripartite agreements. Despite the efforts of the UNHCR there still exist some little discrepancies and difficulties as concern the alleged

⁸¹³M.Foster, *International Refugee Law and Socio-Economic Rights: Refuge from Deprivation*, Cambridge Studies in International and Comparative Law, 1st Edition, 2007, p.70.

forceful repatriation of Nigerian refugees from Cameroon in late 2016 and early 2017 shortly after the ratification of the 2017 tripartite agreement between Nigeria and Cameroon.

Furthermore, the 1969 OAU Convention addresses the issue of return and emphasizes the voluntary character of repatriation. It calls for the collaboration of the necessary agents to facilitate the repatriation of refugees. Legal experts and scholars have also set out conditions under which repatriation should be made. These conditions will make repatriation to be considered voluntary and safe. For instance, they are of the opinion that refugees should not be forced to return to their country of origin or place of habitual residence. On the other hand, where humanitarian assistance has been withdrawn in the asylum country, they can be forced to return⁸¹⁴.

Recent international assumptions and principles regarding repatriation are to the effect that repatriation should be voluntary, carried out, and monitored by the asylum state, the state of origin, and the UNHCR. This should be done under the term of a tripartite agreement⁸¹⁵. A tripartite agreement is done between the government of the country of asylum, the government of the country of origin, and the UNHCR. This tripartite agreement is out to ensure the refugee's safety and socio-economic integration⁸¹⁶. The terms of this agreement should be based on the principles set out in the refugee law and the international human rights law and also according to the term of the peace agreement⁸¹⁷.

The UNHCR Hand Book contains a sample of a voluntary tripartite agreement. The parties to this agreement identify and acknowledge their obligations as regards the safety and security of these refugees on their way back home, at the border, and finally at home. The tripartite agreement contains confidence after a return. The UNHCR Hand Book sample for voluntary repatriation for example expresses that the country of origin should assure refugees that they can return without fear of embarrassment, persecution, favoritism, or discrimination. And that they can retrieve their lost possessions. Even though a tripartite agreement gives some assurance to refugees, this agreement reflects the political will of the parties involved while the

⁸¹⁴*Ibid.*

⁸¹⁵B.N., Stein and F.C. Cuny, "Repatriation Under Conflict," U.S. Committee for Refugees, *World Refugee Survey*, 1991, p.2.

⁸¹⁶*Ibid.*

⁸¹⁷*Ibid.*

particular interest of the refugee is left out. A tripartite agreement may be considered an obstacle to a refugee who did not consider his/her home safe enough for his return⁸¹⁸.

Repatriation has its legal standards and core principles. The repatriation of refugees may range from individuals to mass repatriation in the case of the Nigerian and Chadian refugees. Repatriation might be the initiative of the refugees, the UNHCR or the government of the asylum state, and the government of the state of origin. It is generally accepted that the voluntary repatriation of refugees whether random or organised must follow some common principles⁸¹⁹. Firstly, refugees' repatriation to their country of origin must be voluntary. Secondly, all parties involved in the conflict must make enormous efforts to address and do away with the reasons for the refugee exodus. Thirdly, repatriation should take place only upon the freely expressed wish of the refugees. The voluntary and individual nature of repatriation must be respected. Fourthly, repatriation must be done under circumstances of dignity and safety to the refugee's place in his country of origin⁸²⁰.

Unfortunately, it is in very rare difficult situations that we will find repatriation done in such an organised manner. The case of the 2012-2130 voluntary repatriation of Chadian refugees and the 2005 voluntary returns of Nigerian refugees is an exception to the later rhetoric. Nowadays, most voluntary repatriation takes place under ongoing conflict. This is done without any change to the situation that originally caused the refugees to flee. In the case of the 2017 repatriation of Nigerian refugees, they were returned home in the face of continued risk, without any repatriation agreement, without their consent, and even without the end of the Boko Haram insurgency. Today, we still see Boko Haram continuing terrorist attacks in the North-Eastern region of Nigeria, Northern Cameroon, and Lake Chad Basin. The forced return of these refugees by the government of Cameroon under such horrible conditions raises important questions about the legality or voluntariness of their repatriation. Though not organised, this single repatriation was done contrary to international and national law making it illegal and involuntary.

It is a general principle of international law that every treaty or law in force is binding upon those who adhere to it and must be exercised in good faith⁸²¹. It is the responsibility of

⁸¹⁸B.E.,Harrell-Bond, "Repatriation: Under What Conditions Is It the Most Desirable Solution for Refugees?", *An Agenda for Research. African Studies Review* Vol. 32, No. 1 ,April, 1989, pp. 41-69.

⁸¹⁹UNHCR handbook for voluntary repatriation.

⁸²⁰Ibid.

⁸²¹ M. Achiron,et al, "Refugee Protection: A Guide to International Refugee Law", UNHCR, 2001, available from: <http://www.unhcr.org/refworld/pdfid/3cd6a8444.pdf> (accessed on June 29, 2017).

states that are parties to the 1951 Convention to respect and protect refugees found within their territory according to the terms of the convention. Cameroon has always respected its responsibility to protect and has always worked in line with the articles of the 1951 Convention. It is rather unfortunate that the case of the 2017 repatriation was different because of the complexity and complicated circumstances engulfing that moment.

iv. The Principle of *Non Refoulement*

In analysing the principle of *non-refoulement* patterning to the repatriation of Nigerian, Chadian, and CAR refugees, we came out with some findings as examined by some different actors and scholars. In the sphere of international law, the principle of *non-refoulement* has been considered by so many actors whether the governments, non-state actors, or scholars as fundamental to refugee law or regime⁸²². This principle is found in international human rights and refugee laws, customary law, treaties, and doctrines as a solid foundation for the protection of refugees⁸²³. An expert in refugee law states that the idea behind the principle is that no refugee should be returned or be expelled to a place or country where he or she is going to face persecution or torture⁸²⁴. The UNHCR in Cameroon and other tripartite parties have successively assembled efforts, actions, and strategies to live up to their inherent responsibilities towards the refugees. Though they continue to face challenges in various domains, voluntary repatriation has always been at the core of UNHCR and partners' collective mandate towards the refugees. The different tripartite treaties signed between Cameroon, Nigeria, CAR, and UNHCR, powered the commitment and determination of parties to respect the article of the 1951 and 1967 Conventions protecting the rights of these vulnerable persons. Even with the absolute care taken by different stakeholders there still exist some discrepancies in the way certain actions of refugees are interpreted, like the controversies surrounding the refoulement of Nigerian refugees from Cameroon in 2017 shortly after the ratification of the tripartite agreement between Nigeria, UNHCR, and Cameroon. As claimed by the UNHCR and Nigerian refugee management organ, NEMA, these vulnerable persons who involuntarily

⁸²² J.Roger, "Defining the parameters of the *non-refoulement* principle" Wellington: LLM research paper, International Law (LAWS 509), 2001, PP.2-4. Available at www://eppd13.C2/wp-content/uploads/2016/2016.3.4/08. (Accessed June 27, 2017)

⁸²³G.Goodwin-Gill, "The Right to Seek Asylum: Interception at Sea and the Principle of *Non-refoulement*" *International Journal of Refugee Law* 23: 443–57, 2011, pp 443. Available at <https://ilsa.org/jessup/jessup13/GSGGInterception%20at%20Sea.pdf> accessed June 27, 2017

⁸²⁴ *Ibid.*

returned are still internally displaced and still in need of international protection making the principle of non-refoulement volatile

Secondly, the principle of *non-refoulement* was customarily consecrated in the 1951 Convention Relating to the Status of a Refugee. The 1951 Refugee Convention deals with different aspects of laws toward refugees and remains the primary instrument of refugee law. The convention defined who should be considered a refugee and set out the rights of a refugee. The principle of *non-refoulement* is defined in article 33 of this Convention. In article 33(1) it states that “No Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” and article 33(2) states, “The benefit of the present provision may not, however, be claimed by a refugee whom there is reasonable ground for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.”⁸²⁵ However, even if these refugees are considered a security threat to the host country. He or she is to be given 72 hours to resettle to another third asylum country in collaboration with the UNHCR and not to be repatriated. The word “return in any manner whatsoever” was dishonored and has been given a different meaning regarding the repatriation of Nigerian refugees in Cameroon.

In the same light, the principle of *non-refoulement* except article 33(2) goes beyond state sovereignty. It is an indispensable right that exceeds any material or territorial limitations. Any refugee found within the jurisdiction of a signatory state enjoys the protective prohibition enshrined in article 33(1) of the 1951 Convention. *Non-refoulement* is very important in the protection of refugees especially as it is the only instrument that protects the refugee from the prosecution that made the refugee leaves his or her country of origin. The protective clause of the principle of *non-refoulement* applies not only to the refugee’s country of origin or to the place of former habitual residence as in the case of a stateless person but also to any place where the refugee fears that his or her life or freedom may be in danger or threatened⁸²⁶.

The principle of *non-refoulement* at its basic level prevents the government of a country from sending refugees from another country back to that country where there is evidence that

⁸²⁵UN 1951 convention on refugees.

⁸²⁶P , Weis, The Refugee Convention, 1951: *Le Travaux Préparatoires Analyse*, with a Commentary by Weis. The Research Centre for International Law, University of Cambridge, 1995 P.341.http://essay.utwente.nl/64658/1/Salau_BA_MB.pdf accessed June 28, 2017

their life could be in danger in the case when he or she is returned⁸²⁷. Following article 33(1) of the 1951 Convention, the 2017 repatriation of Nigerian refugees back to Nigeria has no legal justification as it is wrong to return a refugee to a place where they may face persecution. Following this subsection of article 33, Cameroon is guilty of *refoulement*. On the other hand, article 33(2) gives another understanding of the recent repatriation of these Nigerian refugees from the Cameroonian territory. However, Cameroon remains one of the vital countries in the CEMAC sub-region where the security and safety and possible return in dignity and safety of any refugees are assured. This is increasingly seen from the tremendous role the State of Cameroon played in ensuring the voluntary returns of Nigerian and Chadian refugees who were in Cameroon.

II. Major Challenges hindering the effective implementation of Voluntary Repatriation operations in Cameroon.

Despite the existence of the international legal framework and Cameroon's domestic policy on refugees, partners and government continue to face a handful of challenges in implementing the policies, and articles enabling return in safety and dignity. Millions of Africans' have been forcibly displaced due to conflict or persecution in the case of the Nigerian (Boko Haram Insurgency) and Chadian (Civil war). For the majority of these individuals, the preferred solution, repeatedly urged by the international community, is voluntary return in conditions of safety and dignity. All the refugees we spoke interviewed in the course of this research expressed the willingness to return to their country of origin. Nevertheless, several post-conflict situations have revealed frailties in the voluntariness of return and limited success in achieving the full social and economic reintegration of returnees". The solidity of the peace underpinning the return can likewise be imperiled if the promotion of return is undertaken prematurely or without sufficient support. Acknowledging these challenges is essential to identifying means to promote the sustainability of voluntary return. In the last decade, millions of displaced persons exercised the right to return to areas of their origin or choice in Cameroon, Nigeria, Chad, Angola, Burundi, Democratic Republic of Congo (DRC), Eritrea, Liberia, Rwanda, Sierra Leone, Sudan and parts of northwest Somalia. In some of them, namely Chad, Nigeria, CAR, Angola, Burundi, Liberia, Rwanda, Sierra Leone, and Sudan, there had been previous returns under earlier peace processes. The case of the 2005 repatriation of Nigerian refugees who came to Cameroon as a result of the Taraba ethnic conflict and the 2012 and 2016

⁸²⁷ *Ibid*,p.344

repatriation of Chadians are crystal evidence of such returns. These had failed in other African countries when the countries relapsed into violent conflict. Currently, however, the indications are more positive, with all of these countries moving towards sustainable peace. The process, however, is of course not inexorable.

In December 1998, at the previous OAU Ministerial Meeting on Refugees, Returnees and Displaced Persons in Africa, the organization and its Member States deliberated upon voluntary return. Since then, the issue has been discussed at numerous forums involving the Member States. Although the repatriation policy in Cameroon benefits from an internal and international legal framework, it goes without saying that the 2004-2005 (voluntary repatriation of Nigerians), 2015-17 (spontaneous and forceful Nigerians), 2012-2013 (voluntary returns of Chadian refugees) 2019 (voluntary returns of Nigerian) repatriation operations previously initiated in Cameroon was not without challenges. These include challenges in implementing the principle of voluntariness, ensuring the human security of returnees, financial resources, and cooperation between different actors involved in the repatriation chain. Below are strategic difficulties faced by Cameroon, Nigeria, Chad, and all other partners engaged in the process. We will further provide recommendations based on these common predicaments that member states can explore and exploit to strategically meet the complex and interlinked challenges of building peace and consolidating voluntary return.

i. The implementation of free consent

The expression of free consent is the cornerstone of refugee protection in the repatriation process. The sustainability of return is therefore intimately dependent on respect for the refugee's intentional and conscious decision. In a survey conducted with urban refugees in Yaoundé, 37.8% of refugees interviewed expressed their desire to return home at one point. While a majority of 45.1% of refugees preferred urban integration. This survey was carried out within a period when the Nigerian government was seriously negotiating to airlift their citizen from Minawao despite ongoing Boko Haram terrorist activities in North-Eastern Nigeria. In addition though not a case of study, it is still within this same period that CAR, UNHCR, and the Cameroon government were preparing to repatriate the first convoy to CAR despite the heinous political upheaval in the country. From the data, we can deduce or question the level at which refugees expressed their willingness to return.

During our research, a Chadian refugee who was among one of the 50 family heads that preferred local integration over voluntary repatriation during the 2012/2013 voluntary

returns of Chadian refugees from the langui camp told us that the process was highly motivated by the government. However, his claim remains very controversial since more than 500,000 Chadians who came to Cameroon spontaneously left on their own without any assistance from the UNHCR. Similar is the case of 2015, 2016, and 2017 Nigerian refugees who were forcefully repatriated back to Nigeria without seeking their free consent. The main challenge with the expression of free consent is either that voluntary repatriation is usually initiated when the majority of refugees have individually traveled back home without proper follow-up.

Thus, from the above analysis, it appears that respect for the principle of refugees' voluntariness to repatriation is very difficult. An essential element of return as a durable solution is voluntariness. Adherence to this principle means ensuring: The decision to return is made freely by the person concerned (without duress, compulsion, or undue influence); the decision is based on accurate, objective information, and decided to return is made expressly and individually by refugee women and men on an equal footing. Several reasons put forth by refugees to justify the dissatisfaction of the majority of refugees in voluntary repatriation as a cornerstone to a durable solution to their plights. We underpinned that Cameroon's hospitable character toward refugees and its rich cultural and linguistic diversity are the two reasons mostly conjured by refugees to garbage voluntary repatriation recognized by policymakers, scholars, and practitioners as the most preferred durable solution to refugees problem in the world.

The relative hospitable and openness of Cameroon and its citizens

Cameroon is considered a preferred destination for refugees and asylum seekers from the Central Africa sub-region and the Great Lakes region. Indeed, at a time when immigration policies are being tightened everywhere, and borders are becoming more and more closed to the influx of refugees, Cameroon and Cameroonians of goodwill continue to extend a hospitable hand of fellowship to refugees who arrived at its borders cities. Annually, Cameroon receives approximately 1,500 to 2,000 asylum seekers a situation very rare in the 21st century. More importantly, the magnificent rights accorded by the authority to refugees through the promulgation of the 27th July 2005 law served as a pull factor to many refugees. Historically, the hospitality of Cameroon was globally exhibited when it turned the plea or request of the Rwandan government post the April 1994 Rwandan genocide to extradite eight political refugees to Rwanda. This was scary in an African country. Thanks to the power of

Cameroon law of extradition. Compared to most of its neighbors, Cameroon also enjoys an atmosphere of relative economic prosperity.

Many refugees settled in Cameroon are seeking security and tranquility. They find this country the ideal place to rebuild their lives. Indeed, among the refugees surveyed who are hostile to the repatriation solution, about 1 out of 2 invokes the hospitality of Cameroon as the main reason for their disregard of voluntary repatriation⁸²⁸. It, therefore, becomes difficult when the conditions for repatriation are met to implement the voluntary nature of the operation. In other words, the relative hospitality of Cameroon becomes, in a way, a handicap to the implementation of repatriation operations.

Cameroon as African In miniature

Cameroon is often referred to as "Africa in miniature". This expression is due to the French geographer Jean-Claude Bruneau who was amazed with the diversity of the country. First things first, English and French are official languages, a heritage of Cameroon's colonial past as both a colony of the United Kingdom and France from 1916 to 1960. This means that two of the most popular languages in the world are spoken in Cameroon. Canada is the only other country that has these two languages making it possible for hundreds of thousands of refugees from Chad, Nigeria, and CAR to feel at home. More intriguing is that Cameroon is also a home blessed with more than 230 languages. These include 55 Afro-Asiatic languages, two Nilo-Saharan languages, and 173 Niger-Congo languages. This latter group is divided into one West Atlantic language (Fulfulde), 32 Adamawa-Ubangui languages, and 142 Benue-Congo languages (130 of which are Bantu languages). Tourist literature describes Cameroon as "Africa in miniature⁸²⁹" because it exhibits all major climates and vegetation of the continent: coast, desert, mountains, rainforest, and savanna. The land consists of flat plains, mountains, and coastal plains. It is a volcanic-prone area as well.

This diversity which seems to be an advantage for Cameroon can be seen on the other hand as a handicap for the implementation of repatriation operations. This is for the simple reason that when refugees arrive in this country, it is easy for them to find a community that is familiar to them in terms of language, ethnic origin, or ways of life. The corollary of this is that they feel relatively at home and therefore integrate more easily. The solution of local

⁸²⁸ Interview with Beninga Phileme, Car Refugees , trader , Yaoundé

⁸²⁹K. Sheteh ., Cameroon: Africa in Miniature – In what Sense?, december 13, 2012, , posted in africa, cameroon, travel on Newuh blog. <https://newuh.blog/2012/12/13/cameroon-africa-in-miniature-in-what-sense/> (Accessed 21 September 2020)

integration is therefore preferred in the majority of cases by them to the detriment of repatriation. During the survey, we conducted, more than 50% of the refugees who were reluctant to repatriate stated that they felt relatively at home and found people with the same culture and religion as them in their environment. The voluntary nature of repatriation, therefore, becomes difficult to implement.

ii. Human security of refugees upon return to their country of origin

According to the United Nations High Commissioner for Refugees, as of October 2007, Cameroon had hosted 2,971 Nigerian refugees, 45,000 Central African Republic refugees, and 12,854 urban refugees from Chad, Rwanda, and Côte d'Ivoire, and Congo Brazzaville. These countries are generally characterized by perpetual conflict or political instability. Whether on the side of the refugees or the side of the main stakeholders with an inherent responsibility to implement voluntary repatriation operations, ensuring the human security of those intending to be repatriated is a real challenge in view of the insecurity prevailing in their countries of origin. This is a considerable obstacle to the implementation of repatriation operations.

Indeed, the fact that there are repeated wars in the countries of origin of refugees present on Cameroonian territory makes it difficult to ensure their safe return. Among the refugees surveyed, 12% cited this reason as the main reason for their refusal to be repatriated if necessary. Similarly, political instability in some states makes it difficult to know with which authority to discuss the implementation of repatriation operations. Other governments with unstable powers see refugees as a threat to the stability of their territories. As a result, refugees are often referred to as rebels, highwaymen, or former terrorists. This state of affairs makes it difficult to ensure their political security when they return to their country of origin.

More importantly, despite routinely overstating security gains and claiming that Boko Haram is defeated, it has repeatedly asked for an end to forced deportations, claiming that conditions are too dangerous for people to return safely and it cannot adequately respond. Reports have also emerged stating that Nigeria responded to the pressure of forced returns by sending military vehicles to help facilitate deportations, thereby making it complicit in the forced returns.

However, what's clear here is that the Nigerian and Cameroonian Government plans to repatriate 4000 refugees despite the North East in dreadful conditions in the region⁸³⁰. This action is not a humanitarian act as these refugees if sent back face the risk of food and water insecurity, poverty, and even death. The hand of the Nigerian government in the repatriation of these refugees appeared tied as the Cameroonian government with or without coming into the tripartite agreement would repatriate the Nigerian refugees. Nonetheless, the hands of the Nigerian government are not tied to ensuring that the economic and political lives of the returning refugees are protected but from the reintegration plans of the government it is clear that the Nigerian government has failed in protecting the well-being of these refugees⁸³¹.

iii. Inadequate financial resources

When a large number of refugees are expected to return, the absence of the necessary means to receive and reintegrate a large number of returnees in the country of origin constitutes a serious disincentive to repatriation. Given the economic situation of the countries of origin, it is practically impossible to count on their financial support. It is therefore the responsibility of UNHCR to ensure that appropriate arrangements are made to accommodate refugees in the country of origin and to implement assistance projects to facilitate repatriation and eventual reintegration of returnees. This is an important constraint in the implementation of repatriation operations. We still remember the closure of this representation in 2001 because of a lack of funding. The direct consequence of this lack of funding, therefore, becomes an obstacle to the respect of the principle of material security of the refugees during the implementation of the repatriation operations in Cameroon. Moreover, due to the limited resources of the UNHCR office in Yaoundé and the security situation in the surrounding countries, this representation has been forced to reduce its role of international protection in favour of humanitarian assistance operations.

In other words, the UNHCR office supports assistance to refugees and does not pay enough attention to the issue of durable solutions to their problems. This is reflected in the increasing number of refugee camps on the national territory. Since large-scale repatriation operations require massive funds, this office prefers to maintain the refugees, whether urban refugees or refugees from camps, which is relatively cheaper. The proof is that at the UNHCR

⁸³⁰ U. I Idumaet al ., "Nigerian Refugees in Cameroon: Understanding the Politics of Voluntary Refugee Repatriation Research Directorate National Institute for Policy and Strategic Studies, Kuru, Jos, Plateau State *Journal of Public Administration and Governance* ISSN 2161-7104 2019, Vol. 9, No. 1

⁸³¹ *Ibid*

Cameroon Protection Unit, the conduct of the repatriation operations is entrusted to the same person who conducts the interviews with the repatriation candidates and moves to the refugee camps to negotiate the organisation of mass repatriations with local authorities.

iv. UNHCR's absolute dependence on humanitarian donation

Donor countries play important roles, they are important as they help in the provision of financial and non-financial aid. Some Donor Countries are eager to see an end to the refugee crisis as this implies an end to their bleeding pockets. UNHCR depends on donor donations for funding its field operations. Due to financial constraints, UNHCR was no longer able to fund refugee programs in Cameroon.

Since July 2016, the World Food Programme and UNHCR have been regularly informing partners about the incoming shortfall and the need for urgent additional resources for the refugees in Cameroon. The financial constraints the refugee agencies face has resulted in the cutting of the food rations and other assistance materials for the refugee⁸³².

The USA and European Union, the biggest donors of the refugee operations in Cameroon at the time were hesitant to provide more funding for refugees. Instead, they supported the idea of funding post-conflict reconstruction efforts inside Nigeria. In similar cases as in Tanzania and Rwandan repatriation, Cameroon has been influenced by the decline in donor funding. Just like other African countries, Cameroon faces limited funding for refugee operations despite help from the Nigeria National Emergency Management Agency. The United States' new in-ward looking policies have resulted in declining donor funding to refugee activities, the turmoil in the European Union with the falling economy of most European nations: two critical funders to human rights and refugee operations⁸³³ Reducing international community support, and a current absence of burden sharing' with hard-pressed states in the region has intensified the situation for refugees.

A decline in donor funding has forced the Cameroon government and UNHCR to cut food rations and other assistance given to refugees, especially in the Minawao refugee camp⁸³⁴.

⁸³² World Food Programme, WFP Nigeria Situation Report #13, 1 - 15 May 2017. Retrieved from: <https://reliefweb.int/report/nigeria/wfp-nigeria-situation-report-13-1-15-may-2017>. (Assessed: 18 July 2019)

⁸³³ F. Musisi, and N. Trombola, Uganda's 1.2 million refugees at a glance, Daily Monitor, Monday 19th June 2017. Available at <http://www.monitor.co.ug/Magazines/PeoplePower/Uganda-12-million--refugees--World-War-II/689844-3974622-3qn9qpz/index.html>, (Accessed on 7th August 2018).

⁸³⁴ UNHCR, Nigeria: Regional Refugee Response plan, January-March 2018 – Quarterly Update. Retrieved from: <https://reliefweb.int/report/nigeria/nigeria-regional-refugee-response-plan-january-march-2018> 8-quarterly-update

Minawao refugee camp is said to hold an estimated 97000, refugees. The drop in the food supply in the camp is part of a region-wide problem in Cameroon, added to the Boko Haram attacks the problem is said to have exacerbated. The funding shortfall is encouraging the repatriation of refugees as it has serious repercussions for the refugees. Since the situation is becoming critical with refugee numbers swelling, the Cameroon government and the UNHCR see repatriation as a durable solution. Some have argued that the shortening of funds by Donor countries is an intentional strategy to relieve them from the cost of the refugee crisis.

Some Donor countries, on the other hand, are not quick to bid for the repatriation of refugees. This is because they stand to profit from the ongoing refugee crisis. With Cameroon under attack by Boko Haram, there is a heightened need for the protection of Cameroon people. With the anxiety and fear in the air, most citizens result in carrying arms that are sent in by the Donor countries that are into arms production. The damages incurred by the attacks also keep some Donor countries excited as this means that the contracts for the reconstruction of the carnage by the Boko Haram would be awarded to them. Due to the economic benefits of the refugee crisis, these Donor countries stand to gain, repatriation of the Nigerian refugees seems to be the least durable solution.

v. Lack of effective Cooperation among parties to the tripartite agreement

This is one of the most imperative catalysts hindering the voluntary of refugees in Cameroon and elsewhere in Africa. In the event of repatriation different nation comes in with their selfish national interest instead of putting the overwhelming humanitarian interest of the suffering population. This explains why defining the terms and conditions of the tripartite agreement guiding voluntary repatriation has become a herculean task among Stakeholders. The vitality of cooperation amongst different parties will be regarded in two interrelated ways. We are will distinguish between cooperation between States of the Central African sub-region in the repatriation procedure, between actors involved in the repatriation chain in Cameroon, and local humanitarian organisations.

Cooperation among the States of the Central Africa sub-region

If conditions are deemed conducive to return, UNHCR encourages mass repatriation of refugees. In such cases, it participates fully in the operation by supervising the various stages. However, the implementation of the operation first requires the establishment of tripartite commissions between Cameroon, the UNHCR, and the refugees' countries of origin to plan operations. Its implementation, therefore, requires adequate cooperation between the various

stakeholders. For example, the commitment and support of the international community to stimulate the socio-economic development of the country of origin is an essential condition to ensure the sustainability of the return. But in the sub-region, this cooperation is often undermined for various reasons:

The absence of a strong and compassionate solidarity bond between members of the sub-region is a great impediment to addressing humanitarian crises within their periphery. There is conventional rhetoric and thought pattern that when nations cooperate they turn to address more efficiently individual and collective issues hindering the economic, social and political advancement of each other faster. But this in terms of the humanitarian sphere seems absent and far-fetched. The lack of sympathy, empathy, broad-based solidarity and multi-lateral support within the sub-region is a major obstacle to the enhancement of voluntary repatriation of refugees to their country of origin safe and with dignity. The lack of support within the sub-region has also influenced the rate of response and support provided by the international community to countries within the sub-region working to return their citizen home in safety and with dignity. For instance, the recent tussle within the sub-region between member states as to where the UNHCR should host the regional headquarter of the UNHCR exposed a lot of discrepancies that exist within the state in the region. The choice of Daker to serve could have been bilaterally or multilaterally negotiated without unveiling the crust of the sub-region to the international community.

States in the sub-region are often in perpetual conflict or rivalry. There is certain mistrust between them. Some accuse each other of destabilizing the peace in their respective territories through rebels. Such is the example of Chad, Sudan, and the Central African Republic. Each of these states accuses the other of deploying rebels on its territory. This climate of mistrust that reigns between states in the Central African sub-region could limit cooperation between them and thus hinder the implementation of tripartite agreements between Cameroon, the countries of origin of refugees, and the UNHCR during the implementation of repatriation operations. On the other, the readiness of a state to defend its individualistic egocentric interest at the detriment of others seems to be the drive behind such distrust and disunity amongst states. Vividly, Article three of the 2017 tripartite agreement underpinned the procedure within which Nigerian refugees could be voluntarily returned to their country, but Nigeria in different instance and event have shamefully requested so many times to airlift her citizen out of the Minawao camp without any feasible road map lay by members of the tripartite commission.

The persistent refusal of Cameroon to bow to such pressure might also affect Cameroon in the future since 90% of cooperation among states is guided by the principle of reciprocity.

Cooperation between the different actors involved in the repatriation chain in Cameroon

The successful repatriation of refugees requires the implementation of tripartite commissions between Cameroon, UNHCR, and the country of origin. Its realisation, therefore, requires adequate cooperation between the various actors. For example, the commitment and support of the international community to stimulate the socio-economic development of the country of origin is an essential condition for ensuring the sustainability of return. On the other hand, at the national level, there is a multitude of structures involved in the repatriation process. In addition to UNHCR, the Ministry of Foreign Affairs, the Ministry of Territorial Administration and Decentralisation, and many others. The lack of a platform defining the norms of cooperation that exist between these institutions and UNHCR is a barrier to the successful implementation of repatriation operations. As mentioned in the UNHCR-Cameroon 2006 report⁸³⁵, there were cases of refugees who held identification cards issued by UNHCR and were questioned by the police.

III. Recommendation to Enhance Voluntary Repatriation of Refugees in Cameroon

After keen regard on the limitations of the refugee repatriation policy in Cameroon, it will be of great significance to formulate some policy considerations or recommendations and measures for the efficiency of this policy. This will involve addressing the concept of free consent to return, the reform of UNHCR's operational capacities, strengthening the normative and operational framework for repatriation, and introducing preventive diplomacy.

i. Strengthening the Framework for Voluntary Repatriation in Cameroon

The ability of Stakeholders to strengthen the voluntary framework depends on, the development of a more inclusive and comprehensive framework, developing a feasible and pragmatic reintegration program for returnees that will be highly monitored by a joint commission, respecting the principle of voluntary repatriation, practicing preventive diplomacy, reforming and established a more financial autonomous UNHCR.

⁸³⁵ See UNHCR yearly report on refugees, 2006.

Resolving the root cause of the event that led to the displacement of refugees

Fundamentally, its historically, scientifically, pragmatically, and exceptionally difficult to imagine the voluntary return of refugees without first assigning a comprehensive, meaningful, and sustainable solution to address the root cause of displacement and the changing political setting influencing dispositions towards refugees. It is common government rhetoric to talk of the granting of asylum as a humanitarian act and for the country of origin to assure safety. Objectively, the refugee problems are political and so are the causes and consequences of refugee displacement. The majority of the refugees we spoke interviewed in the course of this research expressed the willingness to return to their country of origin. Nevertheless, several post-conflict situations have revealed frailties in the voluntariness of return and limited success in achieving the full social and economic reintegration of returnees⁸³⁶ ". The solidity of the peace underpinning the return can likewise be imperiled if the promotion of return is undertaken prematurely or without sufficient support. Acknowledging these challenges is essential to identifying means to promote the sustainability of voluntary return. From a moral standpoint, this research vigorously recommends that countries of origin should intentionally put the interest of their citizen prior to their political gains. Finding a sustainable and pragmatic solution to events that triggered the forceful displacement will help to restore national confidence in the government. The process, however, is of course not inexorable.

Developed a more inclusive and comprehensive reintegration framework

The attainment of a meaningful durable repatriation solution is more feasible and real when nations work together with refugees, local humanitarian agencies, and regional and international humanitarian organisations with generic mandates toward refugees to develop an inclusive agenda where the interest of refugees will be a top priority. During displacement, the UNHCR works tirelessly to organize the refugees under different camp leaders and communities to help in the distribution of basic needs to different households in camp setting. This research proposes that the UNHCR together with diverse partners can continue to use the refugee camp leaders to take part in developing a strategic and pragmatic document that will protect their rights and privileges. Even though there is an untrue conventional perspective and disorientation amongst humanitarian actors that refugees are illiterates, and cannot read nor

⁸³⁶ The term returnee is used to refer to both refugee and IDP returnees.

write. This is untrue because during our research we came across a handful of refugees from Chad, Nigeria, Rwanda, and CAR with a sound and good insight and understanding of refugees' laws and policy. That is the most paramount logic why this scientific work recommends that traditional repatriation actors can tap from the skills of the refugee to find real solutions that will benefit both the state and the refugees.

Develop a feasible and pragmatic reintegration program externally monitored by a neutral body.

The lack of a comprehensive reintegration framework is one of the main reasons why many refugees prefer local integration in the asylum country. A reintegration framework that will stand the test of time will tremendously contribute to enhancing effective and efficient voluntary repatriation schemes for refugees.

Reintegration requires that responses of each type be pursued but does not insist that the process be consecutive. In appropriate circumstances, the responses could be pursued concurrently. Within these not necessarily sequential stages, returnees strive to reintegrate into their communities. As evidenced above, reintegration involves complex and challenging processes requiring integrated and sustained action by governments and international, regional, and national partners. However, historically, there has been a gap between relief and development, which has negatively impacted sustainable reintegration. During the 1980s and 1990s, successive efforts were made to bridge the gap. While some of these efforts were fruitful in their particular contexts, attempts to generalize and institutionalize the transition did not achieve success. UNHCR, together with UNDP and the World Bank fostered a new attempt at cooperation between humanitarian and development actors in 2002. The approach became known as the 4Rs, referring to repatriation, reintegration, rehabilitation, and reconstruction.

This research recommends that stakeholders involved in the repatriation of refugees in Cameroon should leverage the ARs approach that supported the transition process from relief to development (2002 and 2003) in Afghanistan, Eritrea, Sierra Leone, and Sri Lanka. Key principles upon which this approach was built included: ownership of the processes by host governments, integrated, holistic, area or community-based planning in places of return - leadership by the Humanitarian Coordinator and Resident Coordinator and support by the UN Country Team, joint needs assessments, planning, monitoring and evaluation, participation of the returning refugees and host communities, linkages to longer-term development planning

and programming, engagement of civil society and NGOs and Incorporation of a conflict-prevention lens in policy and programming.

The state should accord high- level of respect and relevance to the principle of voluntary repatriation

The right to return is found in both the African Charter on Human and Peoples Rights and the Universal Declaration of Human Rights. At the 1998 Meeting, OAU Member States reaffirmed this right. With respect to refugees, the right is realized through voluntary repatriation. To date, the sole legally binding regional nom defining repatriation in Africa is found in Article 5 of the 1969 OAU Convention governing specific aspects of refugee problems in Africa of 10 September 1969.

Principles appertaining to the voluntary repatriation of refugees can also be inferred from the 1951 Convention relating to the Status of Refugees, particularly the provisions protecting refugees from forced return (or refoulement). An essential element of return as a durable solution is voluntariness. Adherence to this principle means ensuring: The decision to return is made freely by the person concerned (without duress, compulsion, or undue influence); decision is based on accurate, objective information, and decided to return is made expressly and individually by the refugee women and men on an equal footing. To ensure greater respect for the fundamental principles governing the return of refugees, it would be necessary to improve the legal framework for repatriation at the international and then national level. Texts have indeed been provided at the universal level to regulate the institution of repatriation, but it must be noted that the majority of them belong to the "soft law".

ii. Strengthening the normative framework for repatriation

To ensure greater respect for the fundamental principles governing the return of refugees, it would be necessary to perfect the legal framework for repatriation at the international and then national levels.

Strengthening the international legal framework

Universal texts are indeed governing the institution of repatriation, but it must be noted that the majority of them fall under "soft law". At the universal level, whether it be conclusion No. 18 of the Executive Committee of the UNHCR in 1980 or conclusion No. 40 of 1985, these are texts that have no binding force, no binding value. At the regional level, we can cite the

OAU and UNHCR symposium on refugees and forced population displacements in Africa (Addis Ababa 1994) and the Declaration and Programme of Action on Refugees in Africa adopted at the African Inter-Parliamentary Conference "Refugees in Africa: The Challenges of Protection and Solutions", Cotonou, Benin, 1-3 June 2004. It emerges that states are free to take into account their provisions or not.

Strengthening the National Legal Framework

Through the adoption of Law No. 2005/006 of July 27, 2005, Cameroon intended to comply with the various requirements contained in the 1951 Convention and the 1969 OAU Convention on Refugee Law. This law should be strengthened in the sense that it should not be limited to provisions relating to the granting of refugee status in Cameroonian territory but should also include provisions relating to the repatriation of refugees. This suggests that the establishment of a legal framework for refugee protection may not have the desired effect.

The operational principles for repatriation have been included in the manual on voluntary repatriation. This handbook, developed exclusively by UNHCR's International Protection Department, is meant to be a practical reference tool for UNHCR staff and operational partners engaged in repatriation operations. It should be noted that although the planning and organisation of refugee repatriation depended almost exclusively on UNHCR, Governments had a major influence on the conduct of operations. It would be important for the principles contained in this manual to be incorporated into Cameroonian legislation to ensure adequate implementation of refugee repatriation operations.

In short, given that the greatest challenge to the repatriation of refugees depends less on the interpretation of the principles of refugee protection than on their application on the ground, it would be essential that effective and dissuasive measures be taken against them States which fail to comply with their commitments. The international, regional or national refugee protection regimes should also constitute bodies responsible for monitoring State practice and ensuring compliance with legal obligations towards refugees

IV. Granting more financial independence to UNHCR and the utilization of preventive diplomacy strategy

The UNHCR should be able to generate its finance without depending so much on international and national donations from states and humanitarian philanthropists. The

exploitation of preventive diplomacy strategy by the UNHCR and other tripartite parties will help to prevent displacement before it ever occurs.

i. An Independent UNHCR

According to its Statute, UNHCR is supposed to represent the interests of refugees in an independent and non-political manner. However, the funding of its activities is dependent on voluntary contributions from member states. This means that the organization has limited financial and operational autonomy. The organization's room for manoeuvre is thus considerably reduced because it has to take into consideration national policies and the weight of public opinion. It is then political considerations that determine the organization's priorities and the distribution of funds. Faced with growing hostility from the host and home countries, it is difficult for UNHCR to adequately fulfill its protection mandate during repatriation. It would be necessary for UNHCR to equip itself with its funds for the implementation of its field operations.

In addition, the UNHCR in Yaoundé should have more financial autonomy to avoid the delays criticized by the refugees interviewed. Indeed, according to the interview with the Repatriation Protection Officer of the UNHCR in Yaoundé, one of the reasons for these delays is that all financial decisions depend on the agreement of the UNHCR regional representation in Dakar.

ii. Greater utilisation of Preventive Diplomacy in the sub-region

The refugee problem is inescapably linked to the political and security interests of states. More than ever, refugees are considered a burden and even a potential threat to national, sub-regional, and even international security.

If repatriation is the preferred solution to the refugee problem according to the UNHCR, it must be recognized that the refugee problem in Central Africa is largely due to the states. Improving the management of the countries of the sub-region through a preventive policy seems to be an avenue to be explored to address the refugee problem. Coexistence in diversity should be encouraged. The UNHCR should promote this through social reintegration and reconciliation programs between the different communities that have previously experienced violent confrontations.

To this end, UNHCR could draw inspiration from programs similar to those implemented in Bosnia and Herzegovina entitled "Imagine Coexistence". The international community could also encourage the culture of democracy in these states because, as one African researcher said, "The refugee problem in Africa will always remain because the instability that precipitates the flight of citizens cannot be easily resolved by the state that creates it. Because the refugee problem is the result of fundamental contradictions within the African state, it will only be confronted and rectified if basic changes to state structures and institutions are implemented. It should also be noted that proceeding in this way would certainly increase cooperation between the various actors in case a repatriation operation is necessary, but would also have the advantage of attacking the problem of repatriation at the source.

V. Operational and Institutional Challenges

The UNHCR has encountered a variety of implementation challenges in its efforts to implement the 2009 urban refugee policy framework in Yaoundé and Cameroon as a whole. However, in order to propose a recommendation it is better to start by looking at the challenges encountered by UNHCR in fostering its objectives.

i. Operational challenges

This includes challenges emerging documentation and status determination, UNHCR-urban refugee relations, and livelihood and socio-economic empowerment.

Documentation and Status determination

Limited reception space: Inadequate space is a major challenge for the UNHCR office and technical secretariat. Due to limited reception space, very few refugees are being attended to within a specific period. In times of massive turnout, they frequently spill into public space due to insufficient reception space. There is also a lack of appropriate areas for children and a lack of easy access to bathrooms for persons with disabilities.

Insufficient interpreters: Inadequate interpreters are a major hindrance to effective registration and data collection because of the inability of most urban refugees in Yaoundé to communicate effectively in French or English with UNHCR staff. This affects the registration pace and sometimes the quality and authenticity of the information provided by the refugees. Our survey shows that 80% of refugees have not attended formal education prior to and even after their displacement and this poses a lot of problems in communicating with them and getting the right data from them. Moreover, when it comes to registering refugees, the main

challenges for refugees are the same as those detailed under providing reception facilities; the time and cost of traveling to the registration technical secretariat and the fear of detention while traveling. Likewise, UNHCR is again challenged by limited office space and staff, especially interpreters, along with the limitations of government registration data.

Difficulties to renew documentation: Renewal of documents when lost is a very difficult experience for urban refugees and it takes a lot of time. When refugees need to go to the technical secretariat or UNHCR office to obtain or renew documentation, they sometimes face protection risks. Generally, in Cameroon, **it** is challenging to ensure that refugees and asylum seekers renew their cards in a timely way.

Urban refugees -UNHCR relations

Challenges in fostering constructive relations with urban refugees: The diversity of the urban refugee population is one of the biggest challenges faced in terms of both outreach and fostering constructive relations with them. In Yaoundé, we have refugees from Chad, CAR, Nigeria, Somalia, and Libya. Many urban refugees do not engage with UNHCH or organize themselves due to fear of contact with authorities and a desire to maintain a low profile or because they are preoccupied with survival and livelihood activities. In an interview with a Chadian refugee,⁸³⁷ he informed us that he is very insecure and his life is constantly under traits because the Chadian government thinks that those Chadians who refused to be repatriated in 2013 are rebels, which makes communing with others very difficult for him. However, because refugees sometimes share community centers and services with the local population, it can be difficult to identify and organize them. As a result, community structures are weak and it is hard for UNHCR offices to identify legitimate community leaders to work with. High expectations among urban refugees around resettlement and lack of trust also create a challenge for productive communication with UNHCR.

Perceptions about Urban Refugees and their psychological effect: The stereotype narratives about urban refugees are also a constraint to the implementation of the 2009 policy on urban refugees. The negative convictions that refugees create security problems, they are sometimes armed, they do not cooperate with community leaders, defecate in public places, have poor hygiene habits, and live in overcrowded housing retard refugee interaction with the local populace thereby hindering or limiting the local populace from assisting. As highlighted by Mr. Tanya “one of my worst moments in Yaoundé is when a Cameroonian told me that

⁸³⁷ Tanya (Chadian refugees), 20 June 2019, Yaoundé

Yaoundé is not a dust bin and a dumping ground for criminals⁸³⁸. In addition, during our survey, 76.3% of urban refugees in Yaoundé asserted that they are being denied access to certain social amenities because they are strangers and 80% of them said they are not very safe within the communities. Negative perceptions like this have worsened and further frustrate UNHCR's daunting task of providing durable solutions to urban refugees' plights in Yaoundé.

Livelihood and socio-economic empowerment

Difficult socio-economic situation and high unemployment rate in Cameroon: The challenge to find a skilled or unskilled job in Cameroon due to the high level of unemployment rate experienced by Cameroonians themselves is a severe constraint to livelihood opportunities for urban refugees in Yaoundé. This challenging situation has made life very difficult for them in the city and frustrated some of the fundamental reasons for moving into Yaoundé. From our survey, only 22.5% of urban refugee residents in Yaoundé can secure an unskilled and 85% of refugees earn a salary ranging from 0>30,000cfa, an amount which is legally below the amount that any average Cameroonian can earn according to the 1992 labor code standard. The competitive employment environment in Yaoundé sometimes encourages discrimination or xenophobia expression towards urban refugees.

Lack of skills and stereotype perception among urban refugees: The incapability of the majority of urban refugees to communicate in French or English, likewise, the lack of basic business skills is a great handicap to self-reliance. The majority of urban refugees in Yaoundé come from rural zones and lack skills relevant for income generation in an urban environment, particularly business skills and language skills. Some refugees see vulnerability as a privilege and possess a negative and unproductive belief that everything needs to be given to them thereby hindering UNHCR efforts to improve their livelihood and socio-economic conditions.

The direct or indirect cost of social services is a significant challenge: Urban refugees in Yaoundé experienced this in accessing education, health, and social services. In line with education, many urban refugees continue to face financial barriers (to purchasing books, uniforms, and registering), distance to school, linguistic barriers, security concerns, negative stereotypes, and intolerance, which hinders access to services. Even with assistance from UNHCR and partners, not all refugee children are permitted to attend school. For many families, food security and financial constraints reportedly become their main concerns.

⁸³⁸ *Ibid*

Fear and Insecurity: Despite the effort of UNHCR to advocate for greater protection space for urban refugees in Yaoundé a good number of urban refugees interrogated in the course of this work still feel unsecured. Our survey has shown that 78.0% of refugees are not very secured, 17.1% feel secure and 4.9% are not absolutely safe. Some interviewed even went as far as testifying that, some unpatriotic Cameroonians will tell them that ... “*Cameroun ce ne pas le Pubell.... ce vous qui vient avec le disorde au Cameroun.* In addition, 76.3% of interviewed refugees claimed that most of them are being denied access to some social services simply because they are strangers, and because they do not look like Cameroonians. Even though, 97.5% of urban refugees feel welcome in Cameroon 83.8% still complain of not receiving support from these communities. Some of them are still treated based on their refugee status and in most cases, their identification documents, and the refugees' cards are still not being very much recognized by the police officers despite enormous steps taken by the UNHCR to sensitize the defense authority.

ii. Institutional Challenges

In this part, our focus will be on the challenges encountered by UNHCR and the technical secretariat in Yaoundé.

Challenges faced by UNHCR

The UNHCR faces three major challenges in dealing with the urban refugee population in Yaoundé and it ranges from inadequate staff and expertise to limited reception space.

A limited number of staff and expertise: The persistent increase in the number of urban refugees population in Yaoundé, necessitate an increase in the number of staff to effectively assist them, but unfortunately the UNHCR does not have the financial ability to recruit many staff, thereby hindering its holistic response to urban refugees socio-economic challenges. In addition, most of the UNHCR workers are not multi-lingual and cannot communicate effectively with the majority of the urban refugee population who speak neither French nor English. This has made the organization constantly depend on the voluntary power of security guards and community leaders with little or no language or translation skills to communicate with the refugees⁸³⁹. Sometimes the information provided by the guards likewise community leaders is biased and misleading, which may hinder the effectiveness of UNHCR's protective mandate toward the urban refugee population in Yaoundé.

⁸³⁹ Anda Gloria, UNHCR, protection officer, Yaounde, hotel de ville, 20 June 2019

Inadequate financial resources: This is one of the main challenges faced by the UNHCR over the years. The United Nations High Commissioner for Refugees has been the state's most reliable partner when it comes to the protection of urban refugees. This organization finances 80% of the operations of the technical secretariat in Bastos, Yaoundé due to the financial incapacity of the government of Cameroon to fully take charge of managing the refugees in Cameroon. However, due to the economic and financial crisis that hit the world in 2008, there has been a reduction in states' financial contribution to refugee assistance⁸⁴⁰. The UNHCR gets some of its budgets from the United Nations Organization and a greater amount is mostly provided by donors like USAID, the European Union, States, and humanitarian-philanthropist. Thus important contributions are derived from nongovernmental organizations (NGOs) and the private sector, including corporations, trusts, foundations, and individual citizens.

Between 2012 to 2019, UNHCR experienced a persistent fall in its budget. In 2012, the UNHCR's budget was USD 21million; it rose to 24 million in 2013 and in 2014 it came up to 81million and then reached its peak in 2015 to USD 115million, nevertheless, it dropped by 2016 and 2017 to 99million and 94million. Despite the increasing number of refugees and IDPs in Cameroon, the budget for 2018 and 2019 has equally dropped and personnel in the field have equally been reduced due to the decreasing amount of the budget laid. This poses a great problem for the UNHCR to properly manage the refugees.⁸⁴¹

Limited reception and office Space: The United Nation office in Bastos was constructed solely for staff use, without taking into cognizance the need for an ample reception space by the voluntary population it seeks to protect. This limited reception space has tremendously affected the effectiveness of the organization to attain an increasing number of urban refugees within a particular timeframe, which has slowed the effective implementation of the urban refugee policy framework in Yaoundé. In a time of massive reception, sometimes persons of concern frequently spill into public space due to insufficient reception space. Additionally, this has also affected the number of staff recruited by the organization. There is limited office space for volunteers who are ready to dedicate their time, energy, and services to contribute to the advancement of the works of UNHCR towards the urban refugee population in Yaoundé.

⁸⁴⁰ Tirlamo Nobert Wirnkar, MINREX

⁸⁴¹ Ibid

Challenges faced by the technical secretariat

Lack of financial resources

The setting up of this structure was in a bid to affirm Cameroon's sovereignty in the issuance of refugee status to those seeking asylum on its territory unfortunately there is absolutely no State budget since the inauguration to ensure the effective functioning of this center in 2016. This situation does not honor our country as it jeopardizes the country's bargaining power vis-a-vis this international organization⁸⁴². The lack of funds has put so many ambitious projects unattainable, like,

- The effective functioning of the Eligibility and Appeal commission
- The operation of an independent database of refugees and asylum seekers in Cameroon
- The frequent field missions of eligibility officers to zones of massive influx of refugees and asylum seekers
- The constant training of eligibility officers and local authorities (Army and Administrative) on prevailing institutional and humanitarian law.
- The organization of the issuance of Biometric documents to refugees by national authorities as prescribed by the 2005 law on refugee status
- The day-to-day running of the technical secretariat (security, repairs, office materials, the gratification of workers, and communication of RSD procedures).

Limited number and inadequate training of eligibility officers

Despite the new refugee law being passed, the lack of clarity over its interpretation remains a challenge. Primarily because of insufficient staff and lack of innovative skills to work with urban refugees. The government of Cameroon still depends highly on the UNHCR to organize training for these officers a situation not very appropriate, especially after the inauguration of this institution by the government. Since 1982 the UNHCR has been the one issuing refugee ID cards to refugees and urban refugees in Cameroon, a situation that exists in no other country⁸⁴³. Most refugees and asylum figures are still being provided by the UNHCR and the government has no knowledge or control of who receives the refugee's status. Without

⁸⁴² Tirlamo Nobert Wirnkar: The Financial Situations to the Technical Secretariat of the Managing Organs of Refugees Status in Cameroon, No 0002286/DIPL/D9/SDOIMHCR, Y'de, 22/04/2019.

⁸⁴³ *Ibid.*

the proper training of eligibility officers on regulations and directives, it is not possible to put the rights of the Proclamation into practice or to be clear about what they will mean in practice.

VI: Policy Recommendations

Against the backdrop of the challenges encountered by the UNHCR in the implementation of the urban refugee policy in Yaoundé, a way forward is proposed for the effective and efficient implementation of the urban refugee policy in Yaoundé. The way forward ranges from operational to institutional frameworks including, the technical secretariat, which is a government organ mandated to manage the affairs of refugees in Cameroon.

i. Policy recommendation on improving Operational framework

These recommendations will be limited to the challenges highlighted in the preceding section and highly focus on considerations to improve urban refugee's documentation and status determination, UNHCR-urban refugee relations, and livelihood and socio-economic empowerment.

Documentation and Status determination

Inclusive Reception Space: In response to the limited reception space, this study recommends that UNHCR should partner with local civil society organizations, like religious institutions and other humanitarian local base NGOs with large and inclusive space to assist them in times of excess flow/migration of urban refugees in Yaoundé. Designating different days of the week for different nationalities will also speed up the process. Moreover, the present structure may also be revamped to provide easy accessibility to physically challenged persons and children. UNHCR in collaboration with the government of Cameroon should also take strategic and meaningful full actions to ensure that reception facilities are consistent with the standards set out in the new urban refugee policy.

Improve staff capacities and recruit skillful interpreters: UNHCR should also improve the capacity of guards with language skills, and recruit interpreters based on dominant local languages spoken by the refugees, for example, Fulfulde and Hausa are commonly used by urban refugees from Chad, CAR, and Northern Nigeria. More importantly, community leaders should also be trained in the moral and ethical principles governing the organization; this will help community leaders to avoid bias, discrimination, and favoritism when called to assist renders voluntary service.

UNHCR –Urban refugee relations.

Maintaining a constructive dialogue with urban refugees: With regards to the urban refugee's ethnic - diversity, this study recommends that, UNHCR should initiate meaningful and comprehensive communication strategies that will be improved and maintain a healthy relationship between the UNHCR and the urban refugee population in Yaoundé. Modern communication technology tools should also be exploited in reaching out to the refugee population; this has increasingly been used to bridge the communications gap in relating to a diverse group of people.

Comprehensive and effective community outreach: This study also recommends that a comprehensive and effective outreach envision improving urban refugees to register, understand their rights and responsibilities and comprehend the options available to them in terms of services and durable solutions. Moreover, UNHCR should consistently make appropriate use of a variety of innovative outreach tools to reach out to asylum seekers and refugees in urban contexts.

Access to shelter and other social services (Health and Education): During our survey, about 35% of refugees shared the opinion that houses in Yaoundé are expensive and 65% said they are not only expensive but very expensive. However, 96.2% complain of difficulties renting a house. This has pushed about 48.8% to seek shelter in carabot structures and 36.3% in small bungalows mostly in very dangerous communities. We highly recommend the need for construction of low-income houses for refugees in Yaoundé since urban space is recognized as a legitimate residential space for refugees.

Livelihood and Socio-economic empowerment

Build capacity, support, and increase access to basic services: UNHCR should offer highly intensive and inclusive vocational, language, and computer training to urban refugees that will help them better integrate themselves in Yaoundé. A well-oriented program will increase urban refugees' capacity, enabling them to be able to communicate either in English or French, thereby increasing access to basic social facilities, like health, education, cooperatives, and banks. Designing and delivering well-oriented short-term language courses will help urban refugees to better communicate their needs, desires, and aspirations when opportunities avail. This will also increase the chances for refugees to easily access the informal and formal employment opportunities available for them, with skills developed from vocational and computer training.

Increased advocacy for Health and Education: The UNHCR should facilitate refugee access to national healthcare services and consider the engagement of health mediators from the refugee community. UNHCR should also take steps to ensure that the performance and integration of refugee children into the Cameroonian school system particularly in Yaoundé is effectively monitored. Periodic visits to schools and clinics in each community are also encouraged. This will create opportunities for local service administrators to be aware of refugee rights to such services and be seen as partners in realizing these rights. This requires clear communication and close coordination between UNHCR staff and the respective authorities overseeing basic services.

Increase financial support: The UNHCR should scale up the grants, small business loans, and access to micro-credit and income supplements given to refugees to improve their livelihood. This will enable refugees to shift from hawking to starting a bigger business that will help them to pay their house rent, and afford the direct and indirect cost of social service.

Build self-confidence and top-up advocacy strategies: UNHCR should also build more positive engagement with government authorities and vital local stakeholders to increase understanding of refugees' rights and provision of services. This engagement includes capacity building, advocacy, provision of equipment, and formal or informal collaboration. Through comprehensive outreach and support, urban refugees will better understand the services available and what they need to do to access them. Counseling, education materials, SMS messaging, and other outreach tools should be highly exploited by the UNHCR to inform refugees of available services.

ii. Policy consideration to the Institutional Framework

The focus will be on the UNHCR and the government of Cameroon, Donors (like the World Bank), and other Humanitarian and Development Actors. Development-led approaches to the forced displacement crisis in Cameroon are promising. World Bank-funded projects could make significant improvements in the lives of refugees and host communities and support Cameroon's progress towards the Sustainable Development Goals. To achieve this, existing policies, programs, and coordinating structures require changes. Importantly, lessons learned in and recommendations for Cameroon could have meaningful relevance in other refugee contexts.

iii. Policy Recommendation to UNHCR and Donor Partners

Recruits new staff and translation experts: The study recommends that UNHCR should endeavor to increase staff numbers in response to the successive flow of refugees in Yaoundé. An increase in the number of staff and volunteers will limit reception time per refugee, data collection time, and quick production of refugee's identity cards. UNHCR should also employ refugees from different countries who are more literate to volunteer as translators or constantly launch a call for recruitment to employ multi-linguist and professional translators. This will help the UNHCR to better trust the information given by these persons because their work will be guided by the UNHCR ethical code and conduct thereby enhancing the effective implementation of this policy in Yaoundé.

Create new funding opportunities and work to have financial autonomy: Based on the yearly budget fall from 2012-2019, the research recommends that UNHCR should seek new funding opportunities from the government producing the highest number of refugees, diverse international and local humanitarian organizations, a philanthropist from Asia, Europe, Africa and the different content of the world to finance its activities. Efforts to search beyond the traditional caregivers and funders will bring together a wide range of international and local stakeholders willing to assemble finance to roll back conflict and seek durable and permanent solutions to urban refugee's plights.

Construct a robust and inclusive establishment: Based on the limited reception and office space, and the unprecedented flow of refugees in Yaoundé, this study recommends that UNHCR should construct a modern structure capable of fulfilling the aspiration of the 2009 urban refugees policy objective, of providing a health and comprehensive space for urban refugees population. This will also provide office space for more workers, volunteers, and researchers working to find durable solutions for urban refugee dilemmas.

The Donors-Multilateral and Bilateral Donors (World Bank and States)

- Develop a set of outcomes, in collaboration with government and NGO partners and aligned to Cameroon's development plans, to be achieved with RSW financing and adjust Program Development Objective indicators to measure program benefits and outcomes among host communities, refugees, and IDPs. Indicator data can support the inclusion of these populations in Cameroon's SDG voluntary national review.
- Clearly define and make public a sufficient refugee protection framework, which includes how the Bank will assess whether the government is implementing the framework and what measures the Bank will take if the framework conditions are not met.

- Standardize consultation with non-governmental actors on RSW policy and program decisions. This should include consultation with humanitarian actors and refugees on the design and implementation of projects. It could be done through existing humanitarian forums (e.g., Humanitarian Country Team meetings).
- Enhance the information campaign to sensitize refugees about their opportunities to participate in commune-level planning, and fully implement the grievance mechanism for reporting complaints at the commune level that refugees and IDPs can access.
- Donors should increase their multiyear financing for the refugee response in Cameroon, in alignment with World Bank efforts to invest in longer-term solutions.
- Willing NGOs—particularly those with expertise in protracted displacement contexts—need to coordinate with development actors.
- More importantly, UNHCR should help facilitate a more robust consultation process for Bank-funded projects, and share reports on protection monitoring produced for the RSW projects with the humanitarian community.

Consideration for the technical secretariat

Consideration on providing a separate budget: We recommend that the government should use a budget from the IDA 18 Refugee sub-window funds (\$130million) that Cameroon obtain from the world bank in May 2018 to create an independent budget for the management of the technical secretariat. This will contribute to fostering the operation of an independent database of refugees and asylum seekers in Cameroon, frequent field missions to eligibility officers to zones of massive influx of refugees and asylum seekers, and constant training of eligibility officers and local authorities (Army and Administrative) on prevailing institutional and humanitarian law, organization of the issuance of Biometric documents to refugees by national authorities as prescribed by the 2005 law on refugees status and the day to day running of the technical secretariat (security, repairs, office materials, the gratification of workers and communication of RSD procedures).

Grant the technical secretariat full autonomy: The section of the new urban refugee policy dealing with registration and documentation appears to be of limited relevance in Cameroon, given the fact that despite the inauguration and existence of the Technical Secretariat its activities are still been controlled at the Ministry of External Relations (MINREX). Through this autonomy it would be easier for the government to transform the organ to Ministry of Humanitarian Affairs, Peacebuilding and Reconstruction. Unfortunately, however, some important gaps exist in the official registration procedure, limiting the

protection space available to refugees and asylum seekers. More generally, very little is known about the realities of life for refugees living in Yaoundé, a situation that makes it difficult to establish appropriate programs and protection strategies. In this light, we recommend that the government should make an extra effort to maintain independence in managing the refugee problem in Cameroon without depending so much on UNHCR assistance.

Create new working space and improve synergy: Based on the novel ambitions of the global compact for refugees' protection. A robust durable solution can only be attained if the Government of Cameroon improves its partnership and collaboration with other sectors in its quest to seek lasting solutions to refugees' predicament in Cameroon. This research strongly recommends that the Government of Cameroon should create a new office and appoint a focal point for the government's response to forced displacement to strengthen coordination between ministries and agencies and with non-government partners.

Include the refugees in the national Development plan: The research equally recommends that the government of Cameroon should include refugees in national development plans, and measure the progress of refugee populations towards the SDGs in its voluntary national reviews. And equally, create a task force of relevant government agencies and ministries and development and humanitarian partners to support implementation and provide oversight of policies and programs. In addition, the GOC should equally increase the capacity of the National Bureau of Civil Status (BUNEC) to provide birth certificates to children of refugees born in Cameroon by opening and staffing new offices in refugee-hosting areas.

Conclusion

This chapter discussed the operational and institutional challenges hindering the effective implementation of the quest for durable solutions for refugees in Cameroon. Highlighting these challenges enabled us to easily recommend meaningful policies, which can help the UNHCR in collaboration with the government of Cameroon and other vital partners to roll back these challenges, thereby making voluntary repatriation of more refugees centered and Yaoundé a safe and legitimate space for urban refugees in Cameroon. Believe that, safe and legitimate space will create a peaceful and healthy environment to enhance and achieve durable solutions. Despite the challenges faced by parties in multi-level dimensions to effective implementation of laws and policies guiding durable solutions, it is worth commending the efforts of UNHCR and the government of Cameroon in the vital progress recorded ranging from, the domestication of national refugees law protecting urban refugees and establishment of a Technical Secretariat dedicated to pilot the works of UNHCR in Cameroon. Within this

structure, much progress has been made in voluntary repatriation, economic empowerment, education, security, health, and a host of others thereby enhancing durable solutions for refugees in Cameroon. However, it has also provided concrete evidence to accelerate durable solutions for urban refugees.

GENERAL CONCLUSION

Generally, our study was established to examine the extent to which the government of Cameroon in collaboration with the UNHCR has effectively worked in synergy to advance durable solutions to refugees' predicaments in Cameroon. Central to our research was voluntary repatriation and effective urban integration of refugees in urban areas, specifically Yaoundé. Our study demonstrates that persistent efforts have been made by UNHCR and the government of Cameroon to find meaningful, peaceful, and long-term solutions to the refugee problem in Cameroon, though both parties still face some challenges. Motivated by continued disgruntlement expressed by urban refugees on the discrepancies of UNHCR and the government of Cameroon to articulate solutions to their plights, emanating from the ineffectiveness of UNHCR to roll back discrimination, injustice, the non-recognition identity documents (by some police officers and some private and public services like banks and micro-finance), sexual-based violence, unemployment, and exploitation.

Against this backdrop, data was collected from both secondary and primary sources, including interviews and questionnaires. In all, 143 responded to our interviews and questionnaires; out of the 143 respondents, 80 urban refugees in Yaoundé answered our survey. The majority of the refugees surveyed age-wise were individuals between 15-25 years of age, making a total percentage of 31.3%, and 7.5% within the age range of 55-65+; in terms of gender, 63.7% of the 80 surveyed were males and 43.6% females; about 72.5% of refugees interviewed in Yaoundé were from the Central African Republic. In addition to the 80, 20 Nigerians were equally interviewed in the Far North, 12 Chadians in Garoua (part of Chadian refugees' families who chose local integration in Cameroon) and the rest of the people interviewed were diplomats, journalists, law enforcement officers, eligibility officers, and researchers. We equally engaged in robust desktop and in-depth review of legal and policy documents, stakeholder's annual reports, published works, newspapers, donor's reports, radio and television documentaries, and internet sources related to refugees' durable solutions.

Alongside this background, the results of this study provide answers to the research questions initially retained. Evidently, there is an extensive normative framework for the

protection of urban refugees in Cameroon. These include universal, regional, and national legal instruments built on the fundamental principles of the Universal Declaration of Human Rights. However, the specific universal, regional, and national instruments in this regard include the 1951 Convention relating to the Status of Refugees, the September 2009 UNHCR Policy on Urban Refugees Protection, the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa, and Law N° 2005/006 of 27 July 2005 on the Status of Refugees in Cameroon respectively.

For effective implementation of this normative framework, there equally exist several institutions exercising control of these policies, ranging from the UNHCR, the African Commission on Human and Peoples' Rights, i.e. the Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa, the African Union Commission, i.e. Humanitarian Affairs, Refugees and Displaced Persons Division of the Department of Political Affairs, African Humanitarian Actions, UNDP, World Bank and lastly, Cameroon's Ministry of External Relations which also hosts the technical secretariat, organs charged with the management of refugee status in Cameroon, notably the Commissions for Eligibility and Appeals. Though our focus was more on UNHCR which shoulders a global responsibility to protect, assist and provide durable solutions to refugees' problems.

Cameroon has not only served as a safe haven for refugees but has also committed a lot of effort to seek durable solutions to their plights. Through collaboration and cooperation with the Republic of Nigeria, Chad, CAR, UNHCR, and other international humanitarian partners, Cameroon signed a tripartite agreement relevant to the voluntary returns of Nigerian and Chadian refugees who fled to Cameroon as a result of Boko Haram insurgencies and socio-political upheaval in Nigeria, Chad, and CAR respectively. Beginning from the 2004-2005 repatriation of Nigerian refugees who came to Cameroon as a result of the Taraba conflict, the 2012-2013 voluntary repatriation of Chadian refugees in the Langui Camp, and the 2017 voluntary repatriation of Nigerian refugees who came to Cameroon as a result of the series of Boko Haram insurgencies in North-Eastern Nigeria. Whether it is voluntary repatriation (as was the case with the 2004-2005 repatriation of Nigerian refugees, 2012-2013 of Chadian or 2019 of Nigerian in Minawao), involuntary or spontaneous repatriation (like the 2015-2016 and 2017 respectively), repatriation operations can be motivated either by pressure from the country of origin or host country. However, for repatriation to be safe and with dignity, returnees must be able to be reintegrated into their communities and have access to livelihood opportunities.

At a time when most of Cameroon's neighbors were experiencing armed conflicts or socio-political turmoil, Cameroon received large numbers of displaced people. By January it hosted close to 90,000 refugees and asylum-seekers. Of these, more than 14,600 live in urban areas, while some 60,000 others from the Central African Republic (CAR) are settled in villages in East or Adamaoua provinces. After rebel attacks in February 2008 on the capital of Chad, Ndjamena, 14,350 Chadians sought refuge among communities in northern Cameroon. Some 5000 of these Chadians lived in Langui camp. But in 2016 the country continues to experience a significant degree of social unrest, and security deteriorated in the Far North region, eastern region, and the armed conflict in the North West and southwest regions of Cameroon. For many years Cameroon was considered a haven in the region.

However, this integrity was compromised when the UNHCR, the government of Nigeria, and other international human rights Organisations heavily accused and criticized Cameroon in 2015, 2016, and 2017 for forcefully repatriating Nigerians who showed up at the North-Eastern Nigeria border to seek protection in Cameroon. States who have ratified conventions related to refugee issues are called upon to guard this principle jealously even though article 33(2) of the 1951 Geneva convention on the status of refugees permits states to counter it especially when the sovereignty and security of the states are at risk. The principle of *non-refoulement* is the fundamental principle in the protection of refugees and asylum seekers as enshrined in the international, regional, and national refugees law.

In order to effectively carry out its specific mandate toward the urban refugees' population in Yaoundé, UNHCR focus on achieving its mission by carrying out actions based on the basic objectives engrave in the 2009 urban refugees policy ranging from effective documentation and Status Determination to livelihood and socio-economic empowerment of urban refugees in Yaoundé. However, commendable efforts have been made by UNHCR to gain and expand more protective space for urban refugees in Yaoundé. Through its unflinching cooperation and collaboration with international and local humanitarian organizations, UNHCR in diverse domains has made incredible progress. Through its comprehensive outreach programs, and positive and indiscriminate advocacy an increased number of urban refugees have been registered by the institution and the Technical secretariat, many urban refugees' children can access social services and a good number of urban refugees can start their own businesses without depending so much on UNHCR assistance.

Despite the existence of the international legal framework and Cameroon's domestic policy on refugees, partners and government continue to face a handful of challenges in implementing the policies, and articles enabling return in safety and dignity. Millions of Africans' have been forcibly displaced due to conflict or persecution in the case of the Nigerian (Boko Haram Insurgence) and Chadian (Civil war). For the majority of these individuals, the preferred solution, repeatedly urged by the international community, is voluntary return in conditions of safety and dignity. All the refugees we interviewed in the course of this research expressed the willingness to return to their country of origin. Nevertheless, several post-conflict situations have revealed frailties in the voluntariness of return and limited success in achieving the full social and economic reintegration of returnees". The solidity of the peace underpinning the return can likewise be imperiled if the promotion of return is undertaken prematurely or without sufficient support. Acknowledging these challenges is essential to identifying means to promote the sustainability of voluntary return.

Although the repatriation policy in Cameroon benefits from an internal and international legal framework, it goes without saying that the 2004-2005 (voluntary repatriation of Nigerians), 2015-17 (spontaneous and forceful Nigerians,), 2012-2013 (voluntary returns of Chadian refugees) 2019 (voluntary returns of Nigerian and CAR refugees) repatriation operations previously initiated in Cameroon was not without challenges. These include challenges in implementing the principle of voluntariness, ensuring the human security of returnees, financial resources, and cooperation between different actors involved in the repatriation chain. On the other hand, the perpetual increase in the number of refugees, limited staffs and interpreters, constant budget reduction, limited reception space, and the inability of the technical secretariat to fund its activities also pose difficult challenges to UNHCR to effectively implement its policy on urban refugees in Yaoundé by increasing legitimate protective space for them, making its work to cater for urban refugees very complex.

Despite these challenges, a myriad of progress has been made by UNHCR to foster durable solutions for refugees in Cameroon. More specifically it's worth noting that since 1982 UNHCR-Cameroon through diplomacy successfully convinced the government of Cameroon to pass a law protecting the rights of refugees. Proclaimed on 12 July 2005, efforts to foster its effective implementation keep diminishing within time and space. In collaboration with the government of Cameroon, CAR, Chad, and Nigeria, the UNHCR has successfully negotiated four historic tripartite agreements of voluntary repatriation, and have returned in safety and with dignity hundreds of Nigerian, Chadian, and CAR refugees from Cameroon. In addition,

since the promulgation of the UNHCR urban policy in 2009, the UNHCR has fought to make Yaoundé a safe and legitimate space for refugees of all nationalities to live in. Thanks to the persistent efforts of UNHCR a considerable number of refugees are benefiting from these laws that gave them some inalienable rights and privileges in Cameroon, even though, a lack of political will, legal and institutional deficiency, insufficient financial aid from a donor, and limited personnel, negative stereotypes and political propaganda have continued to impede its progress.

However, the future remains very uncertain, with awareness of the long-age rhetorical belief that cooperation between international actors is driven by State and organizational interest. Notwithstanding, we strongly believe that genuine cooperation between multi-stakeholders will go a long way to enhance a more inclusive voluntary repatriation and achieve a holistic durable solution for both urban and rural refugees in Cameroon. However, it's worth asserting that, the tripartite agreement signed between Nigeria, Chad, CAR, Cameroon, UNHCR, and the 2009 UNHCR urban policy framework has been the driving force and a reference point enabling an effective response to the refugee's plights in Cameroon. Based on our extensive literature review, we proposed that further research can be conducted by other researchers in the various domains, voluntary resettlement of refugees to third countries, effective integration of returnees, and effective local integration of urban refugees in Douala and Bertua. This will further broaden and enrich the literature bank of durable solutions for refugees in Cameroon.

ANNEXES

ANNEXE 1: Apportioned Questionnaire.

1.1 Urban Refugee Survey

please fill out this survey by checking the boxes

1. Age 15-25 25-35 34-45 45-55 55-65+
2. Gender Female Male
3. Country of origin Nigeria Chad CAR Rwanda Libya
4. Marital Status single Married Co-habitation
5. What's your occupation Employed unemployed Student self employed
6. When did you arrive Yaoundé? 2005-2010 2010-2015 2015-2019

I. Documentation and Status determination of Urban Refugees in Yaoundé

7. Are you a registered refugee? Yes No
8. Under which institution were you registered? UNHCR Government Both
9. Was your registration done through legal means? Yes No
10. During registration is the institution accommodating? Yes No

II. Providing reception facilities

10. Who provided you with shelter in Yaoundé? UNHCR Government Family self-sponsored
11. Do you have difficulties renting a house? Yes No
12. Are houses in Cameroon Expensive? Very expensive Expensive not expensive
13. Type of residence ? carabot/plank House A Room Studio A the Park Apartment

III. Community Relations

14. Do you feel welcome in your community? Yes No

15. Have you received any support from members of your community? Yes No

16. Have you been denied access to any service because you are strangers? Yes No

17. Do you feel safe in your neighborhood? No very much Yes No

IV. Livelihood Safety of urban refugees in Yaoundé

18. Have you received any help from any of the following organization (select multiple if you can) UNHCR Government Religious Institutions NGO plan

19. Without the help of UNHCR or other organization can you provide for yourself and family
 Yes No Some how

20. Level of Income? 0-30,000 31,000-50,000 51,000-100,000 100,000-300,000 +

IV. Education and Health

21. Do your Children have access to register in any school? Yes No

22. Which School do you have access to? Public school Community School private school

23. What do you do when you are sick? Self-medication/Herbs Hospital Drug store

24. Do you have access to public health service? Yes No

25. How many meals do you eat in a day? 0 1 2 3 4+

26. Are your meal satisfactory? Yes No

V. Integration, voluntary repatriation, resettlement to a third country

27. Do you feel like you have full access to the following (Mark only one oval per row.)

Educational Institutions Full access Access Sometimes Not at all

Health Facilities Full access Access Sometimes Not at all

Access to Justice Full access Access Sometimes Not at all

Employment Full access Access Sometimes Not at all

Access to have ID Full access Access Sometimes Not at all

Houses Full access Access Sometimes Not at all

28. Do you feel integrated in Cameroon? Yes No

29. Are you informed about situations in your home country? Yes No Sometimes

30. Are you referred to as a stranger? Yes No

31. Do you have the freedom to travel to any place of your choice in Cameroon? Yes No Not always

32. Do you like to stay in Cameroon or go back to your country or a third country? Stay in Cameroon Go back to my country Third country

33. Are you treated with respect by UNHCR? Yes No sometimes

34. Since you arrived in Yaoundé have you ever received any logistical or financial assistance from UNHCR? Yes No

35. How can you evaluate the effectiveness of the law protecting urban refugees in Yaounde?

Effective Very effective Not effective not very effective

36. Do you know of any law protecting urban refugees in Cameroon? Yes Maybe No

Thanks for your collaboration

1.2 QUESTION GUIDE

1. What are your organization's missions toward urban refugees in Cameroon?
2. What are the different strategies employed by your UNHCR to protect urban refugees in Yaoundé?
3. Are your actions towards urban refugees in Yaoundé guided by the 2009 urban refugee policy?
4. What institutions do you work with in partnership and what activities do you do with your Partners?
5. What is the relationship between UNHCR and the Technical secretariat managing refugees in Cameroon?
6. Have you put in place or carried out projects to help urban refugees in Yaoundé? If so, what is it about?
7. What are the challenges you face in managing urban refugees in Yaoundé?
8. What measures is your institution taking to address these challenges?

9. What contributions have some refugees made in the implementation of your activities in Cameroon?
10. What is your assessment, do you think UNHCR manages refugees well through their various activities?
11. Do you think the partnership between UNHCR and the Technical secretariat is helping to address refugees issues
12. What are some of the difficulties encountered by UNHCR and the Technical secretariat in managing urban refugees in Yaoundé?
13. In your opinion how integrated are urban refugees in Yaoundé?
14. What are some of the challenges faced by UNHCR in implementing the 2009 urban refugee policy?
15. What do you propose as a measure to address some of the challenges?

1.3 RESEARCH QUESTION GUIDE

These questions were designed to guide us in assembling relevant material and the evidence-based statistic that will help us meet the fundamental objectives of this scientific research titled **“THE QUEST FOR DURABLE SOLUTIONS TO THE PLIGHTS OF REFUGEES PLIGHTS IN CAMEROON, 1972-2019: THE NEED FOR COMPREHENSIVE POLICIES AND REFORMS”**.

I. Strategic Questions Related to Chapter One

1. How relevant is the 1951 and 1969 conventions to the enhancement of durable solution for refugees in Cameroon?
2. To what extent do the various international and regional frameworks address the issue of voluntariness, non-refoulement, and urban integration of refugees in Cameroon?
3. Are the 30 articles of the Universal Declaration on human rights still relevant for the protection of refugees in Cameroon?
4. What are the key objectives of the 2009 UNHCR urban refugees policy?
5. What are legal steps taken by the government of Cameroon to foster a collective solution to refugees' plights in Cameroon?

II. Strategic Questions Related to Chapter Two

1. What are the different international institutions fostering durable solutions for refugees in Cameroon?
2. What are the key regional institutions working to enhance the durable solution for African refugees in Cameroon?
3. What are the fundamental mandates of UNHCR and partners towards refugees in Cameroon?
4. What are the international human rights bodies protecting the fundamental rights of refugees in Cameroon?
5. What are the major institutions in Cameroon working to advance durable and meaningful solutions for refugees in Cameroon?

III. Strategic Questions Related to Chapter Three

1. To what extent did the 2001 Taraba conflict and 2009 Boko Haram insurgencies in Northern Nigeria contribute to the displacement of Nigerian refugees to Cameroon?
2. What role did Cameroon, Nigeria, and UNHCR play in the Voluntary returns of the 2004-2005 as well as the 2019 repatriation of Nigerian refugees?
3. To what extent is the 2016,2017 forceful repatriation of Nigerians a violation of article 33(1) prohibiting the refoulement of refugees by contracting members of the 1951 and 1969 Convention?
4. How was the voluntary repatriation of Chadian refugees in the Langui camp of Cameroon Carried out?
5. What were the key roles played by the parties of the tripartite agreement guiding the 2012-2013 voluntary returns?

IV. Strategic Questions Related to Chapter Four

6. How can you assess the progress made by UNHCR in implementing the 2009 UNHCR Urban refugees policy in Yaoundé?
7. Does the UNHCR – Cameroon consider the city of Yaoundé as a legitimate place of settlement for a refugee?
8. What are the individual experiences of urban refugees in Yaoundé?
9. What are the push and pull factors influencing the refugees to move to the Yaoundé city area?
10. To what extent does the international, regional and national legal framework protect the right of urban refugees in Yaoundé?

V) Strategic questions Related to Chapter Five

1. What were common challenges faced by state parties to the tripartite agreement in the implementation of voluntary repatriation operation of Nigerians, Chadians, and CAR?
2. What were some of the key findings surrounding the repatriation of refugees in Cameroon?
3. What are some of the challenges encountered by UNHCR in Yaoundé in fostering effective urban integration of refugees?
4. What noble actions can be taken by UNHCR in collaboration with the technical secretariat to foster a more sustainable integration for urban refugees in Yaoundé?
5. What are some of the key recommendations that can be exploited by diverse actors for a more perfect durable solution?

Annex 2: Overview of major displacement situation in Africa

The following chart provides an overview by country of origin of the major displacement situations in Africa and includes Africans displaced both in Africa and abroad. The chart indicates whether the displaced are internal (IDP) or international (refugee). Statistical data are provided for refugee returns in the last two years

Country of Origin	Internally Displaced Persons (IDPs) ⁷	Refugees ⁸		Refugee Returnees	
		2004 ⁹	2005 ¹⁰	2004	2005
Algeria	1,000,000	10,691	6,085	1	1
Angola	61,700	228,838	215,859	59,208	53,768
Burundi	117,000	485,764	435,775	83,735	68,244
Central Africa	Undetermined	31,069	42,858	366	74
Chad		52,663	48,302	180	1,447
Ivory Coast	500,000	23,655	16,769	7,594	2
Democratic Republic of Congo	1,664,000	462,203	420,730	13,734	39,050
Eritrea	50,509	131,119	137,592	9,893	1
Ethiopia	150,000 265,000	63,105	58,238	7	147
Guinea	82,000	4,782	4,039	2	3
Kenya	381,924	3,847	4,282	1	0
Liberia	48,000	335,467	228,502	9,615	70,288
Mauritania		31,131	31,356	0	0
Nigeria	200,000	22,888	15,728	364	7,401
Republic of Congo	100,000 147,000	28,152	22,511	1,032	346
Rwanda	Undetermined	63,808	96,515	10,764	9,854
Senegal	64,000	8,332	8,347	0	0
Sierra Leone		41,801	35,168	26,108	149
Somalia	370,000 400,000	389,272	373,572	18,069	11,952
Sudan	5,355,000	730,612	687,279	290	18,525
Togo	3,000	10,819	44,281	120	3
Uganda	1,740,498	31,963	33,690	91	24
Western Sahara		165,731	90,652	0	0
Zimbabwe	569,685	9,568	10,755	0	0

Attention is brought to the statistics reported under the columns for returns. These figures only report the number of refugees whose return has been assisted. Neither the hundreds of thousands of refugees, who have spontaneously repatriated nor the



⁷ Source Internal Displacement Monitoring Centre, "Internal Displacement, Global Overview of Trends and Developments in 2005", March 2006, available at www.internal-displacement.org.

⁸ As data for 2005 is still being compiled and verified, completed statistics for 2004 and provisional statistics for 2005 are provided.

⁹ Source UNHCR, 2004 Global Refugee Trends, UNHCR Geneva, 20 June 2005, available www.unhcr.org.

¹⁰ Provisional statistics provided by UNHCR; these are not publicly available.

Appendix 3: AU Note verbal concerning the Ministerial Conference on Refugees

AFRICAN UNION الاتحاد الأفريقي		UNION AFRICAINE UNIÃO AFRICANA
Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone: 251-11-5517700 Fax: 251-11-5 517844 Website: www.africa-union.org		
Reference : <i>POL/DIR/5(II)/868</i>		
<p>The Commission of African Union presents its compliments to the Ministry of Foreign Affairs of Ethiopia and Embassies of Member States of the African Union in Ethiopia and has the honour to refer to Note Verbale POL/DIR/5(II) 797 concerning the Ministerial Conference on Refugees, Returnees and Displaced persons scheduled to take place in Ouagadougou, Burkina Faso from 29 May to 2 June 2006. An expert meeting will take place from 29 to 30 May followed by the Ministers' Conference from 1st to 2nd June 2006.</p> <p>The Commission wishes to forward herewith, to the Ministry of Foreign Affairs of Ethiopia and the Embassies of Member States of the African Union the Draft Agenda and relevant working documents for the Ministerial Conference.</p> <p>The Commission of the African Union avails itself of this opportunity to renew to the Ministry of Foreign Affairs of Ethiopia and Embassies of Member States of the African Union the assurances of its highest consideration.</p>		
<i>A</i>		
Addis Ababa, 22 May 2006.		
TO: Ministry of Foreign Affairs of Ethiopia Embassies of Member States of the African Union <u>Addis Ababa</u>, Ethiopia		

Appendix 4: Speech presented by the UNHCR on 23 September 2008

Discours d'ouverture

**Réunion de Commission Tripartite
Cameroun - Tchad - UNHCR sur le
rapatriement volontaire des
réfugiés Tchadiens de Langui**

Yaoundé, le 23 septembre 2008

Monsieur l'Ambassadeur de la République du Tchad au Cameroun,
Monsieur le Président de la Délégation de la République du Cameroun,
Messieurs les membres des Délégations du Tchad et du Cameroun,
Chers Collègues,

C'est un grand plaisir pour l'UNHCR et pour moi de pouvoir ouvrir cette session de travail, laquelle a pour but de discuter des termes d'un accord tripartite Cameroun – Tchad – UNHCR pour le rapatriement volontaire des réfugiés tchadiens du camp de Langui.

Je vous remercie encore d'avoir bousculé vos agendas pour répondre si promptement à notre invitation, mais vous le savez tous, les situations de réfugiés se nouent dans l'urgence, et imposent la plupart du temps de répondre dans l'urgence.

Pour rappel des faits, lors des événements de N'Djamena en février 2008, le Cameroun a ouvert ses portes généreusement pour recueillir les Tchadiens fuyant les troubles dans leur capitale. On estime aujourd'hui qu'en quelques heures, environ 100,000 d'entre eux sont arrivés à Kousséri. Heureusement pour tous, la situation s'est rapidement résorbée dans la capitale tchadienne et la plus grande partie de sa population a pu retourner chez elle.

10,000 Tchadiens sont cependant restés au Cameroun et se sont installés dans le camp établi par le HCR et les autorités préfectorales à Maltam, à 30 km de Kousséri.

Les Autorités Camerounaises, en vertu de la Convention de l'OUA de 1969 ont immédiatement reconnus ces personnes comme réfugiées sur la base du fait qu'ils avaient fui une situation de guerre.

Trois mois plus tard, pour des raisons sanitaires liées à la saison des pluies, 4,500 de ces réfugiés ont été transférés à Langui, à 30km de Garoua, où ils résident encore aujourd'hui.

Pendant toute cette période, Le HCR accompagné de son partenaire humanitaire, la Fédération internationale de la Croix Rouge, ont fourni l'assistance nécessaire à cette population réfugiée.

Mais les choses changent et les situations évoluent. Six mois après les évènements douloureux de février, tous les rapports nous indiquent que le calme est revenu à N'Djamena et que les craintes de persécution et de guerre n'existent plus.


Il s'agit donc de mettre en place, sans délais, un processus permettant à ces réfugiés de retourner chez eux dans les meilleures conditions.

La signature d'un accord tripartite est une partie essentielle de ce processus. Elle va constituer pour chacun des rapatriés une garantie que ses droits sont respectés car je le précise, il n'est pas question de nous écarter des principes fondamentaux des Conventions Internationales relatives aux réfugiés, et parmi ceux-ci le caractère volontaire du rapatriement. Il s'agit par la signature conjointe de cet accord de créer ou d'améliorer le cadre de ce rapatriement afin de garantir la dignité et la sécurité de ceux qui opteront pour ce choix.

Mesdames et Messieurs, le temps presse et je vous implore de tout faire pour accélérer les procédures. Les réfugiés nous ont signifié leur volonté de rapatrier et nous devons profiter de cette opportunité.

Je vous remercie.

Appendix 5: Remark of the Minister delegate on the planification process of 20 october 2008

<p>DJ REPUBLIQUE DU CAMEROUN Paix-Travail-Patrie</p> <p>MINISTERE DES RELATIONS EXTERIEURES</p> <p>DIRECTION DU PROTOCOLE ET DES AFFAIRES CONSULAIRES</p> <p>003384 DIP/D3</p> <p>Ref: V/L n° 218/a 78 du 22 août 2008</p>		<p>REPUBLIC OF CAMEROON Peace-Work-Fatherland</p> <p>MINISTRY OF EXTERNAL RELATIONS</p> <p>DEPARTMENT OF PROTOCOL AND CONSULAR AFFAIRS</p> <p>Yaoundé, le 20 OCT 2008</p>
<p>LE MINISTRE DES RELATIONS EXTERIEURES The Minister of External Relations A/TO MONSIEUR LE SECRETAIRE GENERAL DES SERVICES DU PREMIER MINISTRE</p> <p><u>YAOUNDE</u></p>		
<p>Objet : <i>Projet d'Accord tripartite Cameroun/Tchad/HCR en vue du rapatriement volontaire des réfugiés tchadiens</i></p> <p>Me référant à votre lettre susvisée,</p> <p>J'ai l'honneur de vous faire connaître, pour la haute attention du Premier Ministre, Chef du Gouvernement, que par Note Verbale n° CMR/0664/08/JF/nef du 16 septembre 2008, la Représentation du Haut Commissariat des Nations Unies pour les Réfugiés (HCR) à Yaoundé, a saisi notre Gouvernement d'une proposition d'Accord concernant le rapatriement volontaire des réfugiés tchadiens séjournant actuellement au Cameroun.</p> <p>Selon la Représentation du HCR, un sondage effectué auprès de la communauté des réfugiés tchadiens arrivés au Cameroun au mois de février 2008 et installés dans le camp de Langui, révèle la volonté de la plupart d'entre eux de retourner dans leur pays, le Tchad.</p> <p>La Représentation du HCR a proposé une réunion tripartite Cameroun-Tchad-HCR pour examiner la question, en exprimant le vœu que les opérations de rapatriement volontaire puissent se dérouler d'ici fin novembre 2008.</p> <p>Sachant que le principe du rapatriement librement consenti desdits réfugiés a déjà été accepté par nos deux Chefs d'Etat, mon Département a organisé deux séances de travail interministérielles (MINREX, MINATD, MINJUSTICE, DGSN et DGRE) pour arrêter une position concertée qui a été défendue lors des réunions tenues les 02 et 07 octobre 2008 avec le HCR et la Partie tchadienne.</p>		

Pour l'essentiel, la mouture du texte qui en a résulté tient largement compte des intérêts de la Partie camerounaise. C'est ainsi que :

- i) - le rôle de supervision du rapatriement volontaire, initialement conféré au HCR, sera plutôt imparti à la Commission tripartite Cameroun - Tchad - HCR, que le texte institue (article 5) ;
- ii) - les dispositions initiales visant à conférer au Gouvernement camerounais la responsabilité de la sécurité des réfugiés à rapatrier (pendant qu'ils sont encore sur le territoire camerounais), ont été reformulées (article 9) ;
- iii) - les dispositions initiales visant à l'exemption des redevances de communication ont été supprimées (article 24) ;
- iv) - une clause spécifique charge le HCR de la mobilisation de l'assistance de la Communauté internationale en vue de la mise en œuvre dudit programme de rapatriement (article 11) ;
- v) - le texte de l'Accord tripartite sera rédigé non seulement en français mais aussi en anglais et en arabe (disposition finale).

La plupart des autres dispositions sont analogues à celles de l'Accord tripartite que notre Gouvernement avait signé le 14 avril 2005 avec la République Fédérale du Nigeria et le HCR, pour le rapatriement librement consenti des réfugiés nigériens du Cameroun.

Il en va ainsi de l'article 19 qui prévoit la signature du HCR, d'une part, et d'autre part la signature et la ratification du Gouvernement de la République du Cameroun, et celles du Gouvernement de la République du Tchad, comme modes d'engagement des Parties. L'Accord sera applicable à titre provisoire dans la période entre la signature et les deux ratifications.

De l'avis de mon Département ministériel, ce texte est équilibré s'agissant des droits et des obligations des trois Parties.

Ci-joint le texte dudit projet d'Accord ainsi que le compte rendu des travaux d'examen.

Au cours de la réunion tripartite de relecture et de validation prévue le 23 octobre 2008, la délégation camerounaise pourra insister notamment sur l'insertion d'une clause relative à l'obligation générale pour le HCR de respecter les lois et règlements en vigueur au Cameroun.

Je ne manquerai pas de vous rendre compte des développements de ce dossier en vue des hautes instructions du Premier Ministre, Chef du Gouvernement./-

Copie : MINETAT/SG/PR


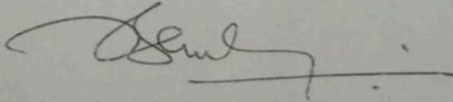
P.J. : 02




MINISTRE DELEGUE

[Handwritten signature]
Adam Ezerghem

**Appendix 6 : Update from the Minister concerning the Tripartite Agreement Accord
11march 2010**

<p>REPUBLIQUE DU CAMEROUN Paix-Travail-Patrie</p> <p>-----</p> <p>MINISTERE DES RELATIONS EXTERIEURES</p> <p>-----</p> <p>DIRECTION DU PROTOCOLE ET DES AFFAIRES CONSULAIRES</p> <p>-----</p> <p>N° _____ DIPL/D5/SDAC/SREM</p>		<p>REPUBLIC OF CAMEROON Peace-Work-Fatherland</p> <p>-----</p> <p>MINISTRY OF EXTERNAL RELATIONS</p> <p>-----</p> <p>DEPARTMENT OF PROTOCOL AND CONSULAR AFFAIRS</p> <p>-----</p> <p>Yaoundé, le 11 MARS 2010</p>
<p><i>Signé</i></p> <p><i>4-17603</i></p> <p>NOTE A L'ATTENTION DE S.E. M. LE MINISTRE DES RELATIONS EXTERIEURES</p> <p>A/S</p> <p>PROJET D'ACCORD TRIPARTITE CAMEROUN-TCHAD-HCR EN VUE DU RAPATRIEMENT VOLONTAIRE DES REFUGIES TCHADIENS VIVANT AU CAMEROUN</p>		
<p>Par correspondance n° 0105/CAB/PR en date du 05 mars 2010, le Cabinet Civil de la Présidence de la République, a saisi le Département pour s'enquérir de l'état d'avancement du dossier porté en objet.</p> <p>Il convient de rappeler, qu'à l'issue des négociations qui ont eu lieu entre les différentes parties, un projet d'accord consensuel a été élaboré.</p> <p>Ledit projet a été transmis, pour la Haute Information du Chef de l'Etat, au Ministre d'Etat, Secrétaire Général de la Présidence de la République, avec copie au Cabinet Civil par lettre-fax n°000386/DIPL/D5/SDAC/SREM du 25 février 2010.</p> <p>En prévision de la signature de cet accord, la D5 suggère, sauf meilleure appréciation de la hiérarchie de saisir le Cabinet Civil, avec copie au Secrétariat Général de la Présidence de la République et au Secrétariat Général des Services du Premier Ministre, pour :</p> <ul style="list-style-type: none"> - proposer que le Ministre des Relations Extérieures soit, le moment venu, autorisé à signer au nom du Cameroun l'Accord de référence (la DAJT consultée, estime qu'il n'est pas nécessaire, pour le cas d'espèce, que le Ministre soit nanti des pouvoirs) ; - suggérer, sur la base de l'article 21 (du projet d'accord) intitulé « Composition de la Commission tripartite », que le Directeur du Protocole et des Affaires Consulaires soit le membre désigné de la partie camerounaise. <p>Le projet de correspondance ci-contre, est soumis à l'assentiment de Votre Excellence./-</p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p><i>transmis objection le 17/03/10</i></p> </div> <div style="width: 60%; text-align: right;">  <p>ETOUNDI Richard Chef du Service des Réfugiés et des Migrants/D5</p> </div> </div>		

Appendix 7 : Update from the Minister concerning the Tripartite Agreement Accord 29 Jan 2010

<p>REPUBLIQUE DU CAMEROUN Paix-Travail-Patrie</p> <p>-----</p> <p>MINISTERE DES RELATIONS EXTERIEURES</p> <p>-----</p> <p>DIRECTION DU PROTOCOLE ET DES AFFAIRES CONSULAIRES</p> <p>-----</p> <p>N° _____ DS/SDAC/SREM</p>	 <p>REPUBLIQUE DU CAMEROUN REPUBLIC OF CAMEROON</p> <p>-----</p> <p>MINISTRY OF EXTERNAL RELATIONS</p> <p>-----</p> <p>DEPARTMENT OF PROTOCOL AND CONSULAR AFFAIRS</p> <p>-----</p> <p>Yaoundé, le</p>	<p>29 JAN. 2010</p> <p><i>M. S. M.</i> <i>F. S. M.</i> <i>2010</i></p>
<p>NOTE A L'ATTENTION DE S.E.M. LE MINISTRE DES RELATIONS EXTERIEURES</p> <p>A/S</p> <p>PROJET D'ACCORD TRIPARTITE CAMEROUN-TCHAD-HCR EN VUE DU RAPATRIEMENT VOLONTAIRE DES REFUGIES TCHADIENS DU CAMP DE LANGUI</p>		
<p>La Représentation du Haut Commissariat des Nations Unies pour les Réfugiés (HCR) au Cameroun, a saisi le Département au sujet de l'affaire portée en objet.</p> <p>Il convient de rappeler qu'à la suite des événements survenus au Tchad en février 2008, de nombreux Tchadiens en quête de sécurité sont arrivés au Cameroun. Beaucoup depuis lors, sont rentrés dans leur pays.</p> <p>Ceux qui sont restés, sont installés dans le camp de Langui, près de Garoua.</p> <p>Initialement au nombre de 4 500, il en resterait environ 3 500, 1 000 étant entre-temps retournés au Tchad par leurs propres moyens.</p> <p>Un sondage mené par le HCR auprès de 2 500 d'entre eux a révélé que la majorité souhaite retourner au Tchad.</p> <p>A cet effet, le processus d'un rapatriement volontaire a été enclenché.</p> <p>Un projet d'accord tripartite entre le Cameroun, le Tchad et le HCR a été initié et négocié entre les parties au cours de plusieurs réunions. Ce projet a par la suite été remodelé, davantage sur le plan de la forme, par les services juridiques du HCR à Genève. Cette nouvelle donne ainsi que le départ définitif de l'ancien Représentant du HCR au Cameroun ont considérablement retardé sa finalisation.</p> <p>Par ailleurs, une mission conjointe Cameroun/HCR-Cameroun a séjourné à N'djamena (Tchad), du 24 au 28 novembre 2008, pour une concertation avec les autorités gouvernementales tchadiennes dans le cadre de la préparation dudit rapatriement. Le MINREX y était représenté par le Chef du Service des Réfugiés et des Migrants.</p>		

Un comité restreint composé des représentants de toutes les parties a été également mis sur pied pour plancher sur le nouveau projet.

Par lettre n° 003384/DIPL/D5 en date du 20 octobre 2008, le Département a saisi les Services du Premier Ministre avec copie à la Présidence de la République, pour un compte rendu à mi-parcours.

Dans le même ordre d'idées, il y a lieu de signaler que le Cameroun n'est pas au premier accord du genre. En effet, notre pays a déjà signé le 14 avril 2005, un accord similaire avec la République Fédérale du Nigeria et le HCR, pour le rapatriement librement consenti des réfugiés nigériens qui se trouvaient du côté de Banyo.

Au regard de ce qui précède, la Direction du Protocole et des Affaires Consulaires, voudrait saisir l'opportunité de la visite annoncée du Haut Commissaire des Nations Unies pour les Réfugiés à Yaoundé et suggérer, sauf meilleur avis de la hiérarchie, l'accélération de l'étude dudit projet, afin qu'il soit signé pendant la visite de référence.

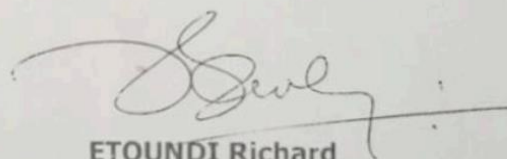
L'examen quant au fond et à la forme ayant déjà été fait, il conviendrait de convoquer une réunion entre les administrations concernées pour asseoir le texte définitif.

Ladite réunion pourrait se tenir au MINREX, le **vendredi 05 février 2010 à 11h00**, entre le MINREX (D5, D3, DAJT) et lesdites administrations.

Une deuxième réunion, sous la coordination du HCR, pourrait être envisagée le **mercredi 10 février 2010**, entre les parties (Cameroun-Tchad-HCR).

Les projets de correspondances ci-contre, sont soumis à l'assentiment de Votre Excellence./-

*Vu et transmis
dans
D5
Direction
le 20/01/10
r*



ETOUNDI Richard
Chef du Service des Réfugiés et des Migrants/D5

Appendix 8: Attendance Sheet for the 10 of February 2010 meeting of the Tripartite commission

**REUNION DE COMMISSION TRIPARTITE
CAMEROUN-TCHAD-HCR**

SUR LE RAPATRIEMENT DES REFUGIES TCHADIENS AU CAMEROUN


FICHE DE PRESENCE

Yaoundé, 10 février 2010

Nom et Prénoms	Agence/Administr ation	Fonction	Téléphones	Adresses électroniques	Signature
YBOSSÉH KOUÏTÈR NIN DÏ/AM/140	Am. Bénoué	Ambassadeur	75 18 43 08	utilique.ybo@fr	
BEANGO K. SYAMTEL	— u —	1 ^{er} Secrétaire	74 33 26 56		
Maignai MACKANTTA G.	— u —	Attache	74 82 79 79	ylgabath@unhcr.org	
SOUA KANE HAURA	UNHCR	Chargé de négociation	97 05 81 85		
Adel-Haïlo HAVON	UNHCR	repr. exécutif		kalene@unhcr.org	
Catherine Stange	UNHCR	Directrice Ad.	79 57 37 45	karson@unhcr.org	
OWOND MENUELE D MINREX	MINREX	Dir. Affaires Civiles	74 52 94 38	owond-menuele@yahoofr	
Alard ETOUNBI	MINREX	SECRI	99 92 12 02	alard@unhcr.org	

Page 1 of 4

**Appendix 9 : Update from the Minister concerning the Tripartite Agreement Accord
22february 2010**

<p>REPUBLIQUE DU CAMEROUN Paix-Travail-Patrie</p> <p>-----</p> <p>MINISTERE DES RELATIONS EXTERIEURES</p> <p>-----</p> <p>DIRECTION DU PROTOCOLE ET DES AFFAIRES CONSULAIRES</p> <p>-----</p> <p>N° _____ /DS.SD/AC/SREM</p>		<p>REPUBLIC OF CAMEROON Peace-Work-Fatherland</p> <p>-----</p> <p>MINISTRY OF EXTERNAL RELATIONS</p> <p>-----</p> <p>DEPARTMENT OF PROTOCOL AND CONSULAR AFFAIRS</p> <p>-----</p> <p>Yaoundé, le</p>
--	---	--

22 FEV. 2010

Handwritten signature and date: 22/02/2010

**NOTE A L'ATTENTION DE S.E.M. LE MINISTRE
DES RELATIONS EXTERIEURES**

A/S

**PROJET D'ACCORD TRIPARTITE CAMEROUN-TCHAD-HCR EN VUE DU
RAPATRIEMENT VOLONTAIRE DES REFUGIES TCHADIENS VIVANT AU
CAMEROUN**

La Représentation du Haut Commissariat des Nations Unies pour les Réfugiés (HCR) au Cameroun, a saisi le Département au sujet de l'affaire portée en objet.

Il convient de rappeler qu'à la suite des événements survenus au Tchad en février 2008, de nombreux Tchadiens en quête de sécurité sont arrivés au Cameroun. Beaucoup depuis lors, sont rentrés dans leur pays.

Ceux qui sont restés, sont installés dans le camp de Langui, près de Garoua.

Initialement au nombre de 4 500, il en resterait environ 3 500, 1 000 étant entre-temps retournés au Tchad par leurs propres moyens.

Un sondage mené par le HCR auprès de 2 500 d'entre eux a révélé que la majorité souhaite retourner au Tchad.

A cet effet, le processus d'un rapatriement volontaire a été enclenché.

Ledit rapatriement peut également concerner les autres réfugiés tchadiens vivant au Cameroun, s'ils le souhaitent.

Un projet d'accord tripartite entre le Cameroun, le Tchad et le HCR a été initié et négocié entre les parties au cours de plusieurs réunions. Ce projet a par la suite été remodelé, davantage sur le plan de la forme, par les services juridiques du HCR à Genève. Cette nouvelle donne ainsi que le départ définitif de l'ancien Représentant du HCR au Cameroun ont considérablement retardé sa finalisation.

Par ailleurs, une mission conjointe Cameroun/HCR-Cameroun a séjourné à N'djamena (Tchad), du 24 au 28 novembre 2008, pour une concertation avec les autorités gouvernementales tchadiennes dans le cadre de la préparation dudit rapatriement. Le MINREX y était représenté par le Chef du Service des Réfugiés et des Migrants.

Un comité restreint composé des représentants de toutes les parties a été également mis sur pied pour plancher sur le nouveau projet.

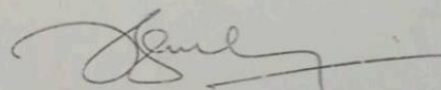
Par lettre n° 003384/DIPL/D5 en date du 20 octobre 2008, le Département a saisi les Services du Premier Ministre avec copie à la Présidence de la République, pour un compte rendu à mi-parcours.

Dans le même ordre d'idées, il y a lieu de signaler que le Cameroun n'est pas au premier accord du genre. En effet, notre pays a déjà signé le 14 avril 2005, un accord similaire avec la République Fédérale du Nigeria et le HCR, pour le rapatriement librement consenti des réfugiés nigériens qui se trouvaient du côté de Banyo.

L'examen quant au fond et à la forme ayant déjà été fait, une réunion entre les administrations concernées s'est tenue au MINREX le lundi 08 février 2010 au cours de laquelle lesdites administrations se sont concertées. A la suite de cette réunion, les Parties se sont accordées le mercredi 10 février 2010 sur un texte définitif, qui est le résultat de toutes ces concertations.

Au regard de ce qui précède, la D5 suggère, sauf meilleur avis, que les Services du Premier Ministre soient saisis pour compétence.

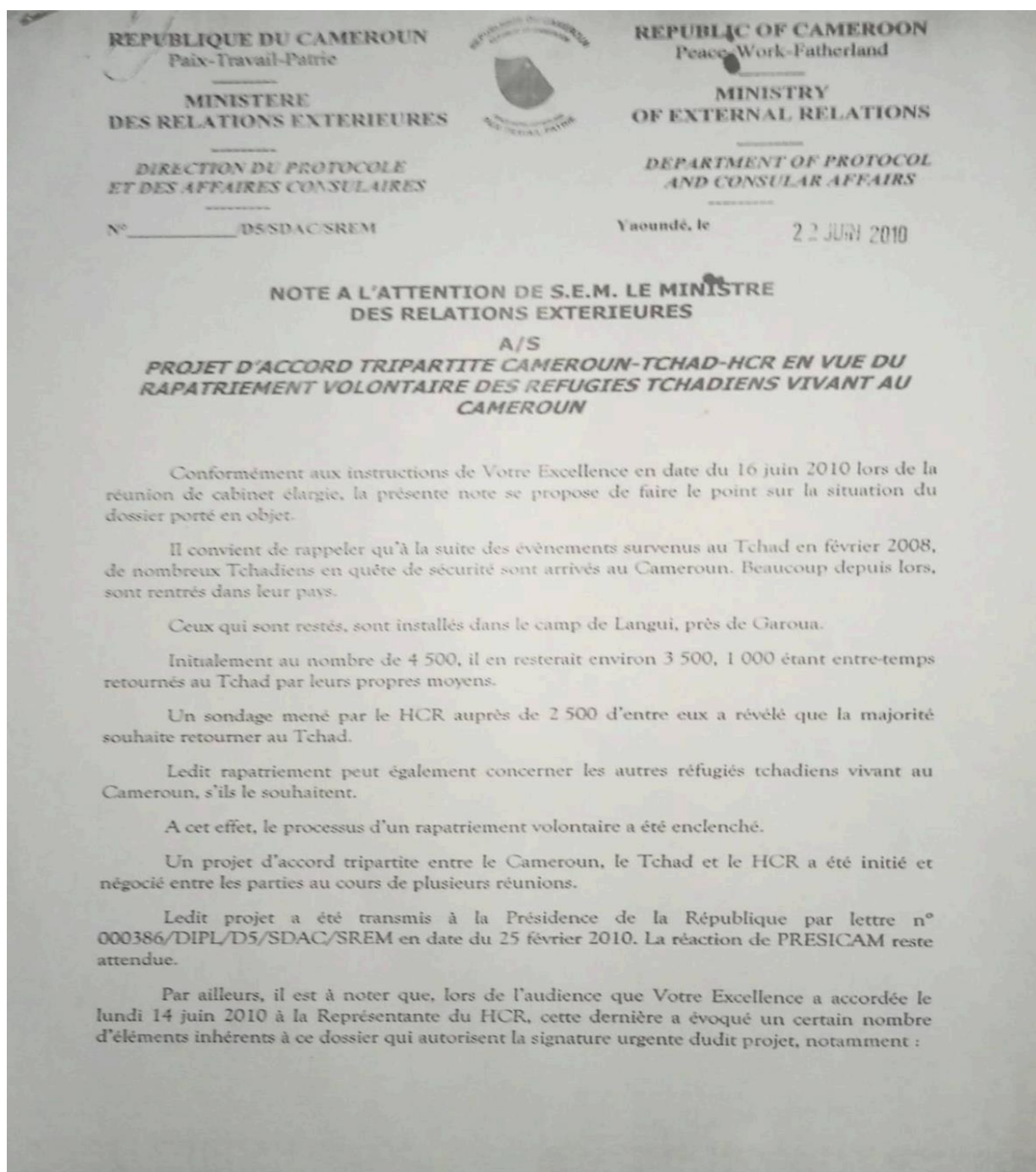
Le projet de correspondance ci-contre, est soumis à l'assentiment de Votre Excellence./-



ETOUNDI Richard
Chef du Service des Réfugiés et des Migrants/D5

*Du et transmis
dans
D5
direct on
le 23/02/10*

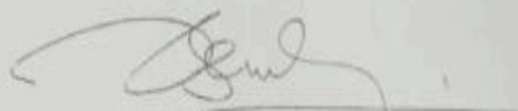
**Appendix 10 : Update from the Minister concerning the Tripartite Agreement Accord,
22 June 2010**



- L'impatience des réfugiés qui souhaitent déjà retourner au Tchad à la faveur des vacances scolaires ;
- Les difficultés du Programme Alimentaire Mondial (PAM) à assurer la distribution des denrées dans le camp au-delà du mois de décembre 2010 ;
- La crainte des tensions qui pourraient y naître compte tenu des deux points susévoqués.

Au regard de ce qui précède, la D5 incline à penser, sauf meilleur avis, qu'il y a urgence à ce que le projet d'accord tripartite soit signé dans les plus brefs délais.

Le projet de lettre ci-contre, est soumis à l'assentiment de Votre Excellence./-



ETOUNDI Richard
Chef du Service des Réfugiés et des Migrants/D5

**Appendix 11 : Letter of UNHCR representative to the secretary general of the republic
08 July 2011**



UNHCR
Représentation en République du Cameroun

BP 7077
Rue N° 1582-Omnisoort

Tel: 23 70 2954
Fax: 23 71 0514
Email: cmr@unhcr.org

08 juillet 2011

Notre Our code: CMR 0809 11 MIN AM

**Objet : Accord tripartite Cameroun/Tchad/UNHCR sur le rapatriement des réfugiés tchadiens
du camp de Langui**

Monsieur le Secrétaire général,

Nous avons été saisis par le Bureau du HCR au Tchad relativement à l'arrivée au Cameroun du 21 au 22 juillet d'une délégation des autorités tchadiennes en vue de la signature de l'accord tripartite sur le rapatriement volontaire des réfugiés tchadiens du camp de Langui.

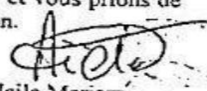
A titre de rappel, la version finale du projet d'accord tripartite Cameroun/Tchad HCR ci-joint a été revue et finalisée en février 2010 par les experts techniques des Gouvernements camerounais, tchadiens et ceux du HCR. Nous vous faisons parvenir en annexe pour votre meilleure référence la liste de participants à ladite réunion.

Jusqu'à ce jour, la signature de cet accord tripartite demeure une préoccupation pour toutes les parties concernées car le Gouvernement camerounais par la voix de sa plus haute autorité, Son Excellence Monsieur Paul Biya, Président de la République du Cameroun, avait donné toutes les assurances à Son Excellence Monsieur Antonio Guterres, Haut Commissaire des Nations Unies pour les réfugiés lors de sa visite au Cameroun en mars 2010 de l'imminence de la signature dudit accord.

Parallèlement, en ce qui concerne les réfugiés du camp de Langui, diverses pressions sont faites par les réfugiés pour rapatrier pendant cette période de vacance scolaire, période propice aux inscriptions des enfants dans les écoles au Tchad pour le compte de la prochaine année scolaire.

A toutes fins utiles, vous voudrez bien trouver en annexe une proposition de programme de la signature dudit accord tripartite.

Nous vous remercions de l'attention urgente que vous réserverez à cette requête et vous prions de croire, Monsieur le Secrétaire général, à l'assurance de notre parfaite considération.


Aida Haile Mariam
Représentante

Son Excellence
Monsieur NGOH NGOH Ferdinand
Secrétaire Général
Ministère des Relations Extérieures

YACUNDE

Appendix 12 : Fax message from the presidency of the republic calling a STOP of the repatriation process of Chadian refugees

REPUBLIQUE DU CAMEROUN
 Paix - Travail - Patrie

 Présidence de la République

 CABINET CIVIL
 N° /CAB/PR

REPUBLIC OF CAMEROON
 Peace - Work - Fatherland

 Presidency of the Republic

 CIVIL CABINET
 Yaoundé, le

Le Directeur du Cabinet Civil
 The Director of the Civil Cabinet

ATO

Monsieur le Ministre des Relations
 Extérieures

YAOUNDE

Handwritten signature and initials

MESSAGE-FAX

HONNEUR VOUS FAIRE CONNAITRE QUE LE CHEF DE L'ETAT
Stop A INSTRUIT DE TOUT METTRE EN ŒUVRE POUR
 L'ABOUTISSEMENT RAPIDE DE L'ACCORD TRIPARTITE
 CAMEROUN - TCHAD - HCR *Stop* EN VUE DU RAPATRIEMENT
 LIBREMENT CONSENTI DES REFUGIES TCHADIENS DU CAMP DE
 LANGUI (PRES DE GAROUA) *Stop*

BIEN VOULOIR ME FAIRE TENIR *Stop* POUR LA TRES HAUTE
 INFORMATION DE MONSIEUR LE PRESIDENT DE LA REPUBLIQUE *Stop*
 L'ETAT DU DOSSIER CONSIDERE AINSI QUE LE CALENDRIER
 PREVISIONNEL DE MISE EN ŒUVRE *Stop*

URGENCE ET IMPORTANCE SIGNALEES STOP ET FIN

REPUBLIQUE DU CAMEROUN
 MINISTERE DES RELATIONS EXTERIEURES
 CAB / MINDEX
 Re : 09 MARS 2010
 Sc : NSE/F
 Sertie Le



Handwritten signature
Martin BELINGA EBOUTOU

MINISTRE DES RELATIONS EXTERIEURES
 DIRECTION DU PROTOCOLE
 ET DES AFFAIRES COURRIERS
 COURRIER ARRIVEE
 Le 09 MARS 2010
 S/N°

Appendix 13: Urgent message from the office of the UNHCR Cameroon calling for a technical reunion to facilitate the return of Chadian refugees from Cameroon

NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES



UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES

Représentation
en République du Cameroun

Representation
in the Republic of Cameroon

Tel : (237) 2220 29 54
Fax : (237) 2221 0544

BP 7077
Yaoundé - Cameroun
Email : camya@unhcr.org

URGENT

CMR 040 1141M am

*S. D. ISREM
me copier
Très urgent
le 18/07/11*

[Handwritten signatures and initials]

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures et a l'honneur de l'informer de l'arrivée au Cameroun du 21 au 22 juillet 2011 d'une mission des autorités tchadiennes et des représentants du HCR au Tchad relativement à une réunion technique sur le rapatriement des réfugiés tchadiens du camp de Langui.

A cet effet, la Représentation saurait gré au MINREX des dispositions qu'il voudra bien prendre afin que les experts techniques camerounais puissent participer à cette réunion technique prévue, le vendredi 22 juillet 2011 de 10h à 11 h30 à l'hôtel Djeuga Palace de Yaoundé.

Le MINREX voudra bien trouver en annexe, à toutes fins utiles, une proposition de programme de ladite réunion.

Tout en remerciant le Ministère des Relations Extérieures au Cameroun pour son habituelle coopération, la Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun saisit cette occasion pour lui renouveler les assurances de sa très haute considération.



Yaoundé, le 18 juillet 2011

MINISTRE DES RELATIONS EXTERIEURES
CABINET DU MINREX
YAOUNDE

MINISTRE DES RELATIONS EXTERIEURES
DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES
COURRIER ARRIVEE
Le 18 JUIL 2011
ST: 19308

REPUBLIQUE DU CAMEROUN
18 JUIL 2011
344016

Appendix 14: Maituse des Flux migratoire au Cameroon

25503/13

REPUBLIQUE DU CAMEROUN
 Flux-Travel-Entry
 SERVICES DU PREMIER MINISTRE
 SECRETARIAT GENERAL

REPUBLIC OF CAMEROON
 French-Work-Entry/land
 PRIME MINISTER'S OFFICE
 SECRETARIAT GENERAL

06 JUL 2012

Ref: *(Handwritten: 05/0 CE)*

Objet: Maituse des flux migratoires au Cameroun.

(Handwritten: Ajust, I G Q C D J L YAGOUNDE, 09/07/12)

SECRETAIRE GENERAL,
 The Secretary General

Monsieur le Ministre des Relations
 Extérieures

En vous transmettant ci-joint, copie de la correspondance relative à l'objet repris en marge,

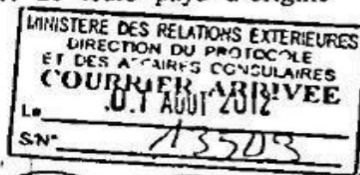
J'ai l'honneur de vous demander de bien vouloir prendre personnellement part, à la réunion interministérielle que présidera le Premier Ministre, Chef du Gouvernement, le lundi 9 juillet 2012 à partir de 15h dans la Salle des Conseils, à ce sujet.

Au cours de cette concertation, vous ferez le point de ce dossier, notamment :

- les dispositions prises en vue d'une régulation appropriée des flux migratoires au Cameroun ;
- les mesures à prendre concernant les étrangers en situation irrégulière sur notre territoire ;
- les dispositions à prendre, en liaison avec le Haut Commissariat aux Réfugiés, pour faciliter le rapatriement ordonné des réfugiés dès lors que les situations conflictuelles ayant motivé leur départ de leurs pays d'origine respectifs n'existent plus./-

(Handwritten: Reçu affaire à acter)

P.J : 01



(Handwritten signature: MOUTAZE Louis Paul)

Appendix 15: Update concerning on the arrival of UNHCR/Chadian delegation for a technical meeting for the voluntary repatriation of Chadian refugees from Cameroon

REPUBLIQUE DU CAMEROUN
Paix-Travail-Patrie

MINISTERE
DES RELATIONS EXTERIEURES

DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES

N° _____ DIPL D5/SDAC/SRL/M



REPUBLIC OF CAMEROON
Peace-Work-Fatherland

MINISTRY
OF EXTERNAL RELATIONS

DEPARTMENT OF PROTOCOL
AND CONSULAR AFFAIRS

Yaoundé, le 19 JUIL 2011

**NOTE A L'ATTENTION DE S.E.M. LE MINISTRE DES
RELATIONS EXTERIEURES
A/S**

**REUNION TECHNIQUE SUR L'ACCORD TRIPARTITE CAMEROUN/TCHAD/HCR
EN VUE DU RAPATRIEMENT VOLONTAIRE DES REFUGIES TCHADIENS DU
CAMP DE LANGUI**

Par correspondance n° CMR/0942/11/AHM/am du 18 juillet 2011, la Représentante du HCR à Yaoundé a saisi le Département au sujet de l'affaire portée en objet.

Cette correspondance annonce l'arrivée au Cameroun d'une mission des autorités tchadiennes et du HCR/Tchad, les 21 et 22 juillet 2011, en vue de la tenue d'une réunion technique sur ledit rapatriement.

La réunion de référence se tiendra à Yaoundé, le vendredi 22 juillet 2011 de 10h à 11h30 à l'Hôtel Djeuga Palace.

A cet effet, la Représentation du HCR à Yaoundé sollicite la diligence du Département afin que les experts techniques camerounais qui avaient participé aux précédentes réunions puissent y prendre part.

Il convient au préalable de faire le point de ce dossier.

Pour rappel des faits, lors des événements survenus à N'djamena en février 2008, le Cameroun a accueilli près de 100 000 Tchadiens qui fuyaient les troubles. La situation s'étant très vite résorbée, une grande majorité de ces personnes est retournée au Tchad. 10 000 sont cependant restées au Cameroun et ont été installées par le Gouvernement et le HCR à Maltam, à 30km de Kousséri.

En vertu de la Convention de l'OUA régissant les aspects propres aux problèmes des réfugiés en Afrique de 1969, les autorités camerounaises leur ont accordé le statut de réfugié, sur la base *prima facie*. Pour des raisons sanitaires liées à la saison des pluies, 4 500 de ces réfugiés qui sont restés dans notre pays ont été transférés à Langui, à 30km de Garoua. Selon le dernier décompte du HCR, il en resterait aujourd'hui environ 3 500, à qui une assistance en vivres et non vivres mensuelle est régulièrement fournie.

La situation s'étant rapidement normalisée au Tchad, un projet d'accord tripartite en vue de leur rapatriement volontaire avait été soumis aux Parties (Cameroun et Tchad) par le HCR, à travers une note verbale n° CMR/0664/08/JF/nef en date du 16 septembre 2008.

Plusieurs réunions entre les parties ont abouti à un projet d'Accord en 2008 (02, 07 et 23 octobre) et 2010 (10 février).

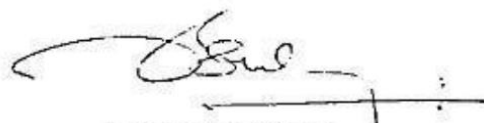
Des comptes rendus ont été régulièrement faits à la Haute Hiérarchie (PRESICAM et Services du Premier Ministre).

La visite au Cameroun, du 02 au 05 mars 2010, de Monsieur Antonio GUTERRES, Haut Commissaire des Nations Unies pour les Réfugiés, a donné également l'occasion au Département de relancer ce dossier (cf. lettres n°s 000386/DIPL/D5/SDAC/SREM du 25.02.10 et 0365/DIPL/D5/SDAC/SREM du 17.03.10).

Depuis lors, c'est le statu quo. Au moment où survient cette réunion technique, le Département n'a reçu aucune instruction concernant ledit dossier.

Au regard de ce qui précède, la D5 suggère, sauf meilleure appréciation, que le Département informe PRESICAM de la tenue de cette réunion et que les Départements techniques qui avaient pris part aux précédentes réunions de concertation soient saisis.

Les projets de correspondances ci-contre, sont soumis à l'assentiment de Votre Excellence./-



ETOUNDI Richard
Chef du Service des Réfugiés et des Migrants/D5

Appendix 16: Letter from the UNHCR representative on the proposed date of repatriation

**NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES**

Représentation
en République du Cameroun

Tel: (237) 2220 29 54
Fax: (237) 2221 0544



**UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES**

Representation
in the Republic of Cameroon

BP 7077
Yaoundé - Cameroun
Email : cmrya@unhcr.org

CMR/01277/12/NNN/am

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures et a l'honneur de lui transmettre en annexe la correspondance a lui adressée par le Ministère des Affaires Etrangères de la République du Tchad à travers votre Ambassade à N'Djamena et relative à une proposition de date pour la rencontre tripartite Tchad-Cameroun-HCR sur le rapatriement des réfugiés tchadiens du camp de Langui. La date proposée est le 11 septembre 2012 à N'Djamena

A toutes fins utiles, la Représentation voudrait porter à la connaissance du MINREX qu'à l'issue d'un sondage réalisé le 4 juillet 2012 sur les intentions de retour des réfugiés du camp de Langui, près de 1500 sur les 1765 réfugiés enregistrés se sont portés volontaires au rapatriement vers N'Djamena.

Tout en remerciant le Ministère des Relations Extérieures au Cameroun pour son habituelle coopération, la Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun saisit cette occasion pour renouveler les assurances de sa très haute considération.



Yaoundé, le 29 août 2012

**MINISTRE DES RELATIONS EXTERIEURES
CABINET DU MINREX**

YAOUNDE

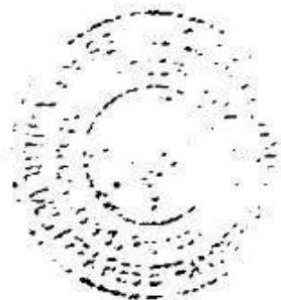
Appendix 17: A letter from the minister of foreign affair and Integration of Africa to the government of Cameroon in line with the 21 October 2012 meetings

N° 551 /PR/PII/MAEIA/SG/DGPE/2012

Le Ministère des Affaires Etrangères et de l'Intégration Africaine de la République du Tchad (Direction Générale du Protocole d'Etat) présente ses compliments à l'Ambassade de la République du Cameroun à N'djamena et a l'honneur de porter à sa connaissance que la rencontre tripartite Tchad-Cameroun-HCR prévue pour le 21 Aout 2012 à N'Djaména, est reportée au 11 Septembre 2012 pour des raisons d'ordre organisationnel.

A titre de rappel, la réunion avait pour objet de finaliser l'accord tripartite aux fins de procéder à l'opération de retour volontaire du groupe des réfugiés tchadiens basé au Camp de Langui (Garcoua).

Le Ministère des Affaires Etrangères et de l'Intégration Africaine de la République du Tchad (Direction General du Protocole d'Etat) remercie l'Ambassade de la République du Cameroun pour son aimable entremise et saisit cette occasion pour lui renouveler les assurances de sa haute considération.



15 OCT 2012

Ambassade de la République du Cameroun
N'djamena

Appendix 18: 2010 Report of the management of refugees in Cameroon by the Minister of External Relations

POSTFACE DU MINISTRE DES RELATIONS EXTERIEURES A L'OCCASION DE LA PUBLICATION DE L'ESSAI INTITULÉ • OPERATION OF ASSISTANCE TO REFUGEES IN CAMEROON •

SMA/SAC/SAE/12
le 23/03/12

Le Cameroun de par sa position géographique, se trouve à la confluence de plusieurs flux migratoires volontaires ou forcés.

A cet effet, s'agissant principalement des réfugiés, il en a accueilli de tout temps sur son sol, notamment lors de la guerre du Biafra entre 1966 et 1970, de la situation socio-politique de la Guinée Equatoriale avant l'avènement du régime actuel ou, celle du Tchad, qui en 1981, a connu un afflux au Cameroun de près de 266 000 réfugiés.

De fait, l'accueil de ces personnes s'appuie tant sur la solidarité africaine, un des principes cardinaux de sa politique étrangère, que sur son appartenance aux principales conventions humanitaires internationales sur les réfugiés.

Sur le plan du droit positif interne, le corpus juridique inhérent à la question des réfugiés s'est enrichi depuis 2005 de deux textes majeurs, à savoir d'une part, la loi N° 2005/006 du 27 juillet 2005 portant statut des réfugiés au Cameroun, qui a l'avantage de régir à la fois les réfugiés et les demandeurs d'asile en même temps qu'elle expose les droits et obligations des réfugiés installés au Cameroun, et d'autre part le décret N° 2011/389 du 28 novembre 2011 portant organisation et fonctionnement des organes de gestion du statut des réfugiés au Cameroun, qui met en place la Commission d'éligibilité au statut des réfugiés et la Commission des recours des réfugiés.

Il va sans dire qu'avec ces deux textes, le Cameroun entend désormais statuer pleinement sur ces questions, conformément à sa politique en la matière, telle que préconisée par le Chef de l'Etat, S.E. Paul BIYA, à savoir :

- L'accueil des personnes qui recherchent une protection quelles que soient leur race, leur nationalité, leur religion ou leur opinion politique ;
- L'hospitalité et l'assistance à l'endroit de ces personnes ;
- Le respect scrupuleux des instruments internationaux auxquels le Cameroun est partie ;
- Le retour librement consenti des réfugiés dans leur pays d'origine et éventuellement la réinstallation dans un autre pays, la réinsertion ou la réhabilitation sur place.

Ainsi, le Cameroun ne ménage aucun effort pour que les réfugiés présents sur son sol soient accueillis, avec générosité et compréhension, ce qui contribue indubitablement à leur donner une vie et une dignité nouvelles.

Mais, pour autant, il n'en devient pas moins important de rappeler aux réfugiés et aux demandeurs d'asile qu'ils n'ont pas que des droits, mais ils ont aussi des obligations, dont celle de respecter en tout lieu et en tout temps les lois et règlements de leur pays d'accueil.

Par ailleurs, le Cameroun sait gré au HCR de l'assistance octroyée aux réfugiés à travers les infrastructures sanitaires, scolaires etc. *qui sont également réservés aux populations autochtones qui vivent au quotidien avec eux et qui les accueillent en premier à leur arrivée.* *ceux réfugiés*

La visite en mars 2010 de Monsieur Antonio GUTERRES, Haut Commissaire des Nations Unies pour les Réfugiés, a été l'occasion d'avoir la pleine mesure des efforts déployés par le Gouvernement en synergie avec le HCR, et l'immensité de la tâche qui reste à accomplir ainsi que du caractère indispensable de l'apport de la Communauté internationale et des donateurs dans ce domaine.

Pour ma part, j'exhorte les réfugiés à se sentir chez eux, ici au Cameroun, d'y vivre en paix et en bonne intelligence avec les populations locales, jusqu'au retour définitif dans leurs pays respectifs, lorsque les conditions minimales y auront été réunis./-

Appendix 19 : Acknowledgement of receipt of letter of a proposition on the repatriation process from Chad by the minister of external relations – Cameroon

REPUBLIQUE DU CAMEROUN
Paix-Travail-Patrie

MINISTRE
DES RELATIONS EXTERIEURES



REPUBLIC OF CAMEROON
Peace-Work-Fatherland

MINISTRY
OF EXTERNAL RELATIONS

DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES

DEPARTMENT OF PROTOCOL
AND CONSULAR AFFAIRS

02997/11
DIRECTION DES ARCHIVES

Yaoundé, le 05 SEP. 2012

LE MINISTRE DES RELATIONS EXTERIEURES
THE MINISTER OF EXTERNAL RELATIONS

A

MONSIEUR LE MINISTRE, SECRETAIRE GENERAL
DE LA PRESIDENCE DE LA REPUBLIQUE

- YAOUNDE -

Réf. : M/L n° 000386/DIPL/DI/SDAC/SIREM du 25.02.10, et

Objet : **Projet d'Accord Tripartite Cameroun-Tchad-HCR
en vue du rapatriement volontaire des réfugiés
Tchadiens vivant au Cameroun**

Me référant à la correspondance ci-dessus rappelée relative à l'objet repris en rubrique,

J'ai l'honneur de rendre compte que la Représentation du Haut Commissariat des Nations Unies pour les Réfugiés a transmis au Département, une proposition du Gouvernement de la République du Tchad, visant à faire signer l'Accord Tripartite Cameroun-Tchad-HCR en vue du rapatriement volontaire des réfugiés Tchadiens vivant au Cameroun, le **mardi 11 septembre 2012 à N'djamena**.

Je me propose, sauf meilleure appréciation de la Très Haute Hiérarchie, d'accéder à ladite requête en me référant au message fax n° C105/CAB/PR en date du 05 mars 2010, dont ci-joint copie en annexe, par lequel Monsieur le Directeur du Cabinet Civil, sur instruction du Chef de l'Etat, demandait au Minrex de tout mettre en œuvre en vue de l'aboutissement rapide dudit Accord,

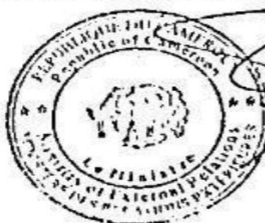
Il s'agit d'un accord qui a été négocié entre les parties en 2010 et qui jusqu'ici est en attente de signature. Il est à noter que cette question reste une préoccupation constante de la part du HCR, tant au siège qu'à Yaoundé.

Je vous saurais gré de bien vouloir recueillir et me communiquer les Très Hautes Instructions du Chef de l'Etat sur ce dossier./-

P.J. : 03

Copie :

- SG/PM
- DCC/PR



[Signature]
PROF. MOUKOKU MBONJO

Appendix 20: Fax message from the presidency of the republic of Cameroon 10 September 2012

Trés urgent
SREM
12 09 12

RÉPUBLIQUE DU CAMEROUN
Paix - Travail - Patrie

PRÉSIDENCE DE LA REPUBLIQUE

SECRETARIAT GENERAL

REPUBLIC OF CAMEROON
Peace - Work - Fatherland

PRESIDENCY OF THE REPUBLIC

SECRETARIAT GENERAL

N° A1961a /SG/PR

Yaoundé, le : 10 SEP 2012

Réf: V/L n° 02997/DIPL/D5/SDAC/SREM
du 03 septembre 2012

REPUBLIQUE DU CAMEROUN
REPUBLIC OF CAMEROON
MINISTÈRE DES RELATIONS EXTERIEURES
MINISTRY OF EXTERNAL OPERATIONS

RECUS LE 11 SEP 2012
SOUS LE N° 6871/0

Trés urgent
SREM
12/09/12

LE MINISTRE, SECRETAIRE GENERAL
The Minister, Secretary General

A/TO

MONSIEUR LE MINISTRE DES
RELATIONS EXTERIEURES
YAOUNDE

Objet : projet d'Accord Tripartite Cameroun-Tchad-HCR,
pour le rapatriement volontaire des réfugiés
tchadiens vivant au Cameroun

MESSAGE - FAX

SUITE A VOTRE CORRESPONDANCE D'OBJET ET DE REFERENCE SUSVISES **STOP**

HONNEUR VOUS FAIRE CONNAITRE QUE LE CHEF DE L'ETAT A MARQUE SON HAUT ACCORD POUR LA SIGNATURE **COMA** LE 12 SEPTEMBRE 2012 A N'DJAMENA **COMA** ENTRE LE GOUVERNEMENT DE LA REPUBLIQUE DU CAMEROUN **COMA** LE GOUVERNEMENT DE LA REPUBLIQUE DU TCHAD ET LA HAUT-COMMISSARIAT DES NATIONS UNIES POUR LES REFUGIES **COMA** DU PROJET D'ACCORD TRIPARTITE POUR LE RAPATRIEMENT VOLONTAIRE DES REFUGIES TCHADIENS VIVANT AU CAMEROUN **STOP**

URGENCE PARTICULIEREMENT SIGNALÉE **STOP ET FIN**

MINISTÈRE DES RELATIONS EXTERIEURES
DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES
COURRIER ARRIVEE

Le 12 SEPT 2012
S/N° 46115

REPUBLIQUE DU CAMEROUN
PRESIDENCE DE LA REPUBLIQUE
SECRETARIAT GENERAL

[Signature]

Ferdinand NGOH NGOH

Appendix 21: Letter from the Chadian minister of foreign affairs to the Cameroon Ambassador in Chad ,15 October 2012.

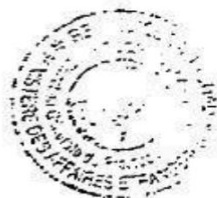
W

N° 551 /PR/PH/MAETA/SG/DGPE/2012

Le Ministère des Affaires Etrangères et de l'Intégration Africaine de la République du Tchad (Direction Générale du Protocole d'Etat) présente ses compliments à l'Ambassade de la République du Cameroun à N'djamena et a l'honneur de porter à sa connaissance que la rencontre tripartite Tchad-Cameroun-HCR prévue pour le 21 Aout 2012 à N'Djaména, est reportée au 11 Septembre 2012 pour des raisons d'ordre organisationnel.

A titre de rappel, la réunion avait pour objet de finaliser l'accord tripartite aux fins de procéder à l'opération de retour volontaire du groupe des réfugiés tchadiens basé au Camp de Langui (Garoua).

Le Ministère des Affaires Etrangères et de l'Intégration Africaine de la République du Tchad (Direction General du Protocole d'Etat) remercie l'Ambassade de la République du Cameroun pour son aimable entremise et saisit cette occasion pour lui renouveler les assurances de sa haute considération.



15 AOUT 2012

Ambassade de la République du Cameroun
N'djamena

Appendix 22: Note Verbal of 10 September 2012 from D5, Minrex to UNHCR

REPUBLIQUE
 - Le ministre
 de l'Intérieur
 Tchad.

Ariston Fresquet

10/09/12

DN
 DNS
 SOL
 S
 J12

**EN VUE DU RAPATRIEMENT
 NT AU CAMEROUN**

Par correspondance n° CMR/01277/NNN/am en date du 29 août 2012, la Représentation du HCR à Yaoundé a saisi le Département au sujet de l'affaire portée en objet. Ladite correspondance est accompagnée d'une note verbale du Gouvernement tchadien adressée à notre Ambassade à N'djamena.

Il convient de rappeler que la question du rapatriement de ces personnes a été évoquée pour la première fois en septembre 2008.

En effet, des événements survenus au Tchad en février 2008, avaient contraint de nombreux Tchadiens en quête de sécurité à se réfugier au Cameroun. Beaucoup sont rentrés quelques temps après. Ceux qui sont restés ont été installés dans le camp de Langui, près de Garoua.

Initialement estimés à 4 500, il en resterait aujourd'hui environ 1 765, dont 1 500 par le biais d'un sondage réalisé le 04 juillet 2012, ont clairement manifesté le désir de retourner dans leur pays, en raison de la cessation des événements ayant motivé leur départ.

Le processus d'un rapatriement volontaire avait été alors enclenché. A cet effet, plusieurs réunions tripartites entre les représentants du Cameroun, du Tchad et du HCR se sont tenues à Yaoundé, à l'issue desquelles le projet d'Accord tripartite de référence a été élaboré, et approuvé d'accord parties. A toutes les étapes, la Haute hiérarchie a été régulièrement informée.

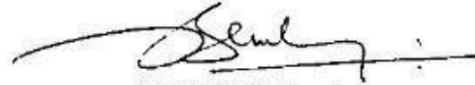
Au sujet de ce dossier, le Cabinet Civil avait adressé un message fax le 09 mars 2010, instruisant le MINREX de tout mettre en œuvre pour l'aboutissement rapide dudit accord. Une interprétation erronée a pu en être faite à l'époque, car le Département, en réponse audit message fax, avait envoyé le dossier à nouveau à la Présidence de la République en vue d'obtenir un accord clair. Depuis lors, aucune instruction n'est plus jamais revenue de la Présidence de la République.

La correspondance de référence du HCR, ainsi que celle du Gouvernement tchadien qui l'accompagne propose que cet Accord soit signé le 11 septembre 2012, à N'djamena.

Il convient également de signaler la question dudit rapatriement est une préoccupation constante du HCR.

Au regard de ce qui précède, la D5 suggère de réserver une suite favorable à la proposition du Gouvernement tchadien, si le calendrier de Votre Excellence le permet. Une correspondance pourrait donc être adressée à la PRESICAM dans ce sens.

Le projet de correspondance ci-contre, est soumis à l'assentiment de Votre Excellence./-



ETOUNDI Richard
Chef du Service des Réfugiés et des Migrants D5

*Avu partagé
le SOPC
21 09 12*

*Sans objection
M. B. S.
21/09*

Appendix 23 : Address of the representative of the UNHCR on the official signing of the tripartite agreement of repatriation , Minrex, tuesday 20 november 2012

Discours de la Représentante du HCR au Cameroun

Cérémonie officielle de signature de
l'accord tripartite entre le Gouvernement de la République du
Cameroun, le gouvernement de la République du Tchad et le Haut
Commissariat des Nations Unies pour les réfugiés pour le rapatriement
des réfugiés tchadiens vivant au Cameroun.

Minrex, mardi 20 novembre 2012

Excellence Mr le Ministre des Relations Extérieures du
Cameroun,
Excellence Mr l'Ambassadeur du Tchad en République du
Cameroun,
Monsieur le Président de la Commission Nationale
d'accueil et de Réinsertion des réfugiés et des rapatriés du
Tchad,
Chers collègues du HCR,
Chers invités,

Aujourd'hui est un grand jour pour les réfugiés tchadiens
qui vivent au Cameroun. Cette cérémonie de signature de
l'accord tripartite va permettre dans un tout proche avenir
à des milliers de réfugiés de rentrer chez eux de manière
planifiée et organisée.

En signant cet accord, les autorités camerounaises et tchadiennes ainsi que le HCR parachèvent un processus de consultations et de négociations tripartites entamé depuis 2009 et ouvrent en même temps la voie à la concrétisation d'une solution durable qu'est le retour volontaire au Tchad.

Faut-il, en effet, rappeler que, suite aux attaques des rebelles sur la ville de N'Djamena et à la contre-offensive de l'armée régulière en février 2008, ce sont plus de 100 000 personnes qui en l'espace de quelques heures ont traversé le pont de Ngueli pour se retrouver masser à Kousséri.

Alors que le plus grand nombre d'entre elles rentrèrent spontanément dans les jours suivants, 10 000 personnes environ furent transférées quelques semaines plus tard à Maltam puis quelque 4000 à Langui en mai 2008 là où, bien que moins nombreux, ces individus et ces familles vivent encore aujourd'hui.

Avec l'effort et l'engagement du Gouvernement Tchadien, l'ordre et la sécurité ont été vite rétablis dans le pays. La consolidation de cette sécurité et les initiatives de développement ont rassuré les réfugiés qui n'ont cessé de solliciter l'appui du HCR pour leur retour dans leur pays d'origine.

L'accord tripartite que nous allons signer aujourd'hui englobe également les réfugiés urbains, en particulier ceux qui vivent à Douala et à Yaoundé lesquels sont estimés à plus de 1500 selon nos statistiques.

A l'aube de ces retours que nous souhaitons pouvoir organiser rapidement en collaboration avec les deux gouvernements et avec l'appui de nos partenaires de mise en œuvre, je me dois de remercier très sincèrement les autorités camerounaises pour avoir accueilli ces populations lors de leur arrivée et pour leur avoir permis de séjourner en toute quiétude au Cameroun.

J'adresse aussi toute ma reconnaissance aux autorités locales de la région du Nord, aux populations hôtes des villages de Langui, Pitoa et de Mbouli et à leurs chefs traditionnels pour avoir accueilli leurs frères tchadiens et avoir vécu en harmonie à leurs côtés pendant toutes ces années. J'en appelle encore à leur générosité et à leur ouverture d'esprit afin de continuer à vivre en bonne intelligence avec le petit nombre de ceux qui feront le choix de rester au Cameroun.

Je n'oublie pas non plus de saluer l'appui reçu de la part des autorités tchadiennes, notamment au travers de son Excellence Monsieur l'Ambassadeur, au cours du processus de négociation.


Excellence monsieur le Ministre, Excellence monsieur l'Ambassadeur, j'aimerais vous réitérer l'engagement et la disponibilité du HCR à soutenir les gouvernements du Cameroun et du Tchad dans le processus de rapatriement et de réintégration pour un retour durable.

Vive la coopération entre les gouvernements du Cameroun,
du Tchad et le HCR.

Je vous remercie de votre aimable attention.

Appendix 24: UNHCR Cameroon transmitting annex patterning to the date for the voluntary returns of Chadian refugees from Cameroon

NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES
 Représentation
 République du Cameroun
 Tel: (237) 2221 0544
 Fax: (237) 2221 0544



REPRÉSENTATION DU CAMEROUN
 30 AUG 2012
 0644

UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES
 Representation
 in the Republic of Cameroon
 BP 7077
 Yaoundé - Cameroun
 Email: cmrya@unhcr.org

Handwritten notes on the left: "Tchad Langui", "22/08/12", "11/09/12", "11/09/12".

Handwritten signature on the right: "D/S/20/08/12".

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures et a l'honneur de lui transmettre en annexe la correspondance a lui adressée par le Ministère des Affaires Etrangères de la République du Tchad à travers votre Ambassade à N'Djamena et relative à une proposition de date pour la rencontre tripartite Tchad-Cameroun-HCR sur le rapatriement des réfugiés tchadiens du camp de Langui. La date proposée est le 11 septembre 2012 à N'Djamena

A toutes fins utiles, la Représentation voudrait porter à la connaissance du MINREX qu'à l'issue d'un sondage réalisé le 4 juillet 2012 sur les intentions de retour des réfugiés du camp de Langui, près de 1500 sur les 1765 réfugiés enregistrés se sont portés volontaires au rapatriement vers N'Djamena.

Tout en remerciant le Ministère des Relations Extérieures au Cameroun pour son habituelle coopération, la Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun saisit cette occasion pour renouveler les assurances de sa très haute considération.



Yaoundé, le 29 août 2012

MINISTERE DES RELATIONS EXTERIEURES
CABINET DU MINREX
YAOUNDE

MINISTERE DES RELATIONS EXTERIEURES
 DIRECTION DU PROTOCOLE
 ET DES AFFAIRES CONSULAIRES
COURRIER ARRIVEE
 Le 31 AOUT 2012
 S/N° 15310

Appendix 25 : Note verbal from Chadian minister of foreign affair in line with proper organisation of the repatriation process

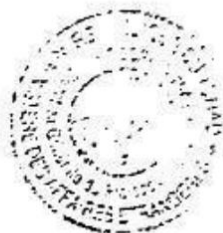
lit

N° 552 / 1991/PM/MAE/24/10/2012

Le Ministère des Affaires Etrangères et de l'Intégration Africaine de la République du Tchad (Direction Générale du Protocole d'Etat) présente ses compliments à l'Ambassade de la République du Cameroun à N'Djaména et a l'honneur de porter à sa connaissance que la rencontre tripartite Tchad-Cameroun-HCR prévue pour le 21 Aout 2012 à N'Djaména, est reportée au 11 Septembre 2012 pour des raisons d'ordre organisationnel.

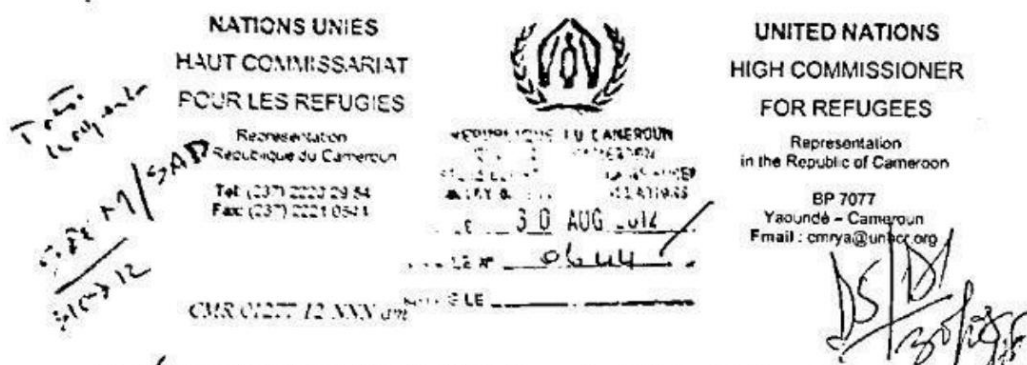
A titre de rappel, la réunion avait pour objet de finaliser l'accord tripartite aux fins de procéder à l'opération de retour volontaire du groupe des réfugiés tchadiens basé au Camp de Langui (Garcua).

Le Ministère des Affaires Etrangères et de l'Intégration Africaine de la République du Tchad (Direction Général du Protocole d'Etat) remercie l'Ambassade de la République du Cameroun pour son aimable entremise et saisit cette occasion pour lui renouveler les assurances de sa haute considération.



15 AOUT 2012

Appendix 28 : Correspondence from the representation of UNHCR Cameroon



La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures et a l'honneur de lui transmettre en annexe la correspondance a lui adressée par le Ministère des Affaires Etrangères de la République du Tchad à travers votre Ambassade à N'Djamena et relative à une proposition de date pour la rencontre tripartite Tchad-Cameroun-HCR sur le rapatriement des réfugiés tchadiens du camp de Langui. La date proposée est le 11 septembre 2012 à N'Djamena

A toutes fins utiles, la Représentation voudrait porter à la connaissance du MINREX qu'à l'issue d'un sondage réalisé le 4 juillet 2012 sur les intentions de retour des réfugiés du camp de Langui, près de 1500 sur les 1765 réfugiés enregistrés se sont portés volontaires au rapatriement vers N'Djamena.

Tout en remerciant le Ministère des Relations Extérieures au Cameroun pour son habituelle coopération, la Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun saisit cette occasion pour renouveler les assurances de sa très haute considération.





Yaoundé, le 29 août 2012

MINISTERE DES RELATIONS EXTERIEURES
 CABINET DU MINREX

YAOUNDE



Appendix 29 : Correspondence relating to the meeting with the Chadian authorities

05/07/11
 UNHCR
 Représentation en République du Cameroun
 BP 1582-Omnisport
 08 juillet 2011
 Tel: 22 20 2954
 Fax: 22 21 0544
 Email: cmrya@unhcr.org

Notre Our code: CMR 0899/11/AHM/um
 SDA/SREM
 voir le 14/07/11

Objet : Accord tripartite Cameroun/Tchad/UNHCR sur le rapatriement des réfugiés tchadiens du camp de Langui

Monsieur le Secrétaire général,

Nous avons été saisis par le Bureau du HCR au Tchad relatif à l'arrivée au Cameroun du 21 au 22 juillet d'une délégation des autorités tchadiennes en vue de la signature de l'accord tripartite sur le rapatriement volontaire des réfugiés tchadiens du camp de Langui.

A titre de rappel, la version finale du projet d'accord tripartite Cameroun/Tchad/HCR ci-joint a été revue et finalisée en février 2010 par les experts techniques des Gouvernements camerounais, tchadiens et ceux du HCR. Nous vous faisons parvenir en annexe pour votre meilleure référence la liste de participants à ladite réunion.

Jusqu'à ce jour, la signature de cet accord tripartite demeure une préoccupation pour toutes les parties concernées car le Gouvernement camerounais par la voix de sa plus haute autorité, Son Excellence Monsieur Paul Biya, Président de la République du Cameroun, avait donné toutes les assurances à Son Excellence Monsieur Antonio Guterres, Haut Commissaire des Nations Unies pour les réfugiés lors de sa visite au Cameroun en mars 2010 de l'imminence de la signature dudit accord.

Parallèlement, en ce qui concerne les réfugiés du camp de langui, diverses pressions sont faites par les réfugiés pour rapatrier pendant cette période de vacance scolaire, période propice aux inscriptions des enfants dans les écoles au Tchad pour le compte de la prochaine année scolaire.

A toutes fins utiles, vous voudrez bien trouver en annexe une proposition de programme de la signature dudit accord tripartite.

Nous vous remercions de l'attention urgente que vous réserverez à cette requête et vous prions de croire, Monsieur le Secrétaire général, à l'assurance de notre parfaite considération.

Aida Haile-Mariam
 Représentante

Son Excellence
 Monsieur NGOI NGOI Ferdinand
 Secrétaire Général
 Ministère des Relations Extérieures
 YAOUNDE

RÉPUBLIQUE DU CAMEROUN
 MINISTÈRE DES RELATIONS
 EXTÉRIEURES
 SÉCRÉTARIAT GÉNÉRAL
 Reçu le : 14 JUIL 2011
 Sous le N° : 2588/SG
 Sortie le :

Appendix 30: Fax Message from the director of the Civil Cabinet to the Minister of External Relation Cameroon

REPUBLIQUE DU CAMEROUN
Paix - Travail - Patrie
Présidence de la République
CABINET CIVIL
N°...../CAB/PR

REPUBLIC OF CAMEROON
Peace - Work - Fatherland
Presidency of the Republic
CIVIL CABINET
Yaoundé, le

21/03/10
2007/03/10

Le Directeur du Cabinet Civil
The Director of the Civil Cabinet
ATO
Monsieur le Ministre des Relations
Extérieures
YAOUNDE

85
Copie avancée - Urgence
Mezmaines
N.05/03

MESSAGE-FAX

MINISTÈRE DES RELATIONS EXTERIEURES
DIRECTION DU PROTOCOLE
ET DE... AFFAIRES
COURRIER... RIVEE
05 MARS 2010
Le...
S/N° 3590

HONNEUR VOUS FAIRE CONNAITRE QUE LE CHEF DE L'ETAT
Stop A INSTRUIT DE TOUT METTRE EN ŒUVRE POUR
L'ABOUTISSEMENT RAPIDE DE L'ACCORD TRIPARTITE
CAMEROUN - TCHAD - HCR *Stop* EN VUE DU RAPATRIEMENT
LIBREMENT CONSENTI DES REFUGIES TCHADIENS DU CAMP DE
LANGUI (PRES DE GAROUA) *Stop*

BIEN VOULOIR ME FAIRE TENIR *Stop* POUR LA TRES HAUTE
INFORMATION DE MONSIEUR LE PRESIDENT DE LA REPUBLIQUE *Stop*
L'ETAT DU DOSSIER CONSIDERE AINSI QUE LE CALENDRIER
PREVISIONNEL DE MISE EN ŒUVRE *Stop*

URGENCE ET IMPORTANCE SIGNALEES STOP ET FIN

Martin Belinga Eboutou
Martin BELINGA EBOUTOU



REPUBLIQUE DU CAMEROUN
MINISTÈRE DES RELATIONS EXTERIEURES
CAB/MINREX
05 MARS 2010
Recu Le...
Sous le N°...
Sortie Le... *1105/F*


Appendix 31: Program of the lunching of the repatriation process



**Cérémonie de lancement de l'opération de rapatriement volontaire
des réfugiés du camp de Langui vers le Tchad.**

Jour	Heure	Activités	Lieu
Mercredi 05 déc	14h – 16h	Cérémonie solennelle de chargement du 1 ^{er} camion et Bus par M le Gouverneur du Nord. Remise des manifestes par le HoSO aux représentants du Gouvernement	Camp de Langui
Jeudi 06 déc	04heures	Départ du staff HCR/partenaire pour le Camp de Langui.	Garoua
	05h00-05h45	Installation des passagers dans les Bus de transport	Camp de Langui
	06h00 – 11h00	Départ du 1 ^{er} convoi et voyage	Axe Pitoa - Maroua
	11h00 – 12h00	Arrivée du convoi à l'aire de repos de Maroua et accueil par le Représentant du Gouverneur de l'Extrême Nord. Courte pause du convoi.	Maroua-Salak
	12h00-16h00	Voyage Maroua –Waza	Axe Maroua-Waza
	16h00-17h00	Accueil par le Sous-Préfet de Waza et installation des populations dans l'enceinte du site de transit de Waza pour la nuitée.	Waza
Vendredi 07 dé	05h00 -06h00	Installation des passagers à bord des bus	Waza
	06h00	Départ de Waza et voyage	Axe Waza-Kousseri
	11h00	Arrivée à Kousseri. Accueil à l'esplanade de la Préfecture de Kousseri par Madame la Représentante du HCR Cameroun, par les autorités de l'Extrême Nord et du MINERX.	Kousseri
	11h00-12h00	Arrivée au pont de Ngueli et Accueil par la Représentante du HCR Tchad, son équipe du HCR CHD et la CNAR. Finalisation des formalités de transmission des différents documents.	Kousseri
	12h00-12h30	Traversée du pont par le convoi et retour des staffs du HCR Cameroun et leurs partenaires.	

Appendix 32: Fax Message of the Minister of External Relations to the Minister of Territorial Administration and decentralization concerning the lurching of the repatriation process

<p>REPUBLIQUE DU CAMEROUN Paix-Travail-Patrie</p> <p>MINISTERE DES RELATIONS EXTERIEURES</p> <p>DIRECTION DU PROTOCOLE ET DES AFFAIRES CONSULAIRES</p> <p>N° _____ DIPL D5 SDAC SREM</p>		<p>REPUBLIC OF CAMEROON Peace-Work-Fatherland</p> <p>MINISTRY EXTERNAL RELATIONS</p> <p>DEPARTMENT OF PROTOCOL AND CONSULAR AFFAIRS</p>
	Yaoundé, le	
	LE MINISTRE DES RELATIONS EXTERIEURES THE MINISTRY OF EXTERNAL RELATIONS	
	MONSIEUR LE ^A MINISTRE DE L'ADMINISTRATION TERRITORIALE ET DE LA DECENTRALISATION	
	<u>YAOUNDE</u>	
<p>OBJET: PROGRAMME DES ACTIVITES DU LANCEMENT DE L'OPERATION DE RAPATRIEMENT VOLONTAIRE DES REFUGIES DU CAMP DE LANGUI VERS LE TCHAD</p>		
<p>LETTRE-FAX</p>		
<p>J'AI L'HONNEUR DE VOUS TRANSMETTRE CI-JOINT, POUR INFORMATION ET A TOUTES FINS UTILES, LE PROGRAMME DES ACTIVITES MARQUANT LE LANCEMENT DE L'OPERATION DE RAPATRIEMENT VOLONTAIRE DES REFUGIES DU CAMP DE LANGUI VERS LE TCHAD, QUI SE DEROULERONT DU MERCREDI 05 AU VENDREDI 07 DECEMBRE 2012./-</p>		
<p>P.J. : (01)</p>		
<p>COPIE :</p> <ul style="list-style-type: none"> - GOUVERNEUR DU NORD ; - GOUVERNEURS DE L'EXTREME-NORD ; - SOUS-PREFET DE WAZA 		

Appendix 33: Note verbal for the attention of the Minister of External relation form the director of protocol concerning the lunching of the repatriation process

REPUBLIQUE DU CAMEROUN
Paix-Travail-Patrie
MINISTERE
DES RELATIONS EXTERIEURES
DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES



REPUBLIC OF CAMEROON
Peace-Work-Fatherland
MINISTRY
EXTERNAL RELATIONS
DEPARTMENT OF PROTOCOL
AND CONSULAR AFFAIRS

N° _____ DIPL D5/NDAC/SREM

Yaoundé, le

NOTE A L'ATTENTION DE S.E.M. LE MINISTRE DES RELATIONS EXTERIEURES
A/S

- CEREMONIE DE LANCEMENT DE L'OPERATION DE RAPATRIEMENT VOLONTAIRE DES REFUGIES DU CAMP DE LANGUI VERS LE TCHAD ;
- SIGNATURE DES « MODALITES PRATIQUES RELATIVES AU RAPATRIEMENT VOLONTAIRE ET ORGANISE DES REFUGIES TCHADIENS VIVANT EN REPUBLIQUE DU CAMEROUN ».

Le 20 novembre 2012, en marge de la signature de l'Accord Tripartite relatif au rapatriement volontaire des réfugiés tchadiens vivant en République du Cameroun, le HCR a proposé au Département qu'il soit procédé (à la même occasion) à la signature du Plan d'Opérations intitulé « Modalités pratiques relatives au rapatriement volontaire et organisé des réfugiés tchadiens vivant en République du Cameroun » (copie ci-jointe).

Toutefois, la D5 a demandé au HCR de laisser au Département le temps de prendre connaissance des clauses dudit document avant toute signature. Le document visé a alors été transmis à la DAJT qui, sans s'y opposer, a néanmoins fait quelques observations (voir lettre n°000243/DIPL/SG/DAJT/lee ci-jointe) auxquelles la D5 a entièrement adhéré.

Par ailleurs, du Mercredi 05 au Vendredi 07 décembre 2012, il sera procédé au lancement solennel de l'opération de rapatriement volontaire des réfugiés du camp de Langui vers le Tchad. Le Département devra y être représenté.

La D5 suggère, sauf avis contraire de la Hiérarchie :

- 1- que les observations de la DAJT soient transmises au HCR ;
- 2- Que M. TITE AMOUGUI, en sa qualité de Président de la Commission d'Eligibilité, accompagné d'un collaborateur de la D5, représente le MINREX lors de la cérémonie susvisée et, le cas échéant, qu'il puisse signer le Plan d'Opération au nom de la partie camerounaise ;
- 3- Que le programme des activités soit transmis au MINATD.

D'où les projets de correspondances ci-contre, soumis à la haute sanction de
Votre Excellence,-


P. S. NTAMACK EPOH
SIE

Appendix 34: Detailed plan of the repatriation program from Langui camp to Chad

Opération de rapatriement volontaire des réfugiés tchadiens vivant au Camp de Langui au Nord du Cameroun

CHRONOGRAMME DES ACTIVITES

	ACHAT/ITES	Périodes	Responsables
1	Enregistrement des candidats au rapatriement	19/11/2012 au 20/12/2012	HCR/Gouvernement Cameroun
2	Préparation des convois (pré-manifeste)	A partir du 19/11/2012	HCR-Gouvernement du Cameroun
3	Construction des centres de transit/Réhabilitation des forages	21/11/2012 au 28/12/2012	HCR-Gouvernement du Cameroun
4	Lancement 1er convoi	6/12/2012	HCR-Gouvernement du Cameroun
5	Réception des convois	7/12/2012	HCR/Gouvernement Tchad
6	Lancement 2 ^{ème} convoi	11/12/2012	HCR-Gouvernement du Cameroun
7	Réception des convois	12/12/2012	HCR/Gouvernement Tchad
8	Lancement du 3 ^{ème} convoi	18/12/2012	HCR-Gouvernement du Cameroun
9	Réception des convois	19/12/2012	HCR/Gouvernement Tchad
Année 2013			
10	Lancement 4 ^{ème} convoi	14/01/2013	HCR-Gouvernement du Cameroun
11	Réception des convois	15/01/2013	HCR/Gouvernement Tchad
		21/01/2013	HCR-Gouvernement du Cameroun
		22/01/2013	HCR/Gouvernement Tchad
			HCR/Gouvernement du Cameroun

Appendix 35: Letter affirming the distribution of the Chronogram of repatriation by the UNHCR representative in Cameroon.

**NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES**

Représentation
en République du Cameroun

Tel: (237) 2220 29 54
Fax: (237) 2221 0544

CMR/01637/12/NNN/am



**UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES**

Representation
in the Republic of Cameroon

BP 7077
Yaoundé - Cameroun
Email: cmrya@unhcr.org

SREMIM. Ntaouck
05/12/12

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures de la République du Cameroun et a l'honneur de lui transmettre en annexe la proposition de chronogramme des activités de rapatriement des réfugiés tchadiens du camp de Langui.

Tout en remerciant par avance le Ministère des Relations Extérieures de l'attention qu'il voudra bien porter à la présente requête, la Représentation du Haut Commissariat des Nations Unies pour les réfugiés au Cameroun saisit cette occasion pour renouveler les assurances de sa haute considération.



Yaoundé, le 23 novembre 2012

**MINISTRE DES RELATIONS EXTERIEURES
CABINET DU MINISTRE
YAOUNDE**

Appendix 36: Note verbal highlighting the practical repatriation modalities to the Minister of External Relations.



REPUBLIQUE DU CAMEROUN- REPUBLIC OF CAMEROON
MINISTERE DES RELATIONS EXTERIEURES-MINISTRY OF EXTERNAL RELATIONS

NOTE VERBALE N°.....DIPL/D5/SDAC/SREM

Le Ministère des Relations Extérieures de la République du Cameroun présente ses compliments à la Représentation du Haut Commissariat des Nations Unies pour les Réfugiés à Yaoundé et, se référant au projet de « Modalités pratiques relatives au rapatriement volontaire et organisé des réfugiés tchadiens vivant en République du Cameroun »,

A l'honneur de lui transmettre les observations suivantes :

- 1- Dispositions générales. Conformément à l'article 20 de l'Accord Tripartite du 20 novembre 2012, un article devrait être inséré dans le plan d'opérations, formulé ainsi qu'il suit : « Il est créé une commission tripartite de rapatriement chargée d'assurer la supervision et la coordination du rapatriement volontaire des réfugiés, conformément aux articles 20, 21, 22 et 23 de l'Accord Tripartite » ;
- 2- Article 7.A.3) Se limiter à la formulation suivante : « Des certificats de mariage ou de divorce seront délivrés gratuitement sur demande aux familles candidates au départ ». Car la Loi camerounaise ne reconnaît que le mariage comme unique forme d'union légale ;
- 3- Article 7.B.2). Remplacer « le Ministère en charge de l'Education » par « Les Ministères Compétents », le Cameroun ayant plusieurs Départements ministériels compétents en matière de délivrance des certificats scolaires, selon le niveau des enseignements ;
- 4- Article 7.B.3). Remplacer « le Ministère de l'Emploi et de Formation Professionnelle » par « le Ministère de l'Emploi et de la Formation Professionnelle » ;

**REPRESENTATION DU HAUT COMMISSARIAT
 DES NATIONS UNIES POUR LES REFUGIES**

YAOUNDE

5- Dispositions Finales. Conformément à l'article 26 de l'Accord Tripartite et afin d'assurer les garanties de respect des lois et règlements des Etats Parties, un article supplémentaire pourrait être ajouté, libellé ainsi qu'il suit : « *Aucune disposition du présent document ne sera interprétée comme dispensant le HCR, son personnel et ses partenaires opérationnels de l'obligation de respecter les lois et règlements en vigueur dans les Etats Parties* ».




Le Ministère fait également connaître à la Représentation du Haut Commissariat des Nations Unies pour les Réfugiés qu'il sera représenté à la Cérémonie de lancement de l'opération de rapatriement volontaire des réfugiés du camp de Langui vers le Tchad par M. AMOUGUI TITE Apollinaire, Ministre Plénipotentiaire, Président de la Commission d'Eligibilité au statut de Réfugié, et M. NTAMACK EPOH Paul Serges, Secrétaire des Affaires Etrangères, en service à la Direction du Protocole et des Affaires Consulaires.

Le Ministère propose par ailleurs à la Représentation du Haut Commissariat des Nations Unies pour les Réfugiés que le Plan d'Opérations soit signé en marge de la cérémonie susvisée.

Le Ministère des Relations Extérieures de la République du Cameroun saisit cette occasion pour renouveler à la Représentation du Haut Commissariat des Nations Unies pour les Réfugiés à Yaoundé les assurances de sa haute considération./-

Yaoundé, le

Appendix 37: Process of used by the refugees to apply for a travel document

REPUBLIQUE DU CAMEROUN Paix-Travail-Patrie ----- MINISTERE DES RELATIONS EXTERIEURES ----- DIRECTION DU PROTOCOLE ET DES AFFAIRES CONSULAIRES -----		REPUBLIC OF CAMEROON Peace-Work-Fatherland ----- MINISTRY OF EXTERNAL RELATIONS ----- DEPARTMENT OF PROTOCOL AND CONSULAR AFFAIRS -----
N° 0285-2-DIPL/D5/SDAC/	Yaoundé, le 27 JUN 2012	
	LE MINISTRE DES RELATIONS EXTERIEURES THE MINISTER OF EXTERNAL RELATIONS A	
	MONSIEUR LE DELEGUE GENRAL A LA SURETE NATIONALE - YAOUNDE -	
<p>Objet : Etablissement d'un Titre de Voyage de la Convention</p> <p>J'ai l'honneur de vous transmettre ci-joint, avec avis favorable, une photocopie de la demande par laquelle la Représentation du Haut-commissariat des Nations Unies pour les Réfugiés (UNHCR) en République du Cameroun, sollicite l'établissement d'un (01) Titre de Voyage de la Convention en faveur de Monsieur KAISALA LIFINO Dieu-Merci et de Madame MUZINGALIFINO Arlette, réfugiés de nationalité congolaise.</p> <p>Vous voudrez bien trouver également en annexe, une (01) fiche de renseignements dûment remplie par chacun des intéressés, une photocopie de leur carte d'identification de réfugié et deux nouveau Titre de voyage de la Convention portant respectivement les numéros 05A12278 et 05A12279./-</p>		
P.J : 03 + 04 photos		Pour le Ministre des Relations Extérieures et par Délégation Le Directeur du Protocole et des Affaires Consulaires  Edouard Njomo Ministre Plénipotentiaire
		

**NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES**



**UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES**

Représentation
en République du Cameroun

Tel. 237 2220 29 54
Fax. 237 2221 05 44

Representation
in Republic of Cameroon

B.P 7077
Yaoundé - CAMEROUN
e-mail: emrya@unhcr.org

CMR 0994 12 CHS AB

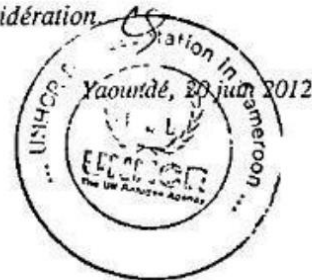
SDAC/M. NTIENJOM
le 23/06/12

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures et a l'honneur de solliciter l'établissement de deux (02) Titres de Voyage de la Convention en faveur d'une fratrie composée de Monsieur KAISALA LIFINO Dieu-Merci et Madame MUZINGA LIFINO Arlette, réfugiés de nationalité congolaise (RDC).

A cet effet, la Représentation prie le Ministère des Relations Extérieures de bien vouloir trouver en annexe les fiches de renseignements dûment remplies, les photos d'identité, les copies des cartes de réfugié des concernés et les Titres de Voyage destinés à la Direction de la Police des Frontières, portant respectivement les numéros suivants 05A12278 et 05A12279.

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun remercie d'avance le Ministère des Relations Extérieures de l'attention qu'il voudra porter à la présente et saisit cette occasion pour lui renouveler les assurances de sa très haute considération.

**MINISTERE DES RELATIONS EXTERIEURES
ATTENTION DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES
YAOUNDE**



REPUBLIQUE DU CAMEROUN
Paix-Travail-Patrie

MINISTERE
DES RELATIONS EXTERIEURES



REPUBLIC OF CAMEROON
Peace-Work-Fatherland

MINISTRY
OF EXTERNAL RELATIONS

DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES

DEPARTMENT OF PROTOCOL
AND CONSULAR AFFAIRS

N° 02855 DIPL.DS SDACSREM

Yaoundé, le 27 JUIN 2012

LE MINISTRE DES RELATIONS EXTERIEURES
THE MINISTER OF EXTERNAL RELATIONS

A

MONSIEUR LE DELEGUE GENERAL A LA SURETE
NATIONALE

- YAOUNDE -

Objet : **Etablissement d'un titre de voyage
de la Convention**

J'ai l'honneur de vous transmettre ci-joint, avec avis favorable, photocopie de la demande par laquelle la Représentation du Haut Commissariat des Nations Unies pour les Réfugiés (UNHCR) en République du Cameroun, sollicite l'établissement d'un (01) Titre de Voyage de la Convention en faveur de **Monsieur HITIMANA Théoneste**, réfugié de nationalité rwandaise.

Vous voudrez bien trouver en annexe, une (01) fiche de renseignements dûment remplie par l'intéressé, les photos d'identité (04), la copie de la carte de réfugié du concerné, un nouveau Titre de Voyage de la Convention portant le numéro 05A12277 et l'ancien titre de Voyage expiré de Monsieur HITIMANA portant le numéro 92B04440./-

P.J. : 04 + 04 photos



Pour le Ministre des Relations Extérieures
et par Délégation

Le Directeur du Protocole et
des Affaires Consulaires

Emmanuel
Emmanuel
Ministre Plénipotentiaire

**NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES**



**UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES**

Représentation
en République du Cameroun

Representation
in Republic of Cameroon

Tel. 237 2220 29 54
Fax. 237 2221 05 44

B.P 7077
Yaoundé
e-mail: cmrya@unhcr.org

3 DAC/M. NTIENJEN
le 23/06/12

CMR/0993/12/CHS.kiv

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures et a l'honneur de solliciter l'établissement d'un(01) Titre de Voyage de la Convention en faveur de Monsieur HITIMANA Théoneste, réfugié de nationalité rwandaise.

A cet effet, la Représentation prie le Ministère des Relations Extérieures de bien vouloir trouver en annexe la fiche de renseignements dûment remplie, les photos d'identité, la copie de la carte de réfugié du concerné, le Titre de Voyage destiné à la Direction de la Police des Frontières, portant le numéro suivant 05A12277 et l'ancien Titre de Voyage expiré de Monsieur HITIMANA portant le numéro 92B04440.

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun remercie d'avance le Ministère des Relations Extérieures de l'attention qu'il voudra porter à la présente et saisit cette occasion pour lui renouveler les assurances de sa très haute considération.

**MINISTERE DES RELATIONS EXTERIEURES
ATTENTION DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES
YAOUNDE**



RE DES RELATIONS EXTERIEURES DIRECTION DU PROTOCOLE DES AFFAIRES CONSULAIRES COURRIER ARRIVEE	
Le	21 JUN 2012
S/N°	

10839

Appendix 38 : Tripartite Agreement for the repatriation of Chadian refugees

ACCORD TRIPARTITE
POUR
LE RAPATRIEMENT VOLONTAIRE DES REFUGIES TCHADIENS VIVANT
AU CAMEROUN

ENTRE

LE GOUVERNEMENT DE LA REPUBLIQUE DU CAMEROUN

LE GOUVERNEMENT DE LA REPUBLIQUE DU TCHAD

ET

LE HAUT COMMISSARIAT DES NATIONS UNIES POUR LES REFUGIES

PREAMBULE

Le Gouvernement de la République du Cameroun, pays d'asile, ci-après dénommé « le Gouvernement camerounais »,

Le Gouvernement de la République du Tchad, pays d'origine, ci-après dénommé « le Gouvernement tchadien »,

Le Haut Commissariat des Nations Unies pour les Réfugiés, ci-après dénommé « le HCR »,

Tous les trois ci-dessous dénommés « les Parties » ;

Considérant la Convention sur les privilèges et immunités des Nations Unies adoptée à New York le 13 février 1946 ;

Ayant à l'esprit l'Accord de siège entre le Gouvernement de la République du Tchad et le HCR en date du 03 mai 2000 ;

Ayant également à l'esprit l'Accord de siège entre le Gouvernement de la République du Cameroun et le HCR en date du 06 mai 1982 ;

Rappelant que la Résolution 428 (V) de l'Assemblée Générale des Nations Unies du 14 décembre 1950, qui a adopté le Statut du HCR, assigne au Haut Commissaire la fonction de fournir une protection internationale aux réfugiés et de chercher des solutions permanentes aux problèmes des réfugiés, entre autres, en facilitant le rapatriement librement consenti dans la sécurité et la dignité ;

Reconnaissant que le droit de toute personne de quitter tout pays, y compris le sien, et de revenir dans son pays est un droit fondamental consacré, notamment par l'article 13 (2) de la Déclaration Universelle des Droits de l'Homme du 10 décembre 1948 et l'article 12 du Pacte International sur les Droits Civils et Politiques du 16 décembre 1966 :

Estimant que le rapatriement librement consenti, lorsqu'il est réalisable, constitue la meilleure solution durable aux problèmes des réfugiés, et que l'effectivité de cette solution requiert que les réfugiés soient rapatriés dans des conditions de sécurité et de dignité ;

Prenant acte de ce que les Conclusions 18 (XXXI, 1980), 40 (XXXXVI, 1985) et 101 (LV, 2004) du Comité Exécutif du Programme du Haut Commissaire, établissent les principes et normes reconnus sur le plan international régissant le rapatriement librement consenti des réfugiés ;

Tenant compte de la Convention de Genève du 28 juillet 1951 relative au statut des réfugiés et de son Protocole additionnel du 31 janvier 1967 ;

Tenant également compte de la Convention de l'OUA du 10 septembre 1969 régissant les aspects propres aux problèmes des réfugiés en Afrique, ratifiée par le Gouvernement camerounais et le Gouvernement tchadien, qui reconnaît en son Article V les principes internationaux en matière de rapatriement volontaire ;

Rappelant les événements survenus en République du Tchad, particulièrement en février 2008 à N'Djamena, qui ont provoqué le déplacement d'un très grand nombre de Tchadiens vers le Cameroun pour y trouver asile ;

Se félicitant de l'hospitalité offerte par les populations camerounaises notamment des régions de l'Extrême Nord et du Nord auxdits réfugiés et des efforts fournis par le Gouvernement camerounais afin de faciliter leur séjour et leur accorder la protection en particulier sur les sites de Maltam et de Langui ;

Prenant en considération les efforts fournis par le Gouvernement tchadien en vue de rétablir la paix et la sécurité à N'Djamena d'où proviennent la majorité des réfugiés ;

Reconnaissant la nécessité de définir les procédures et modalités spécifiques pour le rapatriement volontaire des réfugiés tchadiens vivant au Cameroun ainsi que pour leur réinsertion en République du Tchad, et d'obtenir à cette fin l'aide de la Communauté internationale représentée par les Nations Unies (y compris ses fonds, programmes et agences spécialisées) et les autres organisations intergouvernementales et non gouvernementales ;

Sont convenus de ce qui suit:

Article 1

Définitions

Dans le cadre du présent Accord,

1. Le terme « Réfugié » s'entend de toute personne de nationalité tchadienne vivant au Cameroun, reconnue comme réfugiée et détentrice d'une carte d'identification de réfugié ou d'une carte de rationnement délivrée par le HCR.
2. Le terme « Rapatrié » s'entend de tout « Réfugié » tel que défini au paragraphe 1 du présent article, qui est volontairement rentré au Tchad dans le cadre de cet Accord.

Article 2

Caractère volontaire du rapatriement

1. Les Parties réaffirment que le rapatriement des Réfugiés vivant au Cameroun n'interviendra que sur la base de leur volonté librement exprimée, fondée sur une bonne connaissance des conditions de sécurité et de vie dans le pays et dans leur zone de retour.
2. Les Parties conviennent que les Réfugiés qui ne souhaitent pas adhérer au programme de rapatriement volontaire visé par le présent Accord ne seront pas directement ou indirectement contraints de retourner au Tchad. Le statut de ces réfugiés continuera d'être régi par les normes et principes de protection internationale en la matière.

Article 3

Supervision par le HCR du caractère volontaire du rapatriement

En coopération étroite avec le Gouvernement camerounais, le HCR exercera pleinement son rôle de supervision concernant le caractère volontaire et individuel de la décision de rapatriement.

Article 4

Droit au retour

1. Tout Réfugié a le droit de retourner au Tchad s'il le souhaite.

2. Les Parties reconnaissent que les Réfugiés ont le droit et la liberté de retourner et de s'installer dans leur ancien lieu de résidence ou tout autre lieu de leur choix sur le territoire tchadien.
3. Les Parties reconnaissent que toutes les assurances, garanties et autres dispositions prévues dans le présent Accord et qui régissent le rapatriement volontaire des Réfugiés tchadiens vivant au Cameroun s'appliqueront également à ceux d'entre eux qui décideront de rentrer au Tchad de manière spontanée. Ces derniers pourront être munis d'un formulaire de rapatriement volontaire (FRV) dûment signé par la Représentation du HCR au Cameroun.

Article 5

Information des réfugiés sur la situation au Tchad

1. Le HCR, en collaboration avec les Gouvernements, s'engage à fournir aux Réfugiés des informations objectives et précises sur les conditions de leur retour dans le pays d'origine, les conditions de leur rapatriement organisé et de leur réinsertion au Tchad, de sorte qu'ils soient en mesure de décider de leur retour en toute connaissance de cause.
2. Au cas où les Réfugiés vivant au Cameroun exprimeraient le désir d'effectuer des visites d'information en territoire tchadien pour s'imprégner de la situation qui prévaut dans les zones de destination qui seront les leurs au terme du rapatriement, les Parties faciliteront de manière appropriée les visites au Tchad des représentants desdits réfugiés, afin de permettre une décision librement consentie.
3. Le Gouvernement tchadien assurera la sécurité des représentants des réfugiés pendant le déroulement des visites d'information. A la fin desdites visites, les Gouvernements permettront aux représentants de retourner au Cameroun.

de
t

Article 6

Mobilisation de l'assistance de la Communauté internationale

1. Le HCR mettra tout en œuvre pour obtenir de la Communauté internationale les ressources nécessaires pour mener l'opération de rapatriement des Réfugiés résidant au Cameroun et les activités de leur réintégration au Tchad.
2. Pour l'exécution de l'une ou de plusieurs composantes du programme de rapatriement envisagé dans cet Accord, le HCR peut, en consultation avec les Gouvernements, conclure des accords particuliers de partenariat avec des organisations intergouvernementales ou non gouvernementales.

Article 7

Rapatriement dans la sécurité et la dignité

1. Les Parties mèneront le processus de rapatriement volontaire de manière progressive, humaine, ordonnée, dans des conditions de dignité et de sécurité et ce, dans un environnement sécurisé qui se prête à un retour durable. Ces conditions de sécurité physique, matérielle et psychologique devront permettre au HCR et aux autres intervenants humanitaires d'organiser les actions ou interventions utiles.
2. Le Gouvernement camerounais veillera à la sécurité des Réfugiés à rapatrier pendant qu'ils sont encore sur son territoire, y compris dans les camps, les lieux de rassemblements et pendant les mouvements d'escorte vers les points de passage transfrontaliers.
3. Le Gouvernement tchadien veillera à la sécurité des Rapatriés dès que ceux-ci se trouveront sur son territoire.

Article 8

Assurances et garanties au retour

1. Le Gouvernement tchadien fera une Déclaration pour assurer les Droits et la Sécurité des Rapatriés, afin de confirmer que les Réfugiés peuvent retourner volontairement sans peur d'être harcelés, intimidés, persécutés, de faire l'objet de discrimination, de poursuites judiciaires ou de toutes autres mesures punitives de quelque nature que ce soit, pour avoir quitté leur pays ou résidé hors du Tchad en qualité de réfugiés.
2. Les Rapatriés bénéficieront de toutes les mesures d'amnistie ou de clémence prévues par la législation en vigueur en République du Tchad.
3. Le Gouvernement tchadien facilitera, dans la mesure du possible conformément à la réglementation en vigueur, la récupération et/ou la restitution en faveur des Rapatriés de tout bien meuble ou immeuble qu'ils auraient perdu ou abandonné
4. Le Gouvernement tchadien simplifiera les formalités de retour des Rapatriés et facilitera l'entrée de leurs biens et effets personnels, lesquels seront exempts des droits de douane, de taxes, impôts et obligations financières nationales.
5. Le Gouvernement tchadien garantira l'égale jouissance par les Rapatriés de tous les droits rattachés à la citoyenneté tchadienne tels qu'ils sont consacrés par les instruments juridiques relatifs aux droits de l'homme auxquels le Tchad est partie

Article 9

Enregistrement et documentation

1. En coopération étroite avec le Gouvernement camerounais, le HCR établira des contacts directs avec les Réfugiés afin de les enregistrer, de vérifier la volonté de retour pour ceux qui optent pour le rapatriement, et de s'assurer que les formulaires de rapatriement volontaire, mentionnés à l'alinéa suivant, sont dûment remplis. Le HCR communiquera ces formulaires aux Gouvernements dans un délai raisonnable et au moins un jour avant la traversée de la frontière, afin de permettre la mise en place des arrangements nécessaires à un rapatriement planifié garantissant la sécurité et la dignité des Rapatriés.
2. Le formulaire de rapatriement volontaire, dûment rempli par les Réfugiés dans le pays d'asile sous le contrôle du HCR, sera reconnu par les Parties comme document d'identité, dans le pays d'asile ainsi que dans le pays d'origine, conformément aux dispositions de l'alinéa précédent, jusqu'à l'obtention par les Rapatriés des documents d'état-civil dont la délivrance par les autorités compétentes, devra être effectuée dans les trois mois suivant le retour sur le territoire tchadien. Le format du formulaire de rapatriement volontaire sera au préalable agréé par les Parties.
3. Les cartes d'identification de réfugié ou de rationnement seront retirées par le HCR lors de la remise du formulaire de rapatriement volontaire.

Article 10

Statut personnel et équivalence des diplômes

1. Le Gouvernement camerounais s'engagera en vertu de sa législation en matière d'état-civil, à émettre avant leur rapatriement les actes d'état-civil et judiciaires auxquels les Réfugiés auraient droit. En particulier, il fournira aux enfants nés sur son territoire des actes de naissance. Il veillera également à fournir aux Réfugiés, si possible avant leur rapatriement, et à leur demande, les diplômes, titres scolaires ou universitaires, et certificats professionnels ou d'apprentissage authentifiés qui les concernent.
2. Le Gouvernement tchadien acceptera de reconnaître et de régulariser, conformément à la législation nationale en vigueur, les changements intervenus dans la composition familiale des Rapatriés ou dans leur état-civil notamment en ce qui concerne le décès, l'adoption ou tutelle légale, le mariage et le divorce sur la base de documents administratifs établis par les autorités camerounaises et/ou sur la base des documents établis sous le contrôle du HCR.
3. Le Gouvernement tchadien prendra également en compte l'équivalence des diplômes professionnels et titres scolaires ou universitaires obtenus par les Réfugiés pendant leur séjour au Cameroun.

Article 11

Préservation de l'unité de la famille

1. Conformément au principe de l'unité de la famille, les Parties mettront tout en œuvre pour s'assurer que celui-ci soit préservé pendant le rapatriement. Des dispositions seront prises pour prévenir la rupture de l'unité de la famille et assurer la réunification des familles, si besoin est, au Tchad.

2. En vue de préserver l'unité de la famille, les conjoints et /ou les enfants des Rapatriés qui ne sont pas eux-mêmes citoyens du Tchad, seront autorisés à y entrer et à y demeurer à la tchadienne. Ce principe s'appliquera également aux conjoints non tchadiens ainsi qu'aux enfants des Réfugiés décédés. Le droit à la nationalité tchadienne est garanti pour un enfant né d'un réfugié tchadien au Cameroun en application du Code tchadien de la nationalité.

Article 12

Accès du HCR aux Réfugiés et Rapatriés

1. Pour mener à bien sa mission en matière de protection internationale et d'assistance, et s'assurer du caractère volontaire du rapatriement ainsi que des conditions de sécurité et de dignité requises, le HCR bénéficiera d'un accès libre et sans entrave à tous les Réfugiés au Cameroun. Le Gouvernement tchadien autorisera le HCR à accompagner les Rapatriés jusqu'aux lieux d'installation, et lui assurera dans le cadre de leur réinsertion, un accès libre et sans entrave aux Rapatriés partout où ils se trouveront sur le territoire tchadien. De même, tous les Réfugiés et Rapatriés bénéficieront d'un accès libre et sans entrave au HCR.
2. Le Gouvernement tchadien apportera, en particulier, son entière collaboration au HCR dans le suivi du traitement accordé aux Rapatriés conformément aux normes en vigueur en matière de droit humanitaire et des droits de l'homme, y compris la mise en œuvre des engagements contenus dans cet Accord.
3. Pour permettre au HCR de mener à bien ses missions de suivi conformément aux paragraphes 1 et 2 du présent article, le Gouvernement tchadien informera le HCR de tout cas d'arrestation, de détention et de procédures judiciaires impliquant des Rapatriés. Il fournira au HCR la documentation juridique

appropriée sur ces cas, et lui accordera libre accès aux Rapatriés arrêtés ou en détention.

4. L'accès dont bénéficiera le HCR aux termes du paragraphe 1 du présent article pourra s'étendre, en tant que de besoin aux organisations intergouvernementales et non gouvernementales visées à l'article 6 (2).

Article 13

Mesures spéciales en faveur des groupes vulnérables

En vertu de la réglementation internationale en la matière, les Parties prendront toutes les mesures adéquates pour s'assurer que les groupes des Réfugiés particulièrement vulnérables bénéficient d'une protection particulière, d'une assistance et de soins appropriés tout au long du processus de rapatriement et de réintégration.

Article 14

Transfert des détenus

1. Aux termes du présent Accord, les Gouvernements conviendront que les Réfugiés ayant commis des infractions graves de nature non politique au Cameroun, et qui ont été jugés et condamnés, seront transférés au Tchad s'ils en expriment le désir. Les Parties coopéreront pour s'assurer que toutes les mesures seront prises pour leur transport et leur remise aux autorités tchadiennes compétentes.

2. Les Réfugiés visés au paragraphe 1 ci-dessus purgeront au Tchad les peines prononcées par la justice camerounaise.

Article 15

Points de passage transfrontaliers

1. Les Parties conviendront du mode de transport à utiliser pour le rapatriement volontaire des Réfugiés tchadiens.
2. Sous réserve d'éventuelles modifications liées aux exigences opérationnelles, les Parties s'accorderont sur les points de passage transfrontaliers pour les déplacements organisés dans le cadre du rapatriement volontaire.

Article 16

Formalités en matière d'immigration, de douane et de santé

1. Pour assurer le retour rapide des Réfugiés et de leurs biens, les Gouvernements accorderont une dérogation par rapport aux formalités généralement requises en matière d'émigration/immigration, de douane et de santé aux points de passage transfrontaliers.

2. Tous les biens personnels ou communs des Réfugiés dûment identifiés comme tels, y compris le bétail et les denrées alimentaires destinées à la consommation personnelle seront exonérés de tous droits de taxes et de douane.
3. En application de leur législation nationale, les Gouvernements accorderont également une exonération de taxes, frais des services passagers et de toutes autres taxes pour les véhicules dûment identifiés, entrant ou en transit dans leurs territoires par voie aérienne, maritime ou terrestre sous les auspices du HCR dans le cadre de l'opération de rapatriement.
4. Lors de leur retour au Tchad, les Réfugiés ne seront autorisés à emporter aucun objet interdit par les lois de la République du Tchad.

Article 17

Déplacement et sécurité du personnel et des ressources du HCR

1. Les Gouvernements faciliteront le déplacement du personnel du HCR et de ses partenaires opérationnels, de même que celui des moyens de transport, des articles et du matériel d'assistance dûment identifiés utilisés pendant l'opération de rapatriement à l'entrée, à l'intérieur et à la sortie du Cameroun et du Tchad.
2. Les Gouvernements autoriseront le HCR à délivrer à ce personnel, pour la durée de l'opération de rapatriement, des autorisations de passage de la frontière dans les deux sens, dont le format sera décidé d'un commun accord par les Gouvernements et le HCR.

3. Les Gouvernements prendront toutes mesures appropriées pour assurer la sécurité du personnel du HCR et de toute autre personne impliquée dans l'opération de rapatriement prévue par le présent Accord.

Article 18

Biens de première nécessité et équipement de secours

S'agissant des ressources nécessaires que le HCR obtiendra de la Communauté internationale en vertu de l'article 6, les Gouvernements accorderont, une exemption de taxes et droits de douane pour tous les biens de première nécessité et équipements de secours, dûment identifiés, destinés à être utilisés dans l'opération de rapatriement et de réintégration. Les Gouvernements simplifieront les procédures de dédouanement et de manutention de ces ressources.

Article 19

Antennes du HCR

Le HCR pourra, en cas de nécessité, pour une meilleure exécution de ses missions dans le cadre du présent Accord, créer des antennes dans des zones qui seront déterminées d'un commun accord avec le Gouvernement concerné.

Article 20

Création de la Commission tripartite de rapatriement

1. Les Parties créeront une Commission tripartite pour le suivi de la mise en œuvre du rapatriement volontaire des Réfugiés vivant au Cameroun.
2. Les Parties collaboreront avec les membres de la Commission à toutes les étapes du programme de rapatriement volontaire.

Article 21

Composition de la Commission tripartite

1. La Commission tripartite de rapatriement sera composée de trois (3) membres, soit un membre pour chaque Gouvernement et un membre pour le HCR. Les noms des membres seront mutuellement communiqués si possible dans le mois qui suit la signature du présent Accord. Tout membre de la Commission pourra être accompagné aux réunions de celle-ci par des conseillers.
2. Lorsqu'un membre se trouvera dans l'impossibilité de prendre part à une activité de la Commission, l'autorité compétente pourvoira à son remplacement.

Article 22

Réunions de la Commission tripartite

1. La Commission tripartite de rapatriement tiendra sa première réunion si possible dans le mois consécutif à la date de la désignation de ses membres et adoptera son règlement intérieur. Elle sera présidée alternativement par les représentants du Gouvernement camerounais et du Gouvernement tchadien.
2. Un rapporteur et un co-rapporteur seront désignés parmi les conseillers et relèveront alternativement du Gouvernement camerounais et du Gouvernement tchadien.
3. Le secrétariat technique des travaux sera assuré par le HCR.
4. La Commission se réunit en tant que de besoin, à la demande de l'une des Parties. Les réunions de la Commission se tiendront sur le territoire camerounais ou tchadien. La Commission peut inviter toute personne ou organisation, concernée par l'opération de rapatriement volontaire, à assister à ses délibérations en qualité d'observateur.

Article 23

Rôle et fonction de la Commission tripartite

1. La Commission tripartite de rapatriement assurera la supervision et la coordination du rapatriement volontaire des Réfugiés en veillant à ce que les différentes opérations y relatives s'effectuent dans les conditions de sécurité et de dignité conformes aux normes internationales en la matière.

2. La Commission tripartite examinera les questions et mesures susceptibles de faciliter la mise en œuvre du rapatriement volontaire des Réfugiés. Elle s'accordera et conseillera les Parties sur les mesures en question. Elle adoptera les modalités pratiques pour le rapatriement volontaire des Réfugiés.
3. La Commission tripartite sera chargée de suivre la mise en œuvre des mesures facilitant le rapatriement volontaire des Réfugiés. Elle veillera au respect des clauses du présent Accord, particulièrement celles afférentes à la sécurité, à la dignité, et à l'assistance des Rapatriés lors de l'accès au territoire tchadien, ainsi qu'à leur réinsertion effective.
4. La Commission tripartite veillera au règlement des difficultés éventuelles sur les points de passage transfrontaliers choisis pour les déplacements organisés dans le cadre du rapatriement volontaire.

Article 24

Validité continue des autres accords

Le présent Accord n'affectera pas la validité des accords, règlements ou mécanismes de coopération existant entre les Gouvernements et le HCR, y compris tout accord avec le pays d'asile. En cas de besoin, ces accords, règlements ou mécanismes pourront être exploités ou appliqués en vue de réaliser les objectifs définis par le présent Accord, à savoir le rapatriement volontaire et la réintégration des Réfugiés.

Article 25

Privilèges et immunités

Aucune disposition du présent Accord ne modifiera, expressément ou implicitement, les privilèges et immunités dont jouit le HCR conformément à la réglementation en la matière.

Article 26

Obligation de respecter les lois et règlements en vigueur dans les Etats Parties

Aucune disposition du présent Accord ne dispensera le HCR, son personnel et ses partenaires opérationnels de l'obligation de respecter les lois et règlements en vigueur dans les Etats parties.

Article 27

Règlement des litiges

Tout litige lié à l'interprétation ou à l'exécution du présent Accord sera réglé à l'amiable dans le cadre des consultations entre les Parties suivant les normes internationalement reconnues.

Article 28

Entrée en vigueur

Le présent Accord entrera en vigueur dès sa signature par toutes les Parties.

Article 29

Modification

Le présent Accord pourra être modifié d'un commun accord après échange entre les Parties des notifications écrites à cet effet.

Article 30

Expiration et dénonciation de l'Accord

1. Le présent Accord restera en vigueur jusqu'à ce que l'opération de rapatriement volontaire soit considérée par les Parties comme terminée.
2. Le présent Accord pourra être dénoncé par l'une des Parties, laquelle devra notifier par écrit les autres Parties de son intention de le dénoncer. La dénonciation unilatérale prendra effet à l'expiration d'un délai de 90 jours à compter de la date de notification.

3. La dénonciation de l'Accord n'a aucun effet sur la mise en œuvre des mesures relatives à son application, prises antérieurement, ni sur les obligations prévues aux articles 2, 4, 7, 11 qui relèvent des principes établis de droit international applicables indépendamment de l'Accord.

En foi de quoi le présent Accord est signé par les représentants ci-dessous désignés, dûment mandatés par leur Gouvernement respectif et le HCR selon le cas.

Fait à YAOUNDE, le....., en six (06) exemplaires originaux en langues française et anglaise, le texte en français faisant foi en cas de divergence.

Pour le Gouvernement de la
République du Cameroun

Pour le Gouvernement de la
République du Tchad

Pour le Haut Commissariat des
Nations Unies pour les Réfugiés

Pr Pierre MOUKOKO MBONJO

YOOSEM-KONTOU
NOUDJIAMLAO

Ndeye NDIUGUE NDOUR

Appendix 39: Calender of Voluntary repatriation of Chadian refugees 29 November 2012

REPUBLIQUE DU TCHAD

PRESIDENCE DE LA REPUBLIQUE

PRIMATURE

MINISTERE DE L'ADMINISTRATION DU TERRITOIRE ET DE LA DECENTRALISATION

COMMISSION NATIONALE D'ACCUEIL, DE REINSERTION DES REFUGIES ET DES RAPATRIES

SECRETARIAT PERMANENT *Do*

N° 107/PR/PM/MATD/CNARR/SP/2012

UNITE - TRAVAIL - PROGRES



N'Djamena, le 29 NOV 2012

A

Monsieur le Représentant de l'OIM

N'Djamena

Objet : Appui pour le rapatriement des réfugiés vivant au Cameroun

Faisant suite à la signature de l'Accord tripartite Tchad-Cameroun-HCR relatif au rapatriement volontaire et librement consenti des réfugiés tchadiens vivant au Cameroun, j'ai l'honneur de bien vouloir demander par la présente, l'appui de votre organisation en vue de contribuer à l'accueil dans les sites de transit de concert avec le Ministère de l'Action Sociale au rapatriement des réfugiés tchadiens vivant au Cameroun

Conformément au programme retenu, le calendrier de rapatriement prévoit 1528 personnes à rapatrier dont la première vague composée de 850 est reparti comme suit :

1 ^{ère} Vague de rapatriement des réfugiés tchadiens installés au camp de Langui	
Date	Nombre de personnes
Le 07 décembre 2012	150 personnes
Le 12 décembre 2012	350 personnes
Le 19 décembre 2012	350 personnes
Total personnes à rapatrier	850 personnes

Par ailleurs, la seconde vague est prévue pour le 14 janvier 2013.

Pour ce faire, je vous saurais gré de bien vouloir faciliter les dispositions de l'accueil notamment dans les centres de transit.

Je vous prie de croire, Monsieur le Représentant, l'expression de mes meilleurs sentiments.

Le Ministre de l'Administration du Territoire
et de la Décentralisation


BACHAR ALI SOULEYMANE



Appendix 40: Cameroon's law relating to the status of refugees

Appendix IV

Cameroon law relating to the status of refugees

REPUBLIC OF CAMEROON
Peace – Work – Fatherland

NATIONAL ASSEMBLY
7th LEGISLATIVE PERIOD
LEGISLATIVE YEAR 2005
2nd ORDINARY SESSION
(JUNE 2005)

LAW**RELATING TO THE STATUS OF REFUGEES
IN CAMEROON**

The National Assembly deliberated and adopted,
at its plenary sitting held on Tuesday 12 July, 2005,
Bill No 777/PJL/AN set out as follows:

Source: ANA, 2nd Ordinary Session, Law N^o 2005/006 du 27 Juillet 2005.

Chapter I

BIBLIOTHEQUE -
MASTER - DOCTORAT
FALSH / UY 1

2

Section 4: This law shall cease to apply to any person falling under the terms of these provisions if:

- he has voluntarily re-availed himself of the protection of the country of his nationality; or
- having lost his nationality, he has voluntarily re-acquired it; or
- has acquired a new nationality, and enjoys the protection of the country of his new nationality; or
- has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or
- he can no longer, because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality; or
- has committed a serious non-political crime outside the country of refuge after being admitted therein as a refugee; or
- being a person who has no nationality he is, because of the circumstances in connection with which he has been recognized as a refugee have ceased to exist, able to return to the country of his former habitual residence.

Section 5: (1) Family members of a person considered as refugee under Sections 2, 3 and 4 above who accompany him or who join him shall be equally considered as refugees, except they are of a nationality other than that of the refugee and enjoy the protection of their country of origin.

(2) If, once the status of refugee has been recognized to the family head, family cohesion is ruptured as a result of divorce, separation or death, the members of the family to whom refugee status was granted by virtue of (1) hereabove shall continue to enjoy such status, without prejudice to provisions of Section 4.

(3) By virtue of the provisions of (1) and (2) above, family members of a person considered as refugee shall include spouses, minor children and other dependent family members of the refugee.

(4) Any decision taken in compliance with the provisions of Sections 3 and 4 of this law may not automatically affect the other members of the family, such as laid down in (3) above.

Section 6: (1) This law shall apply to any asylum seeker and refugee without discrimination to sex, religion, race or nationality.

(2) Every unaccompanied child, pending the necessary verifications, shall be accorded the status of refugee.

(3) The State of Cameroon, in conjunction with international organizations, shall contribute to the reuniting of families.

Chapter II

Provisions Applicable to Asylum Seekers

Section 7: (1) No person shall be turned back at the border, nor subject to any measures, whatsoever, that may force him to return to or remain in a territory where his life, physical integrity or freedom is threatened by any of the reasons mentioned in Section 2 of this Law.

(2) Every asylum seeker must, on entering the national territory, report to the competent authorities within a deadline of 15 (fifteen) days.

(3) The said authority shall prepare a comprehensive report indicating the asylum seeker's marital status, professional activities, nationality, the reasons for his choice of Cameroon as country of asylum, and every other information likely to clarify the processing of his file.

(4) The asylum seeker shall be issued a safe-conduct with a validity period of two months non-renewable by the receiving authority, who shall immediately transmit the file to the Refugee Status Eligibility Commission mentioned in Section 16 below.

(5) An application may be deemed inadmissible, where the seeker has lived in a country of first asylum. A country of first asylum shall be a recognized third country, where the asylum seeker has been admitted as a refugee or in which for well-founded reasons, has received or may continue to receive protection.

(6) Without prejudice to the provisions of subsection (2) above, any foreign national living in the national territory and who can not return to his country of origin or to his country of habitual residence because of the reasons stipulated in Section 2 of this law shall be eligible to apply for asylum, following which a decision shall be taken in accordance with the procedures laid down by the implementation decree of this law.

Section 8: 1) No penal sanction shall be taken, on account of his illegal entry or presence, against any person who, coming directly from a country where his life or freedom is threatened in the sense of Section 2 of this law, provided he presents himself without delay to the national authorities mentioned in Section 7.

Where the said person is summoned for investigation, custody shall not exceed 24 (twenty-four) hours renewable twice.

(2) No measures shall be taken to expel or return an asylum seeker to the border without the opinion of the Refugee Status Eligibility Commission, where otherwise required by reasons of national security, public order or the pursuance of a decision reached in accordance with the law. In any case, measures shall not compel an asylum seeker to return to or live in a country, where his freedom is threatened in the sense of Section 2 of this law.

(3) The asylum seeker who has obtained an attestation of submission of application shall be free of his movements. However, he shall be required to inform the immigration authorities of his movements and changes of address and report to them as the need arises.

Chapter III

Rights and Obligations of Refugees

Section 9: Without prejudice to the provisions of Chapters I and II above, all fundamental rights, the provisions of Chapters II, III, IV and V of the Geneva Convention of 28 July 1951 Relating to the Status of Refugees and the OAU Convention of 10 September 1969 Relating to Refugees shall apply to all refugees lawfully residing in Cameroon within the limits of the rights granted to nationals. They shall include:

- non-discrimination;
- freedom to practice their religion;
- right to acquire property;
- freedom of association;
- access to courts;
- the right to employment;
- right to education;
- right to housing;
- right to social and public assistance;
- freedom of movement;
- right to obtain identity papers and travel documents;

- right to transfer assets;
- right to naturalization.

Section 10: (1) As regards the right to engage in a wage-earning or non wage-earning employment, and without exemption from taxes and duties, as well as concerns the social benefits relating to such employment, persons considered as refugees shall have the status of nationals..

(2) Such persons shall receive the same treatment as the nationals as concerns the right to education, school and university registration fees and charges for the students' welfare service.

Section 11: Every refugee must, like the nationals, respect the laws and regulations in force.

Section 12: Any person who acquires the status of refugee shall undertake not to carry out from the national territory any destabilizing activity against the Cameroonian State, his own country or any other state.

Section 13: (1) Any person considered as a refugee shall receive a refugee card of which the duration of validity and conditions of renewal shall be determined by decree.

(2) Refugees shall, in addition, be entitled to the issuance of a travel document provided for under Article 28 of the Convention of 1951 as well as any other document necessary to carry out various activities of the civilian life, the application of the internal laws or international agreements contributing to their protection.

Section 14: (1) A refugee who is residing lawfully in the territory of Cameroon may be expelled only on the grounds of national security or public order.

(2) The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law.

(3) The expulsion decision shall be notified to the United Nations High Commission for Refugees which shall be charged with looking for a country of asylum therefor within a period of 72 (seventy-two) hours. Such expulsion decision shall equally be notified to the person concerned who shall be monitored by the authorities for the maintenance of law and order.

(4) Expulsion shall entail the automatic withdrawal of the refugee card.

6

Section 15: No refugee may, in any manner whatsoever, be extradited to the frontiers of a territory referred to under Section 7 (1) above.

Chapter IV

Refugee Management Organs

Section 16: A Refugee Status Eligibility Commission and a Refugee Appeals Board are hereby set up, the organization and functioning of which shall be determined by decree.

Section 17: Decisions of the two organs referred to under Section 16 above shall not be subject to any appeal before the national ordinary law courts.

Chapter V

Transitional and Final Provisions

Section 18: Persons who, on the date of enactment of this law, are in the territory of Cameroon, as a result of one of the circumstances stated under Section 2 above, shall be subject to the provisions of this law.

Section 19: Persons applying for asylum, who possess a refugee certificate issued by the United Nations High Commission for Refugees before the entry into force of this law, shall be granted refugee status.

Section 20: This law, which repeals all previous provisions repugnant thereto, shall be registered, published according to the procedure of urgency, and inserted in the Official Gazette in English and French.

YAOUNDE

CAVAYE YEGUIE Djibril
PRESIDENT OF THE NATIONAL ASSEMBLY

Appendix 41: Samples of Refugee Identification Cards or Papers


United Nations High Commissioner for Refugees
en République du Cameroun
B.P 7077
Yaoundé - Cameroun Tel. : 237 222 20 29 54
E-mail : CMRBE@unhcr.org Fax. : 237 222 21 05 44

CMR/PROT/BER/F/10086/16
Beretoua le, 13/05/2016


ATTESTATION DE COMPOSITION FAMILIALE

Informations sur le chef de famille


Nom et Prénom : AYATOU, Oumarou
Date naissance : 01/01/1968 Lieu : GAMBOULA
Sexe : Male Nationalité : Central African
Date d'arrivée : 01/02/2015 Zone : Est, Kadei
Case/HoHMD : 796-15H00580 Numero d'enregistrement : 796-00036710



Membres dépendants




Individual ID	Nom et Prénom	Relation	Date De Naissance	Date Enreg.
796-00036711	LOUMBI, Zeinabou	WIF	01/01/1977	14/10/2015
796-00036712	OUMAROU, Bilkissou Taqiya	DAU	01/01/2003	14/10/2015
796-00036714	AYATOU, Abdoulaye Hayatou	SON	01/05/2011	14/10/2015
796-00036715	OUMAROU, Zeinabou	DAU	14/11/2013	14/10/2015


Khassim DIAGNE
Représentant
UNHCR au Cameroun

Cette attestation certifie que les individus ci-dessus mentionnés sont reconnus réfugiés en République du Cameroun. Ils bénéficient de la protection du Gouvernement de la République du Cameroun en application de la Convention de 1951 et/ou la Convention de l'OUA de 1969. A ce titre, ils jouissent des droits fondamentaux qui s'appliquent aux réfugiés dans la limite des droits accordés aux nationaux. Art 9 loi N 2005/006 portant statut des réfugiés au Cameroun.

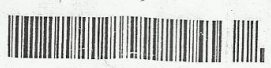
La présente attestation, valable pour 24 mois à compter de la date mentionnée ci-dessus, lui est délivrée pour servir et valoir ce que de droit.

N.B. Ce document ne vaut qu'en original et couvert du sceau officiel du HCR. Il n'est valable que sur le territoire camerounais.

 **UNHCR**
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Représentation en République du Cameroun
B.P 7077, Yaoundé, Cameroun
Tél : 237 22 20 29 54
Email : cmrya@unhcr.org

Date d'émission : 10 Feb 2016



ATTESTATION DE RÉFUGIÉ

Le présent document certifie que cette personne ainsi que les membres de sa famille sont réfugiés en République du Cameroun. Toutes ces personnes bénéficient de la protection du Gouvernement de la République du Cameroun en application de la Convention de 1951.

Appendix 42: The 1951 convention and its protocol on the status of refugees



①

CONVENTION
AND
PROTOCOL
RELATING TO THE
STATUS OF
REFUGEES

60
YEARS



CONVENTION
Relating to the Status of Refugees

Preamble

THE HIGH CONTRACTING PARTIES,

CONSIDERING that the Charter of the United Nations and the Universal Declaration of Human Rights approved on 10 December 1948 by the General Assembly have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination.

CONSIDERING that the United Nations has, on various occasions, manifested its profound concern for refugees and endeavoured to assure refugees the widest possible exercise of these fundamental rights and freedoms,

CONSIDERING that it is desirable to revise and consolidate previous international agreements relating to the status of refugees and to extend the scope of and protection accorded by such instruments by means of a new agreement,

CONSIDERING that the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation,

EXPRESSING the wish that all States, recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States,

NOTING that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective co-ordination of measures taken to deal with this problem will depend upon the co-operation of States with the High Commissioner,

HAVE AGREED as follows:

CHAPTER I: General Provisions

Article 1

DEFINITION OF THE TERM "REFUGEE"

A. For the purposes of the present Convention, the term "refugee" shall apply to any person who:

- (1) Has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

Decisions of non-eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of this section;

- (2) As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

B.(1) For the purposes of this Convention, the words "events occurring

before 1 January 1951" in article 1, section A, shall be understood to mean either:

- (a) "events occurring in Europe before 1 January 1951"; or
 - (b) "events occurring in Europe or elsewhere before 1 January 1951", and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purpose of its obligations under this Convention.
- (2) Any Contracting State which has adopted alternative (a) may at any time extend its obligations by adopting alternative (b) by means of a notification addressed to the Secretary-General of the United Nations.

C. This Convention shall cease to apply to any person falling under the terms of section A if:

- (1) He has voluntarily re-availed himself of the protection of the country of his nationality; or
- (2) Having lost his nationality, he has voluntarily re-acquired it; or
- (3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or
- (4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or
- (5) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality;
Provided that this paragraph shall not apply to a refugee falling under section A(1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to avail himself of the protection of the country of nationality;
- (6) Being a person who has no nationality he is, because of the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, able to return to the country of his former habitual residence;

Provided that this paragraph shall not apply to a refugee falling under section A (r) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to return to the country of his former habitual residence.

D. This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance.

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall *ipso facto* be entitled to the benefits of this Convention.

E. This Convention shall not apply to a person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

F. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that:

- (a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;
- (b) he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
- (c) he has been guilty of acts contrary to the purposes and principles of the United Nations.

Article 2

GENERAL OBLIGATIONS

Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order.

Article 3

NON-DISCRIMINATION

The Contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.

Article 4

RELIGION

The Contracting States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practice their religion and freedom as regards the religious education of their children.

Article 5

RIGHTS GRANTED APART FROM THIS CONVENTION

Nothing in this Convention shall be deemed to impair any rights and benefits granted by a Contracting State to refugees apart from this Convention.

Article 6

THE TERM "IN THE SAME CIRCUMSTANCES"

For the purposes of this Convention, the term "in the same circumstances" implies that any requirements (including requirements as to length and conditions of sojourn or residence) which the particular individual would have to fulfil for the enjoyment of the right in question, if he were not a refugee, must be fulfilled by him, with the exception of requirements which by their nature a refugee is incapable of fulfilling.

Article 7

EXEMPTION FROM RECIPROCITY

1. Except where this Convention contains more favourable provisions, a Contracting State shall accord to refugees the same treatment as is accorded to aliens generally.
2. After a period of three years' residence, all refugees shall enjoy exemption from legislative reciprocity in the territory of the Contracting States.

3. Each Contracting State shall continue to accord to refugees the rights and benefits to which they were already entitled, in the absence of reciprocity, at the date of entry into force of this Convention for that State.

4. The Contracting States shall consider favourably the possibility of according to refugees, in the absence of reciprocity, rights and benefits beyond those to which they are entitled according to paragraphs 2 and 3, and to extending exemption from reciprocity to refugees who do not fulfil the conditions provided for in paragraphs 2 and 3.

5. The provisions of paragraphs 2 and 3 apply both to the rights and benefits referred to in articles 13, 18, 19, 21 and 22 of this Convention and to rights and benefits for which this Convention does not provide.

Article 8

EXEMPTION FROM EXCEPTIONAL MEASURES

With regard to exceptional measures which may be taken against the person, property or interests of nationals of a foreign State, the Contracting States shall not apply such measures to a refugee who is formally a national of the said State solely on account of such nationality. Contracting States which, under their legislation, are prevented from applying the general principle expressed in this article, shall, in appropriate cases, grant exemptions in favour of such refugees.

Article 9

PROVISIONAL MEASURES

Nothing in this Convention shall prevent a Contracting State, in time of war or other grave and exceptional circumstances, from taking provisionally measures which it considers to be essential to the national security in the case of a particular person, pending a determination by the Contracting State that that person is in fact a refugee and that the continuance of such measures is necessary in his case in the interests of national security.

Article 10

CONTINUITY OF RESIDENCE

1. Where a refugee has been forcibly displaced during the Second World

War and removed to the territory of a Contracting State, and is resident there, the period of such enforced sojourn shall be considered to have been lawful residence within that territory.

2. Where a refugee has been forcibly displaced during the Second World War from the territory of a Contracting State and has, prior to the date of entry into force of this Convention, returned there for the purpose of taking up residence, the period of residence before and after such enforced displacement shall be regarded as one uninterrupted period for any purposes for which uninterrupted residence is required.

Article II

REFUGEE SEAMEN

In the case of refugees regularly serving as crew members on board a ship flying the flag of a Contracting State, that State shall give sympathetic consideration to their establishment on its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their establishment in another country.

CHAPTER II: Juridical Status

Article 12

PERSONAL STATUS

1. The personal status of a refugee shall be governed by the law of the country of his domicile or, if he has no domicile, by the law of the country of his residence.
2. Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage, shall be respected by a Contracting State, subject to compliance, if this be necessary, with the formalities required by the law of that State, provided that the right in question is one which would have been recognized by the law of that State had he not become a refugee.

Article 13

MOVABLE AND IMMOVABLE PROPERTY

The Contracting States shall accord to a refugee treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and immovable property.

Article 14

ARTISTIC RIGHTS AND INDUSTRIAL PROPERTY

In respect of the protection of industrial property, such as inventions, designs or models, trade marks, trade names, and of rights in literary, artistic, and scientific works, a refugee shall be accorded in the country in which he has his habitual residence the same protection as is accorded to nationals of that

country. In the territory of any other Contracting State, he shall be accorded the same protection as is accorded in that territory to nationals of the country in which he has his habitual residence.

Article 15

RIGHT OF ASSOCIATION

As regards non-political and non-profit-making associations and trade unions the Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances.

Article 16

ACCESS TO COURTS

1. A refugee shall have free access to the courts of law on the territory of all Contracting States.
2. A refugee shall enjoy in the Contracting State in which he has his habitual residence the same treatment as a national in matters pertaining to access to the Courts, including legal assistance and exemption from *cautio judicatum solvi*.
3. A refugee shall be accorded in the matters referred to in paragraph 2 in countries other than that in which he has his habitual residence the treatment granted to a national of the country of his habitual residence.

CHAPTER III: Gainful Employment

Article 17

WAGE-EARNING EMPLOYMENT

1. The Contracting State shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment.

2. In any case, restrictive measures imposed on aliens or the employment of aliens for the protection of the national labour market shall not be applied to a refugee who was already exempt from them at the date of entry into force of this Convention for the Contracting State concerned, or who fulfils one of the following conditions:
 - (a) He has completed three years' residence in the country;
 - (b) He has a spouse possessing the nationality of the country of residence.
A refugee may not invoke the benefits of this provision if he has abandoned his spouse;
 - (c) He has one or more children possessing the nationality of the country of residence.

3. The Contracting States shall give sympathetic consideration to assimilating the rights of all refugees with regard to wage-earning employment to those of nationals, and in particular of those refugees who have entered their territory pursuant to programmes of labour recruitment or under immigration schemes.

Article 18

SELF-EMPLOYMENT

The Contracting States shall accord to a refugee lawfully in their territory

treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies.

Article 19

LIBERAL PROFESSIONS

1. Each Contracting State shall accord to refugees lawfully staying in their territory who hold diplomas recognized by the competent authorities of that State, and who are desirous of practicing a liberal profession, treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

2. The Contracting States shall use their best endeavours consistently with their laws and constitutions to secure the settlement of such refugees in the territories, other than the metropolitan territory, for whose international relations they are responsible.

CHAPTER IV: Welfare

Article 20

RATIONING

Where a rationing system exists, which applies to the population at large and regulates the general distribution of products in short supply, refugees shall be accorded the same treatment as nationals.

Article 21

HOUSING

As regards housing, the Contracting States, in so far as the matter is regulated by laws or regulations or is subject to the control of public authorities, shall accord to refugees lawfully staying in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

Article 22

PUBLIC EDUCATION

1. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.
2. The Contracting States shall accord to refugees treatment as favourable as possible, and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.

Article 23

PUBLIC RELIEF

The Contracting States shall accord to refugees lawfully staying in their ter-

ritory the same treatment with respect to public relief and assistance as is accorded to their nationals.

Article 24

LABOUR LEGISLATION AND SOCIAL SECURITY

1. The Contracting States shall accord to refugees lawfully staying in their territory the same treatment as is accorded to nationals in respect of the following matters:
 - (a) In so far as such matters are governed by laws or regulations or are subject to the control of administrative authorities: remuneration, including family allowances where these form part of remuneration, hours of work, overtime arrangements, holidays with pay, restrictions on home work, minimum age of employment, apprenticeship and training, women's work and the work of young persons, and the enjoyment of the benefits of collective bargaining;
 - (b) Social security (legal provisions in respect of employment injury, occupational diseases, maternity, sickness, disability, old age, death, unemployment, family responsibilities and any other contingency which, according to national laws or regulations, is covered by a social security scheme), subject to the following limitations:
 - (i) There may be appropriate arrangements for the maintenance of acquired rights and rights in course of acquisition;
 - (ii) National laws or regulations of the country of residence may prescribe special arrangements concerning benefits or portions of benefits which are payable wholly out of public funds, and concerning allowances paid to persons who do not fulfil the contribution conditions prescribed for the award of a normal pension.
2. The right to compensation for the death of a refugee resulting from employment injury or from occupational disease shall not be affected by the fact that the residence of the beneficiary is outside the territory of the Contracting State.
3. The Contracting States shall extend to refugees the benefits of

agreements concluded between them, or which may be concluded between them in the future, concerning the maintenance of acquired rights and rights in the process of acquisition in regard to social security, subject only to the conditions which apply to nationals of the States signatory to the agreements in question.

4. The Contracting States will give sympathetic consideration to extending to refugees so far as possible the benefits of similar agreements which may at any time be in force between such Contracting States and non-contracting States.

CHAPTER V: Administrative Measures

Article 25

ADMINISTRATIVE ASSISTANCE

1. When the exercise of a right by a refugee would normally require the assistance of authorities of a foreign country to whom he cannot have recourse, the Contracting States in whose territory he is residing shall arrange that such assistance be afforded to him by their own authorities or by an international authority.
2. The authority or authorities mentioned in paragraph 1 shall deliver or cause to be delivered under their supervision to refugees such documents or certifications as would normally be delivered to aliens by or through their national authorities.
3. Documents or certifications so delivered shall stand in the stead of the official instruments delivered to aliens by or through their national authorities, and shall be given credence in the absence of proof to the contrary.
4. Subject to such exceptional treatment as may be granted to indigent persons, fees may be charged for the services mentioned herein, but such fees shall be moderate and commensurate with those charged to nationals for similar services.
5. The provisions of this article shall be without prejudice to articles 27 and 28.

Article 26

FREEDOM OF MOVEMENT

Each Contracting State shall accord to refugees lawfully in its territory the right to choose their place of residence to move freely within its territory, subject to any regulations applicable to aliens generally in the same circumstances.

Article 27

IDENTITY PAPERS

The Contracting States shall issue identity papers to any refugee in their territory who does not possess a valid travel document.

Article 28

TRAVEL DOCUMENTS

1. The Contracting States shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require, and the provisions of the Schedule to this Convention shall apply with respect to such documents. The Contracting States may issue such a travel document to any other refugee in their territory; they shall in particular give sympathetic consideration to the issue of such a travel document to refugees in their territory who are unable to obtain a travel document from the country of their lawful residence.

2. Travel documents issued to refugees under previous international agreements by parties thereto shall be recognized and treated by the Contracting States in the same way as if they had been issued pursuant to this article.

Article 29

FISCAL CHARGES

1. The Contracting States shall not impose upon refugees duties, charges or taxes, of any description whatsoever, other or higher than those which are or may be levied on their nationals in similar situations.

2. Nothing in the above paragraph shall prevent the application to refugees of the laws and regulations concerning charges in respect of the issue to aliens of administrative documents including identity papers.

Article 30

TRANSFER OF ASSETS

1. A Contracting State shall, in conformity with its laws and regulations, permit refugees to transfer assets which they have brought into its territory.

Article 27

IDENTITY PAPERS

The Contracting States shall issue identity papers to any refugee in their territory who does not possess a valid travel document.

Article 28

TRAVEL DOCUMENTS

1. The Contracting States shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require, and the provisions of the Schedule to this Convention shall apply with respect to such documents. The Contracting States may issue such a travel document to any other refugee in their territory; they shall in particular give sympathetic consideration to the issue of such a travel document to refugees in their territory who are unable to obtain a travel document from the country of their lawful residence.

2. Travel documents issued to refugees under previous international agreements by parties thereto shall be recognized and treated by the Contracting States in the same way as if they had been issued pursuant to this article.

Article 29

FISCAL CHARGES

1. The Contracting States shall not impose upon refugees duties, charges or taxes, of any description whatsoever, other or higher than those which are or may be levied on their nationals in similar situations.

2. Nothing in the above paragraph shall prevent the application to refugees of the laws and regulations concerning charges in respect of the issue to aliens of administrative documents including identity papers.

Article 30

TRANSFER OF ASSETS

1. A Contracting State shall, in conformity with its laws and regulations, permit refugees to transfer assets which they have brought into its territory.

to another country where they have been admitted for the purposes of resettlement.

2. A Contracting State shall give sympathetic consideration to the application of refugees for permission to transfer assets wherever they may be and which are necessary for their resettlement in another country to which they have been admitted.

Article 31

REFUGEES UNLAWFULLY IN THE COUNTRY OF REFUGEE

1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Article 32

EXPULSION

1. The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.

2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.

3. The Contracting States shall allow such a refugee a reasonable period

within which to seek legal admission into another country. The Contracting States reserve the right to apply during that period such internal measures as they may deem necessary.

Article 33

PROHIBITION OF EXPULSION OR RETURN ("REFOULEMENT")

1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.

Article 34

NATURALIZATION

The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

CHAPTER VI: Executory and Transitory Provisions

Article 35

CO-OPERATION OF THE NATIONAL AUTHORITIES WITH THE UNITED NATIONS

1. The Contracting States undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of this Convention.

2. In order to enable the Office of the High Commissioner or any other agency of the United Nations which may succeed it, to make reports to the competent organs of the United Nations, the Contracting States undertake to provide them in the appropriate form with information and statistical data requested concerning:

- (a) The condition of refugees,
- (b) The implementation of this Convention, and;
- (c) Laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article 36

INFORMATION ON NATIONAL LEGISLATION

The Contracting States shall communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of this Convention.

Article 37

RELATION TO PREVIOUS CONVENTIONS

Without prejudice to article 28, paragraph 2, of this Convention, this

Convention replaces, as between parties to it, the Arrangements of 5 July 1922, 31 May 1924, 12 May 1926, 30 June 1928 and 30 July 1935, the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 and the Agreement of 15 October 1946.

CHAPTER VII: Final Clauses

Article 38

SETTLEMENT OF DISPUTES

Any dispute between parties to this Convention relating to its interpretation or application, which cannot be settled by other means, shall be referred to the International Court of Justice at the request of any one of the parties to the dispute.

Article 39

SIGNATURE, RATIFICATION AND ACCESSION

1. This Convention shall be opened for signature at Geneva on 28 July 1951 and shall thereafter be deposited with the Secretary-General of the United Nations. It shall be open for signature at the European Office of the United Nations from 28 July to 31 August 1951 and shall be re-opened for signature at the Headquarters of the United Nations from 17 September 1951 to 31 December 1952.
2. This Convention shall be open for signature on behalf of all States Members of the United Nations, and also on behalf of any other State invited to attend the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons or to which an invitation to sign will have been addressed by the General Assembly. It shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.
3. This Convention shall be open from 28 July 1951 for accession by the States referred to in paragraph 2 of this article. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 40

TERRITORIAL APPLICATION CLAUSE

1. Any State may, at the time of signature, ratification or accession, declare that this Convention shall extend to all or any of the territories for the international relations of which it is responsible. Such a declaration shall take effect when the Convention enters into force for the State concerned.

2. At any time thereafter any such extension shall be made by notification addressed to the Secretary-General of the United Nations and shall take effect as from the ninetieth day after the day of receipt by the Secretary-General of the United Nations of this notification, or as from the date of entry into force of the Convention for the State concerned, whichever is the later.

3. With respect to those territories to which this Convention is not extended at the time of signature, ratification or accession, each State concerned shall consider the possibility of taking the necessary steps in order to extend the application of this Convention to such territories, subject, where necessary for constitutional reasons, to the consent of the Governments of such territories.

Article 41

FEDERAL CLAUSE

In the case of a Federal or non-unitary State, the following provisions shall apply:

- (a) With respect to those articles of this Convention that come within the legislative jurisdiction of the federal legislative authority, the obligations of the Federal Government shall to this extent be the same as those of Parties which are not Federal States;

- (b) With respect to those articles of this Convention that come within the legislative jurisdiction of constituent States, provinces or cantons which are not, under the constitutional system of the federation, bound to take legislative action, the Federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of states, provinces or cantons at the earliest possible moment;

- (c) A Federal State Party to this Convention shall, at the request of any other Contracting State transmitted through the Secretary-General of

the United Nations, supply a statement of the law and practice of the Federation and its constituent units in regard to any particular provision of the Convention showing the extent to which effect has been given to that provision by legislative or other action.

Article 42

RESERVATIONS

1. At the time of signature, ratification or accession, any State may make reservations to articles of the Convention other than to articles 1, 3, 4, 16(1), 33, 36-46 inclusive.
2. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

Article 43

ENTRY INTO FORCE

1. This Convention shall come into force on the ninetieth day following the day of deposit of the sixth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day following the date of deposit by such State of its instrument or ratification or accession.

Article 44

DENUNCIATION

1. Any Contracting State may denounce this Convention at any time by a notification addressed to the Secretary-General of the United Nations.
2. Such denunciation shall take effect for the Contracting State concerned one year from the date upon which it is received by the Secretary-General of the United Nations.
3. Any State which has made a declaration or notification under article 40

may, at any time thereafter, by a notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to such territory one year after the date of receipt of the notification by the Secretary-General.

Article 45

REVISION

1. Any Contracting State may request revision of this Convention at any time by a notification addressed to the Secretary-General of the United Nations.
2. The General Assembly of the United Nations shall recommend the steps, if any, to be taken in respect of such request.

Article 46

**NOTIFICATIONS BY
THE SECRETARY-GENERAL OF THE UNITED NATIONS**

The Secretary-General of the United Nations shall inform all Members of the United Nations and non-member States referred to in article 39:

- (a) Of declarations and notifications in accordance with section B of article 1;
- (b) Of signatures, ratifications and accessions in accordance with article 39;
- (c) Of declarations and notifications in accordance with article 40;
- (d) Of reservations and withdrawals in accordance with article 42;
- (e) Of the date on which this Convention will come into force in accordance with article 43;
- (f) Of denunciations and notifications in accordance with article 44;
- (g) Of requests for revision in accordance with article 45.

IN FAITH WHEREOF the undersigned, duly authorized, have signed this Convention on behalf of their respective Governments,

DONE at Geneva, this twenty-eighth day of July, one thousand nine hundred and fifty-one, in a single copy, of which the English and French texts are

equally authentic and which shall remain deposited in the archives of the United Nations, and certified true copies of which shall be delivered to all Members of the United Nations and to the non-member States referred to in article 39.

Source: MINREX

Appendix 43: State Parties to the 1967 Refugee Protocol

States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol

The Convention was drafted and signed by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, held at Geneva from 2 to 25 July 1951. The Conference was convened pursuant to General Assembly resolution 429 (V) of 14 December 1950. The Convention was adopted on 28 July 1951; in accordance with Article 43, it entered into force on 22 April 1954. The Protocol was adopted on 31 January 1967; it entered into force on 4 October 1967 in accordance with its Article VIII.

States Parties (as of April 2015)¹

Total number of States Parties to the 1951 Convention:	145
Total number of States Parties to the 1967 Protocol:	146
States Parties to both the Convention and Protocol:	142
States Parties to one or both of these instruments:	148

States Parties to the 1951 Convention only:

Madagascar, Saint Kitts and Nevis

States Parties to the 1967 Protocol only:

Cabo Verde, United States of America, Venezuela (Bolivarian Republic of)

The dates indicated below are the dates of deposit of the instrument of ratification or accession by the respective States Parties with the Secretary-General of the United Nations. In accordance with Article 43 (2), the Convention enters into force on the ninetieth day after the date of deposit by the ratifying or acceding State. The Protocol enters into force on the date of deposit of each acceding State (Article VIII (2)). Exceptions are indicated below.

Most recent ratification/accession:

Nauru

Convention
28 June 2011 a

Protocol
28 June 2011 a


UNHCR, United Nations High Commissioner for Refugees

Country	Convention	Protocol
Afghanistan	30 Aug 2005 a	30 Aug 2005 a
Albania	18 Aug 1992 a	18 Aug 1992 a
Algeria	21 Feb 1963 d	08 Nov 1967 a
Angola	23 Jun 1981 a	23 Jun 1981 a
Antigua and Barbuda	07 Sep 1995 a	07 Sep 1995 a
Argentina	15 Nov 1961 a	06 Dec 1967 a
Armenia	06 Jul 1993 a	06 Jul 1993 a
Australia	22 Jan 1954 a	13 Dec 1973 a
Austria	01 Nov 1954 r	05 Sep 1973 a
Azerbaijan	12 Feb 1993 a	12 Feb 1993 a
Bahamas (the)	15 Sep 1993 a	15 Sep 1993 a
Belarus	23 Aug 2001 a	23 Aug 2001 a
Belgium	22 Jul 1953 r	08 Apr 1969 a
Belize	27 Jun 1990 a	27 Jun 1990 a
Benin	04 Apr 1962 d	06 Jul 1970 a
Bolivia (Plurinational State of)	09 Feb 1982 a	09 Feb 1982 a
Bosnia and Herzegovina	01 Sep 1993 d	01 Sep 1993 d
Botswana	06 Jan 1969 a	06 Jan 1969 a
Brazil	16 Nov 1960 r	07 Apr 1972 a
Bulgaria	12 May 1993 a	12 May 1993 a
Burkina Faso	18 Jun 1980 a	18 Jun 1980 a
Burundi	19 Jul 1963 a	15 Mar 1971 a
Cabo Verde		09 Jul 1987 a
Cambodia	15 Oct 1992 a	15 Oct 1992 a
Cameroon	23 Oct 1961 d	19 Sep 1967 a
Canada	04 Jun 1969 a	04 Jun 1969 a
Central African Republic (the)	04 Sep 1962 d	30 Aug 1967 a
Chad	19 Aug 1981 a	19 Aug 1981 a
Chile	28 Jan 1972 a	27 Apr 1972 a
China	24 Sep 1982 a	24 Sep 1982 a
Colombia	10 Oct 1961 r	04 Mar 1980 a
Congo (the)	15 Oct 1962 d	10 Jul 1970 a
Costa Rica	28 Mar 1978 a	28 Mar 1978 a
Côte d'Ivoire	08 Dec 1961 d	16 Feb 1970 a
Croatia	12 Oct 1992 d	12 Oct 1992 d
Cyprus (the)	16 May 1963 d	09 Jul 1968 a
Czech Republic (the)	11 May 1993 d	11 May 1993 d
Denmark	04 Dec 1952 r	29 Jan 1968 a
Democratic Republic of the Congo (the)	19 July 1965 a	13 Jan 1975 a
Djibouti	09 Aug 1977 d	09 Aug 1977 d
Dominica	17 Feb 1994 a	17 Feb 1994 a
Dominican Republic (the)	04 Jan 1978 a	04 Jan 1978 a
Ecuador	17 Aug 1955 a	06 Mar 1969 a
Egypt	22 May 1981 a	22 May 1981 a
El Salvador	28 Apr 1983 a	28 Apr 1983 a
Equatorial Guinea	07 Feb 1986 a	07 Feb 1986 a
Estonia	10 Apr 1997 a	10 Apr 1997 a
Ethiopia	10 Nov 1969 a	10 Nov 1969 a
Fiji	12 Jun 1972 d	12 Jun 1972 d
Finland	10 Oct 1968 a	10 Oct 1968 a
France	23 Jun 1954 r	03 Feb 1971 a


UNHCR, United Nations High Commissioner for Refugees

Gabon	27 Apr	1964 a	28 Aug	1973 a
Gambia (the)	07 Sep	1966 d	29 Sep	1967 a
Georgia	09 Aug	1999 a	09 Aug	1999 a
Germany	01 Dec	1953 r	05 Nov	1969 a
Ghana	18 Mar	1963 a	30 Aug	1968 a
Greece	05 Apr	1960 r	07 Aug	1968 a
Guatemala	22 Sep	1983 a	22 Sep	1983 a
Guinea	28 Dec	1965 d	16 May	1968 a
Guinea-Bissau	11 Feb	1976 a	11 Feb	1976 a
Haiti	25 Sep	1984 a	25 Sep	1984 a
Holy See	15 Mar	1956 r	08 Jun	1967 a
Honduras	23 Mar	1992 a	23 Mar	1992 a
Hungary	14 Mar	1989 a	14 Mar	1989 a
Iceland	30 Nov	1955 a	26 Apr	1968 a
Iran (Islamic Republic of)	28 Jul	1976 a	28 Jul	1976 a
Ireland	29 Nov	1956 a	06 Nov	1968 a
Israel	01 Oct	1954 r	14 Jun	1968 a
Italy	15 Nov	1954 r	26 Jan	1972 a
Jamaica	30 Jul	1964 d	30 Oct	1980 a
Japan	03 Oct	1981 a	01 Jan	1982 a
Kazakhstan	15 Jan	1999 a	15 Jan	1999 a
Kenya	16 May	1966 a	13 Nov	1981 a
Kyrgyzstan	08 Oct	1996 a	08 Oct	1996 a
Latvia	31 Jul	1997 a	31 Jul	1997 a
Lesotho	14 May	1981 a	14 May	1981 a
Liberia	15 Oct	1964 a	27 Feb	1980 a
Liechtenstein	08 Mar	1957 r	20 May	1968 a
Lithuania	28 Apr	1997 a	28 Apr	1997 a
Luxembourg	23 Jul	1953 r	22 Apr	1971 a
Madagascar	18 Dec	1967 a		
Malawi	10 Dec	1987 a	10 Dec	1987 a
Mali	02 Feb	1973 d	02 Feb	1973 a
Malta	17 Jun	1971 a	15 Sep	1971 a
Mauritania	05 May	1987 a	05 May	1987 a
Mexico	07 June	2000 a	07 June	2000 a
Monaco	18 May	1954 a	16 June	2010 a
Montenegro	10 Oct	2006 d	10 Oct	2006 d
Morocco	07 Nov	1956 d	20 Apr	1971 a
Mozambique	16 Dec	1983 a	01 May	1989 a
Namibia	17 Feb	1995 a	17 Feb	1995 a
Nauru	17 Jun	2011 a	17 Jun	2011 a
Netherlands (the)	03 May	1956 r	29 Nov	1968 a
New Zealand	30 Jun	1960 a	06 Aug	1973 a
Nicaragua	28 Mar	1980 a	28 Mar	1980 a
Niger (the)	25 Aug	1961 d	02 Feb	1970 a
Nigeria	23 Oct	1967 a	02 May	1968 a
Norway	23 Mar	1953 r	28 Nov	1967 a
Panama	02 Aug	1978 a	02 Aug	1978 a
Papua New Guinea	17 Jul	1986 a	17 Jul	1986 a
Paraguay	01 Apr	1970 a	01 Apr	1970 a
Peru	21 Dec	1964 a	15 Sep	1983 a
Philippines (the)	22 Jul	1981 a	22 Jul	1981 a
Poland	27 Sep	1991 a	27 Sep	1991 a


UNHCR, United Nations High Commissioner for Refugees

Portugal	22 Dec	1960 a	13 Jul	1976 a
Republic of Korea (the)	03 Dec	1992 a	03 Dec	1992 a
Republic of Moldova	31 Jan	2002 a	31 Jan	2002 a
Romania	07 Aug	1991 a	07 Aug	1991 a
Russian Federation (the)	02 Feb	1993 a	02 Feb	1993 a
Rwanda	03 Jan	1980 a	03 Jan	1980 a
Saint Kitts and Nevis	01 Feb	2002 a		
Saint Vincent and the Grenadines	03 Nov	1993 a	03 Nov	2003 a
Samoa	21 Sep	1988 a	29 Nov	1994 a
Sao Tome and Principe	01 Feb	1978 a	01 Feb	1978 a
Senegal	02 May	1963 d	03 Oct	1967 a
Serbia	12 Mar	2001 d	12 Mar	2001 d
Seychelles	23 Apr	1980 a	23 Apr	1980 a
Sierra Leone	22 May	1981 a	22 May	1981 a
Slovakia	04 Feb	1993 d	04 Feb	1993 d
Slovenia	06 Jul	1992 d	06 Jul	1992 d
Solomon Islands	28 Feb	1995 a	12 Apr	1995 a
Somalia	10 Oct	1978 a	10 Oct	1978 a
South Africa	12 Jan	1996 a	12 Jan	1996 a
Spain	14 Aug	1978 a	14 Aug	1978 a
Sudan (the)	22 Feb	1974 a	23 May	1974 a
Suriname	29 Nov	1978 d	29 Nov	1978 d
Swaziland	14 Feb	2000 a	28 Jan	1969 a
Sweden	26 Oct	1954 r	04 Oct	1967 a
Switzerland	21 Jan	1955 r	20 May	1968 a
Tajikistan	07 Dec	1993 a	07 Dec	1993 a
The former Yugoslav Republic of Macedonia	18 Jan	1994 d	18 Jan	1994 d
Timor-Leste	07 May	2003 a	07 May	2003 a
Togo	27 Feb	1962 d	01 Dec	1969 a
Trinidad and Tobago	10 Nov	2000 a	10 Nov	2000 a
Tunisia	24 Oct	1957 d	16 Oct	1968 a
Turkey	30 Mar	1962 r	31 Jul	1968 a
Turkmenistan	02 Mar	1998 a	2 Mar	1998 a
Tuvalu	07 Mar	1986 d	07 Mar	1986 d
Uganda	27 Sep	1976 a	27 Sep	1976 a
Ukraine	10 Jun	2002 a	04 Apr	2002 a
United Kingdom of Great Britain and Northern Ireland (the)	11 Mar	1954 r	04 Sep	1968 a
United Republic of Tanzania (the)	12 May	1964 a	04 Sep	1968 a
United States of America (the)			01 Nov	1968 a
Uruguay	22 Sep	1970 a	22 Sep	1970 a
Venezuela (Bolivarian Republic of)			19 Sep	1986 a
Yemen	18 Jan	1980 a	18 Jan	1980 a
Zambia	24 Sep	1969 d	24 Sep	1969 a
Zimbabwe	25 Aug	1981 a	25 Aug	1981 a



UNHCR, United Nations High Commissioner for Refugees

Limitations:

Article 1 B (1) of the 1951 Convention provides: "For the purposes of this Convention, the words 'events occurring before 1 January 1951' in article 1, Section A, shall be understood to mean either (a) 'events occurring in Europe before 1 January 1951'; or (b) 'events occurring in Europe or elsewhere before 1 January 1951', and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purposes of its obligations under this Convention."

The following States adopted alternative (a), the geographical limitation: Congo, Madagascar, Monaco and Turkey. Turkey expressly maintained its declaration of geographical limitation upon acceding to the 1967 Protocol. Madagascar has not yet adhered to the Protocol.

All other States Parties ratified, acceded or succeeded to the Convention without a geographical limitation by selecting option (b), 'events occurring in Europe or elsewhere before 1 January 1951'.

Note:

¹ Ratification (r), Accession (a), Succession (d).

Appendix 44: The OAU convention governing the specific aspect of refugees problems in Africa

3 OAU CONVENTION GOVERNING THE SPECIFIC ASPECTS OF REFUGEE PROBLEMS IN AFRICA

Adopted on 10 September 1969 by the Assembly of Heads of State and Government. CAB/LEG/24.3. It entered into force on 20 June 1974.

PREAMBLE

We, the Heads of State and Government, assembled in the city of Addis Ababa,

1. **Noting with concern** the constantly increasing numbers of refugees in Africa and desirous of finding ways and means of alleviating their misery and suffering as well as providing them with a better life and future,
2. **Recognising** the need for an essentially humanitarian approach towards solving the problems of refugees,
3. **Aware**, however, that refugee problems are a source of friction among many Member States, and desirous of eliminating the source of such discord,
4. **Anxious** to make a distinction between a refugee who seeks a peaceful and normal life and a person fleeing his country for the sole purpose of fomenting subversion from outside,
5. **Determined** that the activities of such subversive elements should be discouraged, in accordance with the Declaration on the Problems of Subversion and Resolution on the Problem of Refugees adopted at Accra in 1965,
6. **Bearing** in mind that the Charter of the United Nations and the Universal Declaration of Human Rights have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,
7. **Recalling** Resolution 2312 (XXII) of 14 December 1967 of the United Nations General Assembly, relating to the Declaration on Territorial Asylum,
8. **Convinced** that all the problems of our continent must be solved in the spirit of the Charter of the Organisation of African Unity and in the African context,
9. **Recognising** that the United Nations Convention of 28 July 1951, as modified by the Protocol of 31 January 1967, constitutes the basic and universal instrument relating to the status of refugees and reflects the deep concern of States for refugees and their desire to establish common standards for their treatment,
10. **Recalling** Resolutions 26 and 104 of the OAU Assemblies of Heads of State and Government, calling upon Member States of the Organisation who had not already done so to accede to the United Nations Convention of 1951 and to the Protocol of 1967 relating to the Status of Refugees, and meanwhile to apply their provisions to refugees in Africa,
11. **Convinced** that the efficiency of the measures recommended by the present Convention to solve the problem of refugees in Africa necessitates close and continuous collaboration between the Organisation of African Unity and the Office of the United Nations High Commissioner for Refugees,

HAVE AGREED as follows:

ARTICLE 1 DEFINITION OF THE TERM "REFUGEE"

1. For the purposes of this Convention, the term "refugee" shall mean every person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of

his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

2. The term "refugee" shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.

3. In the case of a person who has several nationalities, the term "a country of which he is a national" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of which he is a national if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

4. This Convention shall cease to apply to any refugee if:

- (a) he has voluntarily re-availed himself of the protection of the country of his nationality, or
- (b) having lost his nationality, he has voluntarily reacquired it, or
- (c) he has acquired a new nationality, and enjoys the protection of the country of his new nationality, or
- (d) he has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution, or
- (e) he can no longer, because the circumstances in connection with which he was recognised as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality, or
- (f) he has committed a serious non-political crime outside his country of refuge after his admission to that country as a refugee, or
- (g) he has seriously infringed the purposes and objectives of this Convention.

5. The provisions of this Convention shall not apply to any person with respect to whom the country of asylum has serious reasons for considering that:

- (a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes,
- (b) he committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee,
- (c) he has been guilty of acts contrary to the purposes and principles of the Organisation of African Unity,
- (d) he has been guilty of acts contrary to the purposes and principles of the United Nations.

6. For the purposes of this Convention, the Contracting State of asylum shall determine whether an applicant is a refugee.

ARTICLE II ASYLUM

1. Member States of the OAU shall use their best endeavours consistent with their respective legislation to receive refugees and to secure the settlement of those refugees who, for well-founded reasons, are unable or unwilling to return to their country of origin or nationality.

2. The granting of asylum to refugees is a peaceful and humanitarian act and shall not be regarded as an unfriendly act by any Member State.
3. No person shall be subjected by a Member State to measures such as rejection at the frontier, return or expulsion, which would compel him to return to or remain in a territory where his life, physical integrity or liberty would be threatened for the reasons set out in Article I, paragraphs 1 and 2.
4. Where a Member State finds difficulty in continuing to grant asylum to refugees, such Member State may appeal directly to other Member States and through the OAU, and such other Member States shall in the spirit of African solidarity and international co-operation take appropriate measures to lighten the burden of the Member State granting asylum.
5. Where a refugee has not received the right to reside in any country of asylum, he may be granted temporary residence in any country of asylum in which he first presented himself as a refugee pending arrangement for his re-settlement in accordance with the preceding paragraph.
6. For reasons of security, countries of asylum shall, as far as possible, settle refugees at a reasonable distance from the frontier of their country of origin.

ARTICLE III PROHIBITION OF SUBVERSIVE ACTIVITIES

1. Every refugee has duties to the country in which he finds himself, which require in particular that he conforms with its laws and regulations as well as with measures taken for the maintenance of public order. He shall also abstain from any subversive activities against any Member State of the OAU.
2. Signatory States undertake to prohibit refugees residing in their respective territories from attacking any State Member of the OAU, by any activity likely to cause tension between Member States, and in particular by use of arms, through the press, or by radio.

ARTICLE IV NON-DISCRIMINATION

Member States undertake to apply the provisions of this Convention to all refugees without discrimination as to race, religion, nationality, membership of a particular social group or political opinions.

ARTICLE V VOLUNTARY REPATRIATION

1. The essentially voluntary character of repatriation shall be respected in all cases and no refugee shall be repatriated against his will.
2. The country of asylum, in collaboration with the country of origin, shall make adequate arrangements for the safe return of refugees who request repatriation.
3. The country of origin, on receiving back refugees, shall facilitate their re-settlement and grant them the full rights and privileges of nationals of the country, and subject them to the same obligations.
4. Refugees who voluntarily return to their country shall in no way be penalised for having left it for any of the reasons giving rise to refugee situations. Whenever necessary, an appeal shall be made through national information media and through the Administrative Secretary-General of the OAU, inviting refugees to return home and giving assurance that the new circumstances prevailing in their country of origin will enable them to return without risk and to take up a normal and peaceful life without fear of being disturbed or punished, and that the text of such appeal should be given to refugees and clearly explained to them by their country of asylum.

5. Refugees who freely decide to return to their homeland, as a result of such assurances or on their own initiative, shall be given every possible assistance by the country of asylum, the country of origin, voluntary agencies and international and intergovernmental organisations, to facilitate their return.

**ARTICLE VI
TRAVEL DOCUMENTS**

1. Subject to Article III, Member States shall issue to refugees lawfully staying in their territories travel documents in accordance with the United Nations Convention relating to the Status of Refugees and the Schedule and Annex thereto, for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require. Member States may issue such a travel document to any other refugee in their territory.

2. Where an African country of second asylum accepts a refugee from a country of first asylum, the country of first asylum may be dispensed from issuing a document with a return clause.

3. Travel documents issued to refugees under previous international agreements by State Parties thereto shall be recognised and treated by Member States in the same way as if they had been issued to refugees pursuant to this Article.

**ARTICLE VII
CO-OPERATION OF THE NATIONAL AUTHORITIES WITH THE ORGANISATION OF AFRICAN
UNITY**

In order to enable the Administrative Secretary-General of the Organisation of African Unity to make reports to the competent organs of the Organisation of African Unity, Member States undertake to provide the Secretariat in the appropriate form with information and statistical data requested concerning:

- (a) the condition of refugees,
- (b) the implementation of this Convention, and
- (c) laws, regulations and decrees which are, or may hereafter in force relating to refugees.

**ARTICLE VIII
CO-OPERATION WITH THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR
REFUGEES**

1. Member States shall co-operate with the Office of the United Nations High Commissioner for Refugees.

2. The Present Convention shall be the effective regional complement in Africa of the 1951 United Nations Convention on the Status of Refugees.

**ARTICLE IX
SETTLEMENT OF DISPUTES**

Any dispute between States signatories to this Convention relating to its interpretation or application, which cannot be settled by other means, shall be referred to the Commission for Mediation, Conciliation and Arbitration of the Organisation of African Unity, at the request of any one of the Parties to the dispute.

**ARTICLE X
SIGNATURE AND RATIFICATION**

1. This Convention is open for signature and accession by all Member States of the Organisation of African Unity and shall be ratified by signatory States in accordance with their respective constitutional processes. The instruments of ratification shall be deposited with the Administrative Secretary-General of the Organisation of African Unity.

2. The original instrument, done if possible in African languages, and in English and French, all texts being equally authentic, shall be deposited with the Administrative Secretary-General of the Organisation of African Unity.

3. Any independent African State, Member of the Organisation of African Unity, may at any time notify the Administrative Secretary-General of the Organisation of African Unity of its accession to this Convention.

**ARTICLE XI
ENTRY INTO FORCE**

This Convention shall come into force upon deposit of instruments of ratification by one-third of the Member States of the Organisation of African Unity.

**ARTICLE XII
AMENDMENT**

This Convention may be amended or revised if any Member State makes a written request to the Administrative Secretary-General to that effect, provided, however, that the proposed amendment shall not be submitted to the Assembly of Heads of State and Government for consideration until all Member States have been duly notified of it and a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two-thirds of the Member States Parties to the present Convention.

**ARTICLE XIII
DENUNCIATION**

1. Any Member State Party to this Convention may denounce its provisions by a written notification to the Administrative Secretary-General.

2. At the end of one year from the date of such notification, if not withdrawn, the Convention shall cease to apply with respect to the denouncing State.

**ARTICLE XIV
REGISTRATION WITH THE UNITED NATIONS**

Upon entry into force of this Convention, the Administrative Secretary-General of the OAU shall register it with the Secretary-General of the United Nations, in accordance with Article 102 of the Charter of the United Nations.

**ARTICLE XV
NOTIFICATIONS BY THE ADMINISTRATIVE SECRETARY-GENERAL OF THE ORGANISATION
OF AFRICAN UNITY**

The Administrative Secretary-General of the Organisation of African Unity shall inform all Members of the Organisation:

- (a) of signatures, ratifications and accessions in accordance with Article X;
- (b) of entry into force, in accordance with Article XI;
- (c) of requests for amendments submitted under the terms of Article XII;
- (d) of denunciations, in accordance with Article XIII.

IN WITNESS WHEREOF WE, the Heads of African State and Government, have signed this Convention.

DONE in the City of Addis Ababa this 10th day of September 1969.

Appendix 45: The universal declaration of human rights

United Nations Universal Declaration of Human Rights 1948

Universal Declaration of Human Rights 1

United Nations 2

Note

Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories.

Preamble 3

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, 4

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people. 5

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law, 6

Whereas it is essential to promote the development of friendly relations between nations, 7

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom, 8

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms, 9

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge, 10

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and 11

 United Nations Universal Declaration of Human Rights 1948

all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1 12

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. 13

Article 2 14

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. 15

Article 3 16

Everyone has the right to life, liberty and security of person. 17

Article 4 18

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. 19

Article 5 20

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. 21

Article 6 22

Everyone has the right to recognition everywhere as a person before the law. 23

 United Nations Universal Declaration of Human Rights 1948

Article 7 24

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8 26

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9 28

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10 30

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11 32

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12 35

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13 37

1. Everyone has the right to freedom of movement and residence within the borders of each state.

2. Everyone has the right to leave any country, including his own, and to return to his country.

 United Nations Universal Declaration of Human Rights 1948

- Article 14** 40
1. Everyone has the right to seek and to enjoy in other countries asylum from persecution. 41
 2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. 42
- Article 15** 43
1. Everyone has the right to a nationality. 44
 2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality. 45
- Article 16** 46
1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. 47
 2. Marriage shall be entered into only with the free and full consent of the intending spouses. 48
 3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State. 49
- Article 17** 50
1. Everyone has the right to own property alone as well as in association with others. 51
 2. No one shall be arbitrarily deprived of his property. 52
- Article 18** 53
- Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance. 54
- Article 19** 55
- Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. 56

Appendix 46: The 1967 protocol relating to the status of refugees

5

Protocol relating to the Status of Refugees

The Protocol was taken note of with approval by the Economic and Social Council in resolution 1186 (XLI) of 18 November 1966 and was taken note of by the General Assembly in resolution 2198 (XXI) of 16 December 1966. In the same resolution the General Assembly requested the Secretary-General to transmit the text of the Protocol to the States mentioned in article V thereof, with a view to enabling them to accede to the Protocol

entry into force 4 October 1967, in accordance with article VIII

The States Parties > to the present Protocol,

Considering that the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 (hereinafter referred to as the Convention) covers only those persons who have become refugees as a result of events occurring before 1 January 1951,

Considering that new refugee situations have arisen since the Convention was adopted and that the refugees concerned may therefore not fall within the scope of the Convention,

Considering that it is desirable that equal status should be enjoyed by all refugees covered by the definition in the Convention irrespective of the dateline 1 January 1951,

Have agreed as follows:

Article 1. General provision

1. The States Parties to the present Protocol undertake to apply articles 2 to 34 inclusive of the Convention to refugees as hereinafter defined.
2. For the purpose of the present Protocol, the term "refugee" shall, except as regards the application of paragraph 3 of this article, mean any person within the definition of article I of the Convention as if the words "As a result of events occurring before 1 January 1951 and..." and the words "...as a result of such events", in article 1 A (2) were omitted.
3. The present Protocol shall be applied by the States Parties hereto without any geographic limitation, save that existing declarations made by States already Parties to the Convention in accordance with article 1 B (I) (a) of the Convention, shall, unless extended under article 1 B (2) thereof, apply also under the present Protocol.

Article 2. Co-operation of the national authorities with the United Nations

1. The States Parties to the present Protocol undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of the present Protocol.
2. In order to enable the Office of the High Commissioner or any other agency of the United Nations which may succeed it, to make reports to the competent organs of the United Nations, the States Parties to the present Protocol undertake to provide them with the information and statistical data requested, in the appropriate form, concerning:
 - (a) The condition of refugees;
 - (b) The implementation of the present Protocol;
 - (c) Laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article 3. Information on national legislation

The States Parties to the present Protocol shall communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of the present Protocol.

Article 4. Settlement of disputes

Any dispute between States Parties to the present Protocol which relates to its interpretation or application and which cannot be settled by other means shall be referred to the International Court of Justice at the request of any one of the parties to the dispute.

Article 5. Accession

The present Protocol shall be open for accession on behalf of all States Parties to the Convention and of any other State Member of the United Nations or member of any of the specialized agencies or to which an invitation to accede may have been addressed by the General Assembly of the United Nations. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 6. Federal clause

In the case of a Federal or non-unitary State, the following provisions shall apply:

(a) With respect to those articles of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol that come within the legislative jurisdiction of the federal legislative authority, the obligations of the Federal Government shall to this extent be the same as those of States Parties which are not Federal States;

(b) With respect to those articles of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol that come within the legislative jurisdiction of constituent States, provinces or cantons which are not, under the constitutional system of the Federation, bound to take legislative action, the Federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of States, provinces or cantons at the earliest possible moment;

(c) A Federal State Party to the present Protocol shall, at the request of any other State Party hereto transmitted through the Secretary-General of the United Nations, supply a statement of the law and practice of the Federation and its constituent units in regard to any particular provision of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol, showing the extent to which effect has been given to that provision by legislative or other action.

Article 7. Reservations and declarations

1. At the time of accession, any State may make reservations in respect of article IV of the present Protocol and in respect of the application in accordance with article I of the present Protocol of any provisions of the Convention other than those contained in articles 1, 3, 4, 16(1) and 33 thereof, provided that in the case of a State Party to the Convention reservations made under this article shall not extend to refugees in respect of whom the Convention applies.

2. Reservations made by States Parties to the Convention in accordance with article 42 thereof shall, unless withdrawn, be applicable in relation to their obligations under the present Protocol.

3. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw such reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

4. Declarations made under article 40, paragraphs 1 and 2, of the Convention by a State Party thereto which accedes to the present Protocol shall be deemed to apply in respect of the present Protocol, unless upon accession a notification to the contrary is addressed by the State Party concerned to the Secretary-General of the United Nations. The provisions of article 40, paragraphs 2 and 3, and of article 44, paragraph 3, of the Convention shall be deemed to apply *mutatis mutandis* to the present Protocol.

Article 8. Entry into Protocol

1. The present Protocol shall come into force on the day of deposit of the sixth instrument of accession.

2. For each State acceding to the Protocol after the deposit of the sixth instrument of accession, the Protocol shall come into force on the date of deposit by such State of its instrument of accession.

Article 9. Denunciation

1. Any State Party hereto may denounce this Protocol at any time by a notification addressed to the Secretary-General of the United Nations.

2. Such denunciation shall take effect for the State Party concerned one year from the date on which it is received by the Secretary-General of the United Nations.

Article 10. Notifications by the Secretary-General of the United Nations

The Secretary-General of the United Nations shall inform the States referred to in article V above of the date of entry into force, accessions, reservations and withdrawals of reservations to and denunciations of the present Protocol, and of declarations and notifications relating hereto.

Article 11. Deposit in the archives of the Secretariat of the United Nations

A copy of the present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, signed by the President of the General Assembly and by the Secretary-General of the United Nations, shall be deposited in the archives of the Secretariat of the United Nations. The Secretary-General will transmit certified copies thereof to all States Members of the United Nations and to the other States referred to in article 5 above.

Appendix 47: The 2017 Tripartite Agreement guiding the repatriation process of Nigerian refugees from Cameroon.



TRIPARTITE AGREEMENT

FOR

THE VOLUNTARY REPATRIATION OF NIGERIAN REFUGEES

LIVING IN CAMEROON

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF CAMEROON,

THE GOVERNMENT OF THE FEDERAL REPUBLIC OF NIGERIA

AND

THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

A handwritten signature in black ink, likely representing the Government of Cameroon.

A handwritten signature in blue ink, likely representing the Government of Nigeria.

A handwritten signature in red ink, likely representing the United Nations High Commissioner for Refugees.

PREAMBLE

The Government of the Republic of Cameroon, the country of asylum, hereinafter referred to as the “the Government of Cameroon”,

The Government of the Federal Republic of Nigeria, the country of origin, hereinafter referred to as “the Government of Nigeria”,

The Government of the Republic of Cameroon and the Government of the Federal Republic of Nigeria, hereinafter referred to as “the two Governments”,

The United Nations High Commissioner for Refugees, hereinafter referred to as “the UNHCR”,

- (a) **Recalling** that Resolution 428 (V) of the General Assembly of the United Nations of 14 December 1950, which adopted the Statute of UNHCR, confers upon the Office of the High Commissioner the tasks of assuring the international protection and the identification of durable solutions for refugees, notably by promoting and facilitating their voluntary repatriation and reintegration, in their country of origin;
- (b) **Noting** the Convention on privileges and immunities of the United Nations adopted in New York, on 13 February 1946;
- (c) **Noting** the Branch Office Agreement of 8 May 1982 between the Government of Cameroon and UNHCR;
- (d) **Noting** the Branch Office agreement of 14 September 1982 between the Government of Nigeria and UNHCR;
- (e) **Recognizing** that the right of all citizens to leave and to return to their own country is a fundamental right enshrined in article 13(2) of the 1948 Universal Declaration of Human Rights and in Article 12 of the 1966 International Covenant on Civil and Political Rights;



1



- (f) **Considering** the Geneva Convention of 28 July 1951 and its Additional Protocol of 31 January 1967, as well as the Organisation of African Unity (OAU) Convention of 10 September 1969, governing Specific Aspects of Refugee Problems in Africa, to which the two Governments are parties, and which sets out in its Article V internationally accepted principles governing voluntary repatriation;
- (g) **Recalling** law No. 2005/006 of 27 July 2005 on the status of refugees in Cameroon and its enabling decree No. 2011/389 of 28 November 2011 that sets out the organization and operations of refugee management bodies in Cameroon;
- (h) **Recalling** specifically Article 35.1 of the 1951 Geneva Convention relating to the cooperation of national authorities with the United Nations and the monitoring tasks of the provisions of this Convention conferred on the United Nations High Commissioner for Refugees (UNHCR);
- (i) **Cognizant** that Conclusions 18 (XXXI, 1980), 40 (XXXVI, 1985), 74 (XLV, 1994) and 101 (LV, 2004) of the Executive Committee of the High Commissioner's Programme established internationally recognized principles and norms governing the voluntary repatriation of refugees;
- (j) **Mindful of** the atrocities committed by the terrorist group Boko Haram in Nigeria, which, since 2011, have led to the flight of thousands of Nigerian refugees to Cameroon in search of asylum;
- (k) **Recalling** the concerted efforts of the Nigerian government at the local and Federal levels and with the support of the Multinational Joint Task Force (MNJTF) to reestablish peace and tranquility in affected states in the North East Nigeria, the area of origin of the majority of refugees;
- (l) **Recalling** the hospitality provided to the refugees by the Cameroonian population, particularly those of the Far North Region, and the great efforts and sacrifice made by the Government of Cameroon to facilitate their stay on Cameroonian territory;
- (m) **Considering** the working visit made to Cameroon on 22 and 23 February 2016 by the Nigerian Minister of Interior and the Final Communique issued at the end of the State visit of the President of Cameroon to Nigeria on 4 May 2016 and the Joint Press Release issued thereafter;
- (n) **Reaffirming** that voluntary repatriation, local integration and resettlement are the traditional durable solutions for refugees, and that in many situations a combination



of these solutions within the framework of a comprehensive approach will be necessary to achieve the lasting resolution of a refugee situation;

- (o) **Reiterating** that voluntary repatriation requires that refugees will voluntarily return in and to conditions of safety and dignity; Reiterating the essentially voluntary character of repatriation [as laid down in Article V paragraph 1 of the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa];
- (p) **Recognizing** the need to define the specific procedures and modalities for the voluntary repatriation of Nigerian refugees living in Cameroon and their reintegration in Nigeria, through UNHCR and other United Nations institutions and with the assistance of other intergovernmental and non-governmental organizations;

Have agreed upon the following:

I. GENERAL PROVISIONS

ARTICLE 1
Definitions

For the purposes of the present Agreement,

- 1.1. The term **“Refugee”** refers to any person of Nigerian nationality or any person without nationality whose usual residence was in Nigeria, and who has found refuge in the Republic of Cameroon in line with the relevant national, regional and international legal instruments.
- 1.2. The term **“Repatriated Refugee”** refers to any refugee, as defined in article 1.1, who has voluntarily returned to Nigeria.
- 1.3. The term **“Spontaneously Returned Refugee”** applies to any refugee, as defined in the present article, who has voluntarily returned to the Federal Republic of Nigeria without assistance and without informing the parties to the present agreement of their return prior to such return.
- 1.4. The term **“Parties”** refers to the Government of the Republic of Cameroon, Government of the Federal Republic of Nigeria, and UNHCR in the two countries.

- 1.5. The system of **asylum** refers to the legal framework, institutions and practices which determine who qualifies as a refugee.
- 1.6. The term "**Commission**" refers to the Tripartite Commission for voluntary return established by the parties under Article 22 of the present Agreement.

ARTICLE 2
Voluntary Character of Repatriation

- 2.1. The parties reaffirm that the repatriation of refugees from the Federal Republic of Nigeria living in the Republic of Cameroon will be done solely on the basis of their freely expressed will and on relevant and reliable knowledge of the prevailing situation in Nigeria including in areas of return.
- 2.2. The Parties shall provide refugees with relevant and reliable information on conditions within the country of origin and the area of intended return on which they may base their decision to return.
- 2.3. The parties agree that Nigerian refugees who decide not to avail themselves of voluntary repatriation under this Agreement shall not be directly or indirectly coerced to return to Nigeria and that their refugee status shall continue to be recognized by the Governments of Nigeria and Cameroon and by UNHCR and governed by the principles, norms and standards of international protection, enacted by the conventions and texts cited in the preamble.

ARTICLE 3
Voluntary repatriation in security and dignity

- 3.1. The parties shall agree that the voluntary repatriation of Nigerian refugees under this Agreement shall take place only when the conditions are favourable for the return of refugees in safety and dignity to the place of their final destination in Nigeria.



4



- 3.2. The Government of Cameroon shall be responsible for the safety and security of refugees, seeking voluntary repatriation as long as they shall be on Cameroonian territory, including in camps, assembly areas and when travelling in convoy to the designated border crossing points. The Government of Nigeria shall be responsible for the safety and security of the returnees from the moment the latter shall arrive on Nigerian territory.
- 3.3. The Parties agree that the voluntary repatriation and reintegration programmes shall assist refugees to return to their final destination in Nigeria, and assist returnees to reintegrate there, each in safety and dignity.
- 3.4. The Governments shall simplify identification, border crossing and entry requirements for returning refugees, including the import of personal belongings and shall inform the Commission of all current procedures and any subsequent amendments.

ARTICLE 4
Preservation of Family Unity

- 4.1. In accordance with the principle of family unity, the parties shall put in place mechanisms to ensure that refugee families are not arbitrarily separated but shall be repatriated as units. In case of failure, a mechanism shall be established and implemented to facilitate their reunification in Nigeria.
- 4.2. In order to preserve family unity, spouses and/or children of repatriating refugees who are themselves not citizens of Nigeria shall be allowed to enter and live in Nigeria. This principle established herein shall also apply to non-Nigerian spouses as well as children of deceased Nigerian refugees who shall express the wish to enter and stay in Nigeria for family reasons.

ARTICLE 5
Freedom of choice of destination

The parties reaffirm that refugees shall have the right and freedom to return and settle in their former place of residence or in any other place of their choice in Nigeria.



5



ARTICLE 6
Legal status and equivalences

- 6.1. The Government of Cameroon shall facilitate the formalities to allow Nigerian refugees to obtain certificates stating their civil status, such as birth, death, adoption, marriage and divorce certificates, as well as other documents related to their legal status during their stay in the Republic of Cameroon. In view of the voluntary repatriation operation, an accelerated system shall be established.
- 6.2. The Government of Cameroon shall also provide refugees, before their repatriation, and at their request, with authentic diplomas and academic certificates that concern them and which they obtained during their stay in Cameroon.
- 6.3. The Government of Nigeria shall recognize all changes of personal status of refugees that occurred during their stay in the Republic of Cameroon including births, deaths, adoptions, marriages and divorces.
- 6.4. The Government of Nigeria shall put in place mechanisms to enable it to recognize, on a case by case basis, diplomas/degrees from universities or professional institutions obtained by refugees during their stay in Cameroon and will deliver appropriate equivalents in conformity with the law at [no/reduced] cost.

ARTICLE 7
UNHCR access to refugees and returnees

- 7.1. The Government of Cameroon shall take all necessary steps to guarantee UNHCR's free access to refugees from the Federal Republic of Nigeria living on its territory, for the full implementation of the voluntary repatriation programme. In the same manner, refugees shall be granted free access to UNHCR in Cameroon as will all those repatriated to the Federal Republic of Nigeria, and UNHCR shall have free and unhindered access to all repatriated refugees in Nigeria.
- 7.2. The Government of Nigeria shall cooperate closely with UNHCR in order to ensure that repatriating refugees are treated in accordance with humanitarian and human rights standards in force, including the implementation of the commitments contained in this Agreement.



6



- 7.3. To enable UNHCR to carry out its monitoring functions in accordance with paragraphs 1 and 2 of this Article as well as Article 9, the Government of Nigeria will inform UNHCR about every case of arrest, detention and legal proceedings involving repatriated refugees, and will provide UNHCR with the relevant legal documentation on these cases, as well as grant UNHCR free access to repatriated refugees who may be under arrest or in detention.
- 7.4. Access provided to UNHCR under the first paragraph of the present Article must be, if necessary, extended to other agencies of the United Nations or to international or national non-Governmental organizations with whom UNHCR has concluded agreements for the implementation of one, or several components of the repatriation operation envisaged in this Agreement.

ARTICLE 8
Guarantees upon Return

- 8.1. The Government of Nigeria shall take the necessary measures to ensure that refugees can voluntarily return in safety and dignity, without any fears of harassment, intimidation, persecution, discrimination, prosecution, or any other punitive sanctions whatsoever for having left the Federal Republic of Nigeria or for having stayed abroad as refugees.
- 8.2. The Government of Nigeria shall ensure that repatriated refugees have access to land to establish themselves and to farm, and to exercise any lawful economic activity of their choice, according to the legislation in place and the pertinent international conventions to which Nigeria is party.
- 8.3. The Government of Nigeria shall facilitate, to the degree possible, all measures of reintegration by repatriated refugees through restitution of their lands or other personal effects, in accordance with legislation in place and pertinent international conventions to which Nigeria is party. In accordance with international law and principles, this right of restitution is not conditional on return of the refugees to Nigeria.



7



- 8.4. The Government of Nigeria shall ensure that all repatriated refugees are exempt from paying various taxes such as, income tax, import duties and national financial obligations for a period of one year or for another duration deemed necessary, in accordance with arrangements provided by national legislation.


II. **ADDITIONAL RESPONSIBILITIES OF THE PARTIES**

ARTICLE 9
Supervisory role

- 9.1. The Governments commit themselves to respect the supervisory and coordinating role of the voluntary repatriation of refugees by UNHCR, to ensure that the repatriation is carried out voluntarily and in compliance with conditions of safety and dignity.
- 9.2. Correlatively, UNHCR commits itself to cooperate with all relevant Government structures, the United Nations, as well as international and non-Governmental organizations involved with providing assistance to refugees from Nigeria and for the implementation of voluntary repatriation.

ARTICLE 10
**Rehabilitation of refugee reception centres and
resources for repatriation and reintegration activities**

- 10.1. At the end of the voluntary repatriation operation, UNHCR will play its role as a catalyst, in collaboration with the two Governments, with a view to soliciting support from the international community, particularly donors, to help in the rehabilitation of the areas that have been affected by the presence of refugees.
- 10.2. The parties shall do their best to obtain from the international community the necessary resources to implement the repatriation operation. The parties shall also endeavor to obtain the resources required to implement reintegration, rehabilitation and reconstruction activities in Nigeria, in accordance with internationally-agreed development goals and related national planning efforts. The Government of Nigeria shall make appropriate arrangements to include the needs of repatriated refugees in national reconstruction and development plans.



ARTICLE 11
Spontaneous returns

- 11.1. The parties acknowledge that all guarantees and other arrangements stated in this present Agreement and which govern the voluntary repatriation of refugees from Nigeria living in Cameroon will be applied also to those who spontaneously return to Nigeria by their own means.
- 11.2. The parties acknowledge that refugees from Nigeria living in Cameroon who decide to return without assistance will do so at their own pace and by their own means.

ARTICLE 12
Public Information Campaign

- 12.1. In cooperation with the two Governments, UNHCR will organize information campaigns for Nigerian refugees in order to provide them with objective and accurate information on the repatriation and reintegration process in Nigeria so that they can make a well informed decision regarding voluntary repatriation.
- 12.2. The parties will facilitate visits of Nigerian authorities and other actors to Cameroon to meet with Nigerian refugees so that refugees are informed of the prevailing situation in Nigeria.
- 12.3. In order to create favourable conditions of reintegration of repatriated refugees in safety and dignity, the Government of Nigeria shall take all necessary measures to sensitise the populations residing in regions where refugees are going to be repatriated.

ARTICLE 13
Acknowledgement visits by Refugee Representatives (Go and See/Come and Tell)

- 13.1. The parties shall facilitate, where necessary, visits to Nigeria of representatives of the refugee population in Cameroon, for them to acquaint themselves with the prevailing situation in potential areas of return and report back to refugees in Cameroon (Go and See Visits).



9



13.2. The parties shall ensure that "Go and See Visits" are held within a reasonable timeframe before the promotion of voluntary repatriation.

13.3. The Government of Nigeria shall be responsible for the safety and security of the refugee representatives during the "Go and See Visits" to Nigeria and the two Governments shall permit the refugees to return to Cameroon at the end of such visits without losing their refugee status on account of such a visit.

ARTICLE 14

Registration and documentation

14.1. As guarantor of the voluntary character of the decision to return, UNHCR shall plan, in consultation with the Governments, the most appropriate means to register the presence, personal information and intentions of refugees from Nigeria in Cameroon who express the wish to be repatriated.

14.2. The Voluntary Repatriation Form (VRF), issued by UNHCR on the basis of registration data shall be recognized by both Governments as a valid identification document as well as an official travel document during the voluntary repatriation until they reach their final destination in Nigeria. The format and content of this form shall be adopted by mutual agreement amongst the parties and included in the practical modalities of this Agreement.

14.3. The Government of Nigeria shall facilitate the delivery of national identity documentation [at no/reduced cost] needed for the reintegration of repatriated refugees.

ARTICLE 15

Particular measures for vulnerable groups

15.1. The parties shall take particular measures so that groups with specific needs shall benefit from protection, assistance and adequate care during all stages of the repatriation and reintegration processes, according to relevant international legal principles and standards.

15.2. In particular, the parties shall undertake measures to ensure that unaccompanied or separated children are not returned prior to adequate tracing of



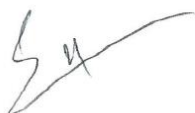
family members or without specific and adequate reception and care-taking arrangements in place in Nigeria. No unaccompanied or separated child shall be repatriated by one or more of the parties unless a formal best interest of the child determination has concluded the appropriateness of this durable solution.

ARTICLE 16
Transfer of detainees

- 16.1. The Governments agree that Nigerian refugees who have been sentenced to a period of imprisonment for the commission of an imprisonable offence in Cameroon and who are in prison may be transferred to Nigeria if they wish to be. The parties will co-operate to ensure that the appropriate arrangements will be made to transfer and detain them in Nigeria, where practicable for the remainder of their sentence in accordance with the principles of international law.
- 16.2. The persons concerned in article 16.1 shall serve in Nigeria, the sentence pronounced by Cameroonian courts.

ARTICLE 17
Agreed Exit and Entry Border Points

- 17.1. The Parties shall agree on the mode of repatriation of refugees from Nigeria, by land or air taking full account of security situation on the ground and the safety and security of refugees.
- 17.2. The Parties shall come to an understanding on border points for exit and entry for organized voluntary repatriation movements. The agreement as to border crossing points can be modified according to the operational requirements of the repatriation exercise.
- 17.3. The Government of Nigeria shall facilitate UNHCR's access by air to the airfields closest to the destinations of repatriating refugees even if these are not among the designated entry points. The Government of Nigeria shall also facilitate customs and immigration formalities at these airports.



11



ARTICLE 18**Customs, Quarantine and Immigration formalities**

- 18.1. To facilitate the rapid return of refugees and their belongings, the Governments shall facilitate health, customs and immigration formalities normally carried out at border crossings, provided that such measures will not give rise to the carriage of prohibited items.
- 18.2. The personal belongings of the repatriating refugees, including livestock and foodstuffs designated for personal consumption, shall be exempt from all customs duties and taxes.
- 18.3. The Governments shall also exempt repatriating refugees from all taxes on passengers as well as other road or airport taxes for vehicles that enter or transit on their respective territories, under the auspices of UNHCR, within the framework of the repatriation operation.

ARTICLE 19**Movement and security of personnel and resources of UNHCR**

- 19.1. The Governments shall facilitate the movements of the personnel of UNHCR and its operational partners, as well as vehicles, personal effects, relief goods and equipment used for the repatriation and reintegration process in Cameroon and Nigeria.
- 19.2. The Governments shall authorize UNHCR to deliver to its personnel, for the duration of the repatriation operation, documents to facilitate their passage at the borders in both directions, the format of which shall be decided by a common agreement between the parties.
- 19.3. The Governments shall take appropriate measures to ensure the security of UNHCR and partner personnel and of all personnel engaged in the repatriation operation that is the subject of the present Agreement.



12



ARTICLE 20**Personal effects, material and equipment**

- 20.1. The Governments shall exempt UNHCR and its partners from taxes, rights and deductions in respect of all personal effects, material equipment and means of transport designated for the repatriation and reintegration operations. The parties shall expedite the clearance and handling of such items.
- 20.2. The Governments shall authorize UNHCR to use UN communications equipment, including satellite communication networks, designated frequencies and networks for cross-border and internal communication between offices, vehicles and staff and may, whenever operational requirements make this necessary, facilitate the allocation of other frequencies. The relevant written authorizations for equipment, frequencies and cross-border networks shall be issued to UNHCR in accordance with national laws and regulations.

ARTICLE 21**Additional UNHCR Offices**

UNHCR may open additional offices, in places to be defined in agreement with the concerned Government whenever it deems necessary, with a view to carrying out most effectively its responsibilities arising from the present Agreement.

III. TRIPARTITE COMMISSION ON VOLUNTARY REPATRIATION**ARTICLE 22****Creation of the Tripartite Commission**

- 22.1. The Parties create by the present Agreement a Tripartite Commission charged with the Voluntary Repatriation of Nigerian refugees from Cameroon.
- 22.2. The Parties shall cooperate with members of the Commission at all stages of the Voluntary Repatriation.



13



ARTICLE 23**Composition of the Commission**

The Commission shall be composed of six (6) members. The Government of Nigeria and the Government of Cameroon will each appoint two (2) members and their substitutes. UNHCR will appoint two (2) members, one chosen in its office in the Federal Republic of Nigeria and the other from its office in the Republic of Cameroon. The names of the members and their substitutes will be given during the month following the signature of the present Agreement.

ARTICLE 24**Role and function of the Commission**

- 24.1. The Commission will be in charge of developing and supervising the execution of measures whose purpose is to facilitate the voluntary repatriation and to further the reintegration of Nigerian refugees living in Cameroon; and to counsel the Parties.
- 24.2. The Commission may invite the contributions of experts or observers as necessary to enrich its deliberations.

ARTICLE 25**Meetings of the Commission**

- 25.1. The Commission adopts its own internal regulations.
- 25.2. The meetings of the Commission shall be called whenever necessary, within a given time period and at a venue agreed by its members, according to its internal regulations.

ARTICLE 26**Setting up a Technical Working Group**

- 26.1. The Tripartite Commission shall put in place a Technical Working Group on voluntary repatriation in order to assist it in carrying out its responsibilities.



26.2. The Technical Working Group, that will meet whenever necessary alternatively in Cameroon and Nigeria, shall articulate an operational plan and timetable to guide the implementation of the voluntary repatriation exercise.

26.3. In addition to the above, other sub-working groups may be established as necessary.

ARTICLE 27

Composition of the Technical Working Group

27.1. The Technical Working Group shall be composed of experts responsible for the management of refugees and repatriated refugees representing the Parties. The persons selected, may or may not be members of the Commission.

27.2. The meetings of the Technical Working Group shall be sanctioned by a meeting report and a press release established by the Secretariat overseen by the Commission with the operational support of UNHCR.

ARTICLE 28

Validity of other Agreements

Nothing in, or relating to this Agreement shall be interpreted so as to conflict with the validity of any other agreement, arrangement or mechanism of cooperation existing between the Governments and UNHCR, including headquarter's agreement. Where appropriate, these agreements or mechanisms could be invoked and applied to facilitate the implementation of the objectives of the present Agreement, which relates to the voluntary repatriation and reintegration of Nigerian refugees.

ARTICLE 29

Privileges and Immunities

No part of the present Agreement or that which refers to it, will be considered as a waiver, explicit or implied, to the privileges and immunities whatsoever, which may be enjoyed by UNHCR as part of the United Nations, in accordance with international conventions or any other agreement, law or decree of international, national or other character.





ARTICLE 30
Resolution of Disputes

Any dispute arising from the interpretation or application of this Agreement for which no provision is expressly made herein, shall be resolved amicably through consultations between the parties in accordance with internationally recognized standards.

ARTICLE 31
Entry into Force

The present Agreement will enter into force upon the signature of the Parties.

ARTICLE 32
Amendments

The present Agreement may be amended by written mutual consent between the Parties within a period of thirty (30) days from the date of notice of proposed amendment.

ARTICLE 33
Validity

This Agreement shall remain in force until it is terminated by consent of the Parties or upon the issuance of written notice of termination by one signatory to the other signatories, which notice shall become effective at the end of ninety (90) days from the date of issuance, excepting expressly the elements of the obligations of Articles 2 through 8 inclusive, which reflect international law and principles independent of this Agreement and which thus continue.

IN WITNESS WHEREOF, this Agreement has been signed by the representatives designated below, duly authorized by the Government of the Republic of Cameroon, the Government of the Federal Republic of Nigeria and UNHCR.

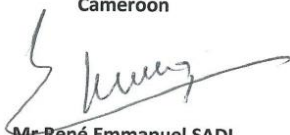


16



DONE IN Yaounde on 2nd March 2017 in three original copies in English and French. The two versions shall have equal weight.

For the Government of the Republic of
Cameroon



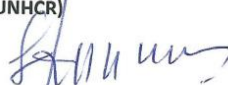
Mr René Emmanuel SADI
Minister of Territorial Administration and
Decentralization

For the Government of the Federal Republic
of Nigeria



Lt. Gen. (Rtd) Abdulrahman Bello
DAMBAZAU CFR PhD
Honorable Minister of Interior

For the Office of the United Nations High Commissioner for Refugees
(UNHCR)



Mr Kouassi Lazare ETIEN
UNHCR Representative in Cameroon



Appendix 48: Remark of the Honourable Minister of Interior at the Inauguration of the Tripartite Agreement for the Voluntary Repatriation of Nigerian Refugees living in Cameroon.

DRAFT**REMARK BY THE HONOURABLE MINISTER OF INTERIOR LT. GEN. ABDULRAHMAN BELLO DAMBAZAU CFR (RTD), Ph.D., AT THE INAUGURATION OF THE TRIPARTITE COMMISSION FOR THE IMPLEMENTATION OF THE TRIPARTITE AGREEMENT FOR THE VOLUNTARY REPATRIATION OF NIGERIAN REFUGEES LIVING IN CAMEROON AT TRANSCORP HILTON HOTEL, ABUJA ON THURSDAY, 10TH AUGUST, 2017****Protocol**

I am very delighted and honoured to be here today to inaugurate the meeting of Tripartite Commission for the implementation of the Tripartite Agreement for the Voluntary Repatriation of Nigerian Refugees Living in Cameroon. It could be recalled that it was in June, 2016 at this venue the Agreement was drafted by Nigeria, Cameroon and the UNHCR, along with other stakeholders. The purpose was to develop a road map for advocacy on voluntary and dignified return of the refugee in compliance with international standards.

2. However, we have not been able to implement the Agreement more than twelve months after it was drafted, and over four months after it was signed on 2nd March, 2017 in Yaoundé, Cameroon. In actual fact, the signing only binds the parties to the principles spelt out in the Agreement to guide voluntary, dignified and safe return of the refugees to their choice destinations in Nigeria.

3. The Tripartite Agreement for the Voluntary Repatriation of Nigerian Refugees living in Cameroon is premised on International and Regional Conventions Institutionalizing the Rights of Refugees by ensuring their

return in a dignified manner hence the underpinning rationale for the signing of the Agreement between the Parties.

4. The Commission Members were nominated in line with Article 23 of the Agreement. Two members each are to represent the parties and their substitutes. The Commission is charged with the responsibility of supervising and executing measures that will facilitate the implementation of the Agreement.

5. It is therefore, the duty of the Tripartite Commission as provided in the Agreement to drive the critical process that would bring the Agreement into force. This is why this maiden meeting meant to herald the activities of the Commission should be seen as very crucial.

6. Already, the war against the insurgents has been won through the joint efforts of our regional armies as well as the support of the international community who also share in the attendant unquantifiable human, material and financial resources.

5. On behalf of the Government and people of the Federal Republic of Nigeria, I wish to reiterate our appreciation to the Government and people of Cameroon for their sacrifice towards this course. I must also thank the United Nations High Commission for Refugees for their material and financial support to the refugees and for facilitating the Agreement.

7. It is important to remind ourselves that this effort would seem meaningless until the refugees are able to safely return back to their ancestral homes. Therefore, having signed the Agreement, the

international community and particularly the refugees are eagerly expecting us to walk the talk by taking practical steps to implement the Agreement in order to alleviate the predicament of the refugees.

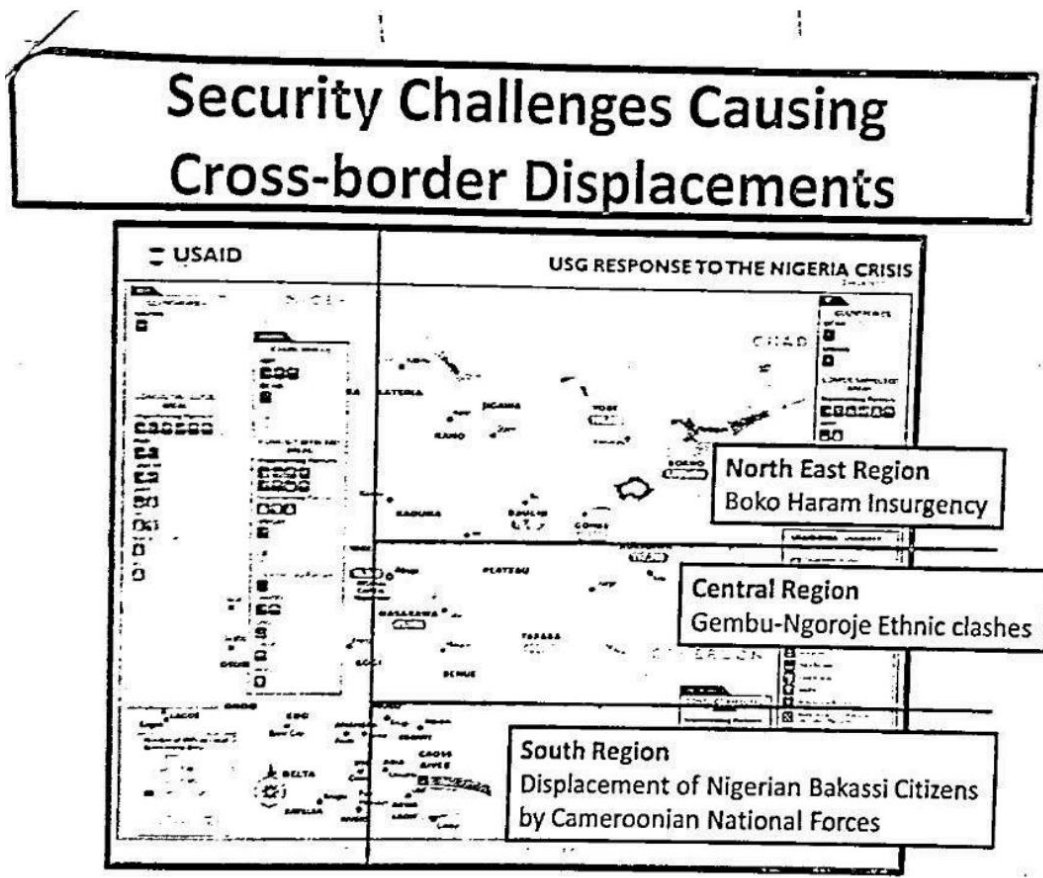
8. In this regard, it is instructive to note that a lot needs to be done for the Tripartite Commission to achieve its mandate. This will also require the same high passion and commitment that fueled the process of production and signing the Agreement. Our mutual cooperation at this critical stage of the process is therefore very paramount. I therefore, appeal for cooperation of all stakeholders to deploy all resources within our powers to ensure full realization of the goals of the Tripartite Commission.

9. It is believed that the Commission will at the end of this meeting charge the Technical Working Group (TWG) to produce the operational modalities and roadmap for the smooth implementation of the Tripartite Agreement.

10. On this note, I hereby inaugurate the Tripartite Commission.

Thank you.

Appendix 49 : Security Challenges causing Cross-border Displacements



Appendix 50 : Statistics of Nigerian refugees in the Extreme North as of 2014

Statistiques Réfugiés Nigerian Extreme NordSituation des réfugiés dans les départements d'accueil dans la Région de l'Extrême – Nord

Nbre de réfugiés déclarés par les autorités régionales	Départements d'accueil	Nbre de réfugiés recensés par les autorités	Nbre de réfugiés vérifiés et pré enregistrés par le HCR	Nbre de réfugiés transférés au camp de Minawao	Reste à transférer du Nbre de réfugiés pré enregistrés
30 000	Mayo Tsanaga	3677	3651	1163	2488
	Mayo Sava	4205	1966	893	1073
	Logone-et-Charl	4600	-	-	-
	Total	12482	5617	2056	3561

Population totale des réfugiés du camp de Minawao.

Tranches d'âge	0 – 5	6 – 11	12 – 17	18 – 24	25 – 49	50 et Plus	Total
Hommes	299	209	138	137	253	88	1124
Femmes	300	214	133	154	262	78	1141
Total	599	423	271	291	515	166	2265

Source: UNHCR Cameroon

Appendix 51 : Statistics of CAR Refugees in Cameroon as of 2014

Source

Statistics of Central African Refugees in Cameroon as of 05 February 2014

Location	Old Cases (arrived since 2004)	New Arrival between March To November 2013 following March coup d'etat	New Arrival during December 2013 following the implication of new armed group Anti-Balaka	New arrival in January 2014 following the resignation of the transitional President	Total
East (Bertoua)	50302	1234	0	8,191	59747
Adamawa (Meiganga)	36,845	0	463	7,619	44,927
Centre (Yaoundé)	4,076	2044	238	731	7,089
Littoral (Douala)**	998	1,851	286	641	3,776
Total	92,221	5,149	987	17,182	115,539

New Arrival since January 2014

Location	Number recorded by local authorities	Number verified and pre-registered by UNHCR	Number not yet verified by UNHCR	Entry points at the borders							
				Garoua Boulai	Kentzou: En cours	Yamba	Gbatoua Goodolé	Diel	Damissa	Total	
East (Bertoua)	8,191	8,191	-	1,326	6855						
Adamawa (Meiganga)	7,619	4,566	3,053			3,460	3020				450
Centre (Yaoundé)**	731	731	-			Garoua Boulai	Douala	Touboro	Mbar-mboum	Autre	157
Littoral (Douala)**	641	641	-			315	122	88	49		
Total	17,182	14,129	3,053			Garoua-Boulai	Kentzou	Douala	Yaoundé	Autre	92
				407	76	56	10				

** In the East and Adamawa regions, asylum seekers when they arrived at the borders they were registered at first by local authorities

** In Douala, Yaounde, asylum seekers came directly to UNHCR offices.

Source: UNHCR Cameroon

Appendix 52 : Statistics of the number of Asylum seekers in Cameroon as of 2014



STATISTICS OF REFUGEES AND ASYLUM SEEKERS AS OF 12/02/2014

Location	Old Cases (arrived since 2004)	New Arrival between November 2013-following March coup d'etat	New Arrival during March To 2013 following the Implication of new armed group Anti-Balaka	New arrival in January 2014 following the resignation of the Transitional President	Total
East (Bertoua)	50302		1254	0	13 740
Adamawa (Meiganga)	36 845		0	463	8 950
Centre (Yaoundé)	4 076		2044	238	895
Littoral (Douala)	998		1 851	286	640
Total	92 221		5 149	987	24 225
					122 582

New arrivals since January 2014

Location	Number recorded by local authorities	Number verified and pre-registered by UNHCR	Number not yet verified by UNHCR	Entry points at the borders						
East (Bertoua)	13 740	13 740	-	Garoua Boulai : 4 307	Kentzou : 9 433					
Adamawa (Meiganga)	8 950	8 950		Ngaoui : 5 001	Yamba : 3 477	Gbatoua Godolé : 311	Autre : 161			
Centre (Yaoundé)**	895	895	-	Garoua Boulai : 366	Douala : 130	Touboro : 99	Mbali-imboun : 58			
Littoral (Douala)**	640	640	-	Garoua-Boulai : 407	Kentzou : 76	Douala : 56	Yaoundé : 10			
Total	24 225	24 225	-							

* In the East and Adamawa regions, asylum seekers when they arrived at the borders they were registered at first by local authorities

** In Douala, Yaounde, asylum seekers came directly to UNHCR offices..

Source : UNHCR Cameroon

Appendix 53 : UNHCR Cameroon Factsheet June 2016



**CAMEROON
FACTSHEET**

June 2016

UNHCR FACT SHEET

Highlights

259,145

CAR refugees registered by UNHCR in rural areas in the East, Adamaoua and North regions, of which 158,418 arrived since December 2013

65,172

Nigerian refugees in the Far North region (of which 56,921 are registered at Minawao camp)

190,591

Internally Displaced Persons in the Far North region (source: latest DTM by IOM)

Population of concern

574,382 people of concern to UNHCR

By country of origin

Country	Total PoC
CAR	259,145
Nigeria	65,172
Urban refugees*	23,678
Asylum seekers	5,211
IDPs	190,591
IDPs returnees	30,585
Total	574,382

*incl. CAR and Nigerian refugees living in urban areas

UNHCR Presence

Staff: 240

61 International staff
136 National staff
43 UN Volunteers (7 International and 35 National)

Offices:

7 offices:
Branch Office – Yaoundé
Sub Offices – Bertoua and Maroua
Field Offices – Meiganga, Batouri and Douala
Field Unit – Djohong

Funding situation (including UNHCR's regular country programme, the operation is 21% funded (US\$ 20.2 m received out of 95.6 m requested)

CAR Situation
UNHCR Cameroon
budgetary requirements:
US\$ 27.9 million
27 June 2016

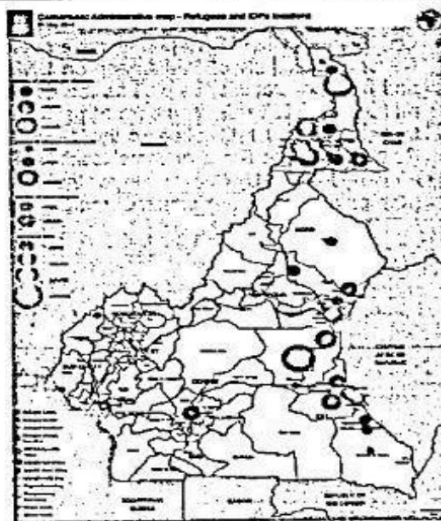


■ Funded ■ Unmet needs

Nigeria Situation
UNHCR Cameroon
budgetary requirements:
US\$ 55.5 million
27 June 2016



■ Funded ■ Unmet needs



WORKING WITH PARTNERS

- UNHCR coordinates protection and assistance for refugees in collaboration with:
 - **Government Partners:** Ministries of External Relations, Territorial Administration and Decentralization, Economy, Planning and Regional Development, Public Health, Women Empowerment and Family, Social Affairs, Justice, Basic Education, Water and Energy, Youth and the National Employment Fund.
 - **Implementing Partners:** *Action Contre la Faim* (ACF), Africa Humanitarian Action (AHA), African Initiatives for Relief and Development (AIRD), *Agence pour le Développement Economique et Social* (ADES), CARE International, Croix Rouge Française (CRF), FAIRMED, International Federation of the Red Cross (IFRC), InterSos, International Medical Corps (IMC), Lutheran World Federation (LWF), Plan International, *Première Urgence - Assistance Médicale Internationale* (PU-AMI), Public Concern and Solidarités International.
 - **Operational Partners:** *Médecins Sans Frontières* (MSF); ICRC, Adventist Relief Agency (ADRA), ASOL and Red Deporte.
 - **UN Agencies:** WFP, UNICEF, WHO, UNFPA, UN Women, FAO, UNESCO, IOM, UNDP and OCHA.
 - **Operational coordination:** In accordance with the "Joint OCHA-UNHCR Note on Mixed Situations – Coordination in Practice" the responsibility to coordinate the overall humanitarian response in the Far North has been delegated to UNHCR. UNHCR sectors are utilized to deliver assistance to IDPs and other affected groups. All sectors are operational holding regular meetings. Each sector is led by a Government entity and co-led by UN agencies. There is also a bi-monthly regional Multi-Sector Operations Team meeting in Maroua chaired by UNHCR, which brings together more than 40 humanitarian partners intervening in the Far North region.

The response for CAR refugees is managed in line with the *Refugee Coordination Model*. Sectorial groups have been established by UNHCR, covering the whole operational area, and region-based coordination mechanisms exist, although mostly in the East region. Local authorities have been very engaged in the management of the refugee operation, in particular the Governors of the North, East and Adamaoua regions, the administrative authorities at the *departement* and *arrondissement* levels, armed forces and delegates from line ministries at the regional level. UN agencies and international NGOs have been instrumental in implementing activities for CAR refugees and host populations.

At capital-level, UNHCR leads the Multi-Sector Operations Team for the Refugee Response and the national Protection Working Group, and actively participates in other relevant humanitarian coordination mechanisms and the Humanitarian Country Team.

MAJOR DEVELOPMENTS

- On 16 June, UNHCR Representative briefed members of the Law and Foreign Affairs Committees of the National Assembly of Parliament, on UNHCR's activities targeting refugees, internally displaced persons and host populations, as well as the challenges UNHCR is facing. He also seized this opportunity to make a plea towards members of parliament to encourage the Cameroonian government to proceed with the signing and ratification of the 1954 Convention on Statelessness and the 1961 Convention on the Reduction of the Risks of Statelessness. The Representative also urged for the legal domestication of the African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), which Cameroon ratified in 2014.

MAIN ACTIVITIES

- Further to the clashes that occurred at the beginning of June in Ngaoundaye (CAR) between ex-Seleka and anti-Balaka, UNHCR deployed a border monitoring team on 11 June to the Cameroonian border town of Touboro. UNHCR registered 76 persons, including 2 men, 54 children and 20 women, that fled from Ngaoundaye because of due to the violence and who are currently living with host families in Touboro. According to sources in both Cameroon and CAR border areas, the intervention of MINUSCA in Ngaoundaye allowed for a return to calm and order, preventing further displacement to Cameroon. Nevertheless, UNHCR border monitoring activities in the area. In addition, 555 CAR asylum seekers left their villages of Bawé, Kaeta and Boyangou in the sub-prefecture of Bocaranga in mid-June and sought refuge in the Cameroonian border town of Yamba. They are mainly of the Gbaya ethnic group and are afraid of reprisals from the ex-Seleka following cattle raids by the anti-Balaka belonging to Fulani breeders. Among the new arrivals, 152 expressed the wish to be transferred to the refugee site of Ngam, the others opted to stay in Yamba and to return as soon as the situation improves.
- On 9 June, in Abuja, the Ministerial delegations of Cameroon and Nigeria agreed upon and initialed the draft Tripartite Agreement on the return of Nigerian refugees living in Cameroon. This followed a three day regional Protection Dialogue on the Lake Chad Basin. The content of the draft Tripartite Agreement is to be reviewed by their respective governments. The agreement is due to be signed by the end of July 2016. The Tripartite Agreement aims at providing a framework for the potential repatriation of Nigerian refugees but does not imply that the conditions for return in safety and dignity are met at this point in time.
- UNHCR and the Cameroonian Government continued to conduct the biometric verification and registration exercise of all refugees and asylum seekers living in the East region of Cameroon. During the month of June, the exercise was carried out in the refugee sites of Mbile and Lolo where 14,453 refugees were verified. Since the beginning of this year, 77,529 refugees have already been verified in Yaoundé and Douala and in the refugee sites of Gado, Borgop, Ngam, Timangolo, Mbile and Lolo. The biometric verification and registration exercise aims at ensuring better protection and assistance of refugees by verifying and updating their profiles, including information on specific needs. For refugees, this exercise will include the delivery of new and standardized refugee certificates, new ration cards and the renewal of identification cards. In the longer term, biometric registration will be critical for obtaining reliable data on refugee needs, movements and statistics, and will serve as a crucial protection tool. The exercise is ongoing.

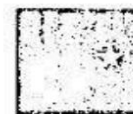
UNHCR is grateful for the generous contributions of donors who have given unearmarked and broadly earmarked contributions to UNHCR in 2016 as well as for the following donors who have directly contributed to the operation:

Canada | EU | France | Italy | Japan | Republic of Korea | Spain (private) | United States of America

FOOTNOTES

1. The number of refugees and asylum seekers in Cameroon is estimated to be 77,529 as of June 2016. This figure includes 14,453 refugees and asylum seekers who were verified in the East region of Cameroon during the month of June 2016. The number of refugees and asylum seekers in Cameroon is estimated to be 77,529 as of June 2016. This figure includes 14,453 refugees and asylum seekers who were verified in the East region of Cameroon during the month of June 2016.

Appendix 54 : work Plan for the voluntary repatriation of Nigerian refugees Technical working group



WORK PLAN FOR THE VOLUNTARY REPATRIATION OF NIGERIAN REFUGEES TECHNICAL WORKING GROUP

INTRODUCTION

Further to Article 26 of the Tripartite Agreement (signed on 2 March 2017 in Yaoundé, Cameroon), a Technical Working Group (TWG) has been constituted to, among other steps, adopt operational modalities, timelines and agenda for the implementation of the Tripartite Agreement for smooth returns, transitioning and final repatriation/reintegration/resettlement processes. In order to achieve the above, this Action Plan is set out by the (TWG) to provide a clear and practical checklist of actions related to movements/repatriation arrangements for voluntary repatriation of Nigerian refugees in Cameroon.

The objective of the Plan of Action is to ensure that the repatriation of Nigerian refugees meets the objectives of the Tripartite Agreement through a properly planned and coordinated exercise that ensures the safety and dignity of the returnees. This is to ensure their successful reintegration as well as rehabilitation and reconstruction processes. The Action plan seeks to convey the commitment of all stakeholders to joint planning and implementation of the repatriation exercise. This Action Plan will be complemented by other working documents, implementation modalities, Standard Operating Procedures, guidelines developed/adopted by the TWG.

The planning, implementation, monitoring and evaluation of the exercise will conform to the following minimum guidelines:

- ✓ Improved security situation in Borno, Yobe, Adamawa Taraba and any other states
- ✓ Undertake a thorough/regular analysis of obstacles to return and develop strategies to address them
- ✓ Start basic rehabilitation in areas of return, revise 3W (what, where, when) and reinforce humanitarian presence in strategic areas of return
- ✓ Review the capacity of civilian institutions and law and order; where appropriate, build the capacity of these institutions (or mobilize other actors to do so)
- ✓ Establish a coordination mechanism for the main actors (government, donors, NGOs, UN, etc.) to plan/coordinate assistance packages to avoid discrepancies between population groups (to the extent possible)
- ✓ Readiness of the accommodation or agree on minimum expected time to completion or near completion.
- ✓ The details/profile of the refugees in MINAWAO camp and host communities should be available: UNHCR to provide
- ✓ Confirmation of Transportation for the actual movement of the people, after confirming their status and volunteers who are ready to come back home.

- ✓ Hold discussions with relevant government (Federal, State and LGAs) and humanitarian organisations providing social welfare services to unaccompanied & separated children and other vulnerable groups
- ✓ Establish and equip way stations, reception centres and other logistics to be put in place.
- ✓ Security update ongoing
- ✓ Accessibility to areas with challenging topography during the raining season (Borno State to provide).
- ✓ Train government staff, NGOs, etc.

Procedure used during the last repatriation of refugees from Minaowa camp which serve as best practice include the following;

- ✓ The use of security escorts provided by the Parties,
- ✓ Provision of food and NFIs
- ✓ Profiling by State Security Services and Nigerian Immigration Services.
- ✓ Sorting as of State of Origin,
- ✓ Contact relevant State Government
- ✓ Separation by gender
- ✓ It was advised that the Military should secure the places in phases and encourage return to normalcy. This will encourage the increase of voluntary return to their place of choice.

PREVIOUS ACTIVITIES IN THE COUNTRY OF ASYLUM AND COUNTRY OF ORIGIN			
CORE ACTIVITIES	ACTIONS	Responsible agency	TIMELINE
1. Return Help Desk	<ul style="list-style-type: none"> ▪ Information: prepare estimated movement information (way stations, logistics, road repairs, etc.) ▪ Security ▪ Climate situation ▪ Voluntary Return Form – VRF ▪ Biometric verification ▪ Counselling ▪ Questionnaire ▪ Health Screening ▪ Desk for persons with special needs 	NIS, NCFRMI NPF, NSCDC DSS DHQ NIA PCNI MOD, NAQS CUSTOM SMOH Borno Adamawa Yobe Taraba Benue and any other state Lead: UNHCR/NCFRMI/ PCNI	3 months from 14 August 2017
2. Provision of Kits	<ul style="list-style-type: none"> ▪ Blankets ▪ Mosquito net ▪ Energy biscuits ▪ Jerry can ▪ Touch light etc. 	UNHCR, NEMA, NCFRMI, PCNI Borno Adamawa and Yobe	3 months

<p>3. Establish Border Way Station - Between Cameroon and Nigeria</p>	<ul style="list-style-type: none"> ▪ Return Registration ▪ Home way station- Reception centre ▪ Biometric verification again for confirmation ▪ Provision of Hot meal ▪ Water, sanitation wares, updates of climate situation. ▪ Lodging for one night. ▪ Desk for persons with special needs 	<p>NIS, UNHCR, NIA, Police, NEMA PCNI DSS NSCDC MOD DHQ NCFRMI Borno Adamawa Yobe and Taraba</p>	<p>Subject to clarification from critical stakeholders/Security agencies</p>
<p>4. Distribution Site at Reception Centre</p>	<ul style="list-style-type: none"> ▪ Provision of plastic sheets ▪ Blanket ▪ Jerry can etc 	<p>NCFRMI, NEMA PCNI UNHCR Borno Adamawa, Taraba and Yobe</p>	<p>Subject to clarification from critical stakeholders/Security agencies</p>
<p>5. Arrival Home-Reintegration</p>	<ul style="list-style-type: none"> ▪ Community based project: shelter kits, food rations for 3-12 months, livelihood packages ▪ Provide transportation 	<p>NIS, NCFRMI, NEMA IPCR PCNI NSCDC NPF, UNHCR Judiciary, DSS Borno Adamawa Yobe and Taraba Civilian authority and social services</p>	<p>Subject to clarification from critical stakeholders/Security agencies</p>
<p>6. Returnee Monitoring systems in place</p>	<ul style="list-style-type: none"> ▪ Post Return Assessment ▪ Establish returnee monitoring systems and mechanisms ▪ Establish Feedback Systems and information Mechanism ▪ Promote and support initiatives to foster co-existence and reconciliation; 	<p>NCFRMI, UNHCR, NHRC, IPCR</p>	

Potential entry points of return

1. Borno state: Banki and Gamboru Ngala
2. Adamawa: Sahuda
3. Taraba: Gembu
4. Any other states

FINANCIAL INFORMATION

In total, for refugee response in asylum countries as well as response for IDPs in Nigeria, UNHCR's requirements amount to **USD 169.9 million in 2017**. UNHCR is very grateful for the financial support provided by donors, particularly those who have contributed to UNHCR activities with unearmarked and broadly earmarked funds, as well as for those who have contributed to the Nigeria situation as a whole.

Donors:

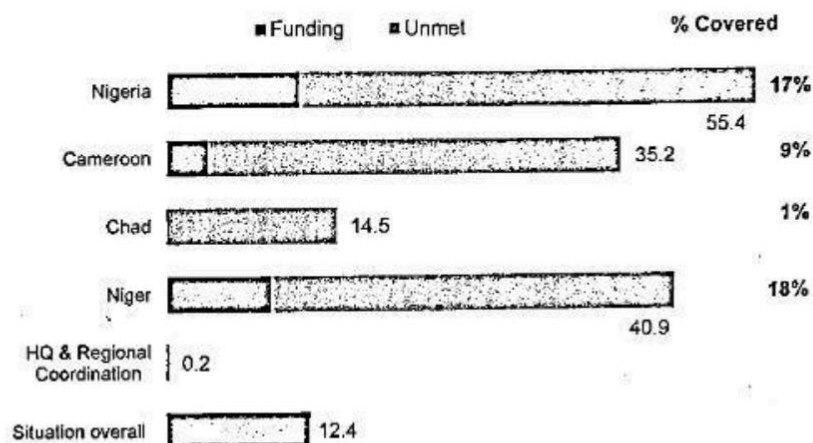
CERF
European Union
Dutch Post Code
Lottery (NPL)
France
Germany
Japan
Norway
United States of
America

Private donors:

Australia
Canada
Spain
Sweden

Funding:

A total of **USD 36.2 million** has been received out of USD 169.9 mio requested by UNHCR, representing 21% of funding needs.



Special thanks to the major donors of unrestricted and regional funds

United States of America (95 M) | Sweden (76 M) | Netherlands (52 M) | Norway (41 M) | Priv Donors
Spain (24 M) | Denmark (23 M) | Australia (19 M) | Switzerland (15 M) | France (14 M) |
Germany (12 M)

Thanks to other donors of unrestricted and regional funds

Algeria | Austria | Belgium | Bosnia and Herzegovina | Canada | Chile | Costa Rica | Estonia | Finland | Iceland | Indonesia | Ireland |
Korea | Kuwait | Lithuania | Luxembourg | Malta | Monaco | Morocco | New Zealand | Qatar | Singapore | Sri Lanka | Thailand | Turkey |
United Arab Emirates | Uruguay | Zambia | Private Donors

1. The total of contributions received includes the programme support component.
2. All financial information contained in this funding update is indicative and does not constitute official UNHCR financial reporting.
3. Unrestricted and regional funds mentioned above include all sub-regional and regional contributions worldwide.

Contacts:

Ms. Annette Rehd, Senior External Relations Officer, rehd@unhcr.org Tel: +41 22 739 8862

Mr. Ulysses Grant, Assistant Reporting Officer, grantu@unhcr.org Tel: +221 338 597 050

Links:

Nigeria regional web portal: <http://data2.unhcr.org/en/situations/nigeriasituation>

UNHCR Tracks: <http://tracks.unhcr.org>

UNHCR's Kora blog: voices of refugees in West and Central Africa: <http://kora.unhcr.org/>

Twitter: [@UNHCRWestAfrica](https://twitter.com/UNHCRWestAfrica)

Facebook: [UNHCR West Africa](https://www.facebook.com/UNHCRWestAfrica)

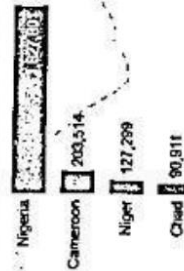


NIGERIA SITUATION

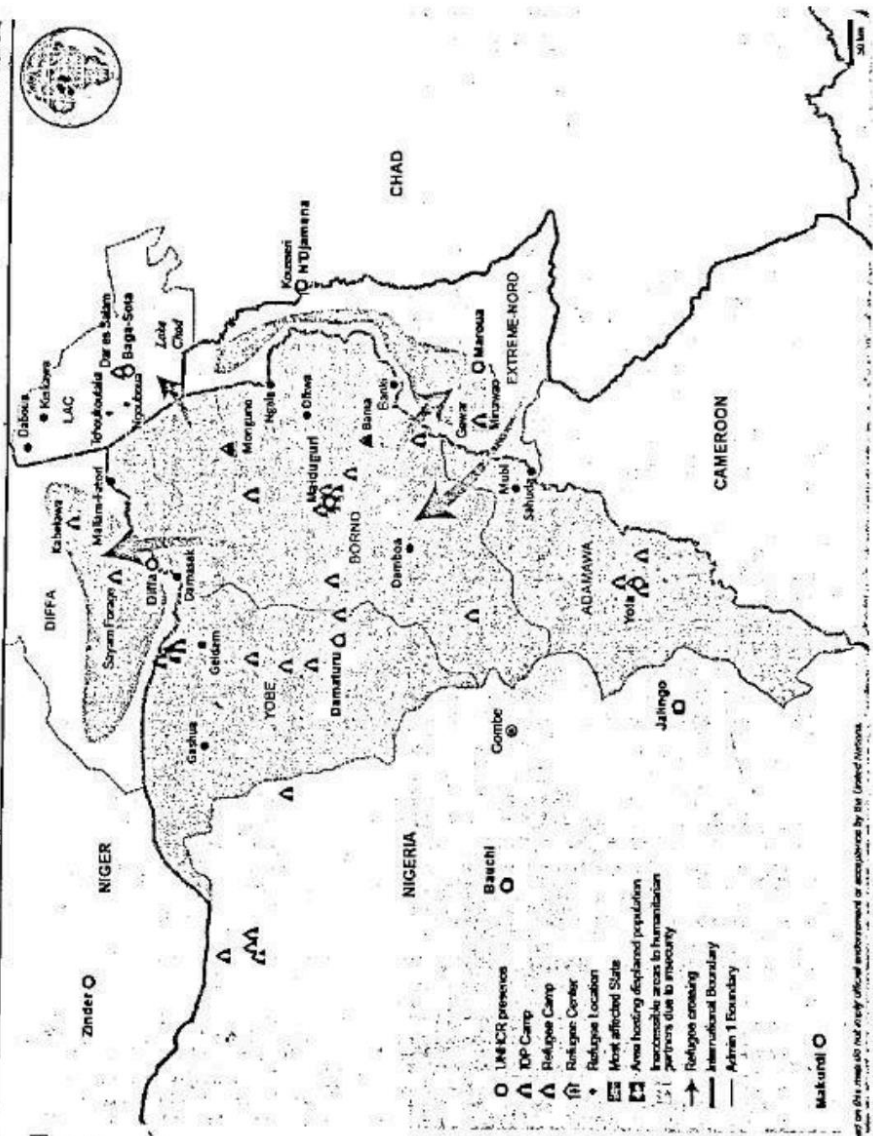
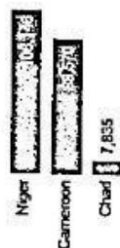
Populations forcibly displaced by the insurgency in the Lake Chad Basin Region

As of 31 May 2017 or latest figures available

Internally displaced



Refugees



The boundaries and the displacement units on this map do not imply endorsement or acceptance by the United Nations
 Creation date: 31 May 2017 Sources: UNHCR Feedback: mapping@unhcr.org

Annex I: Statistics by age groups as at 30 July 2016

Total Population: 56,921
Households: 15,355
Average household size: 4

Age group	Gender				Total	
	Men		Women		#	%
	#	%	#	%		
0 to 4 years	5,514	9.7%	5,380	9.5%	10,894	19.1%
5 to 11 years	8,009	14.1%	7,951	14%	15,960	28%
12 to 17 years	3,989	7%	3,966	7%	7,955	14%
18 to 59 years	7,941	14%	11,788	20.7%	19,729	34.7%
60 years+	1,099	1.9%	1,284	2.3%	2,383	4.2%
Total	28,552	46.6%	30,369	53.4%	56,921	100%

1. Statistics of children of school-going age

Educational level	Preschool (3-5 years)	Primary (6-11 years)	Secondary (12-17 years)	Total
Boys	3,598	8,336	2,460	14,394
Girls	3,624	8,237	2,408	14,269
Total	7,222	16,573	4,868	28,663

2. Statistics of persons with special needs(*)

#	Children	Persons	Gender	Age group	Category	Sub-category	Women	Men	Total

Women	3,743	337	46	683	32	2,419	1,324	1,119	0
Men	3,620	363	63	883	0	77	0	765	1
Total	7,363	700	109	1,566	32	2,496	1,324	1,884	1

Number of persons with at least one special need: 14,028

(*) One individual may have more than one special need

**Transit Centres and Assembly Points
for Refugees outside Camps**

Divisions	Transit Centres	Assembly Points
Mayo Sava	Mora	Kolofata Amshide
Mayo Tsanaga	Koza Mogode Bourha	
Logone-et-Chari	Kousseri Waza Darack	Fotokol Maltama Goulfey Logone-Beni

- 1- Fotokol – Gambari
- 2- Amshide – Banki
- 3- Boukoula – Yola

Appendix 55 : Cameroon Update on Force Returns in the Far North



Forced return of Nigerian refugees:

Executive summary

In the face of public interest in what is happening in the Far North region as it pertains to Nigerian refugees, and in particular the heightened media attention to the movements of refugees to Nigeria, UNHCR Cameroon found it necessary to issue this document to provide detailed information about the vexing issue of refoulements, and the ongoing spontaneous and voluntary departures from Minawao camp. UNHCR intends to issue this report on a monthly basis, at the beginning of each month.

Background

Since 2014, there have been persistent reports in Cameroon of Nigerians being pushed back across the border. These reports came as Boko Haram militants extended their attacks into the neighbouring Lake Chad Basin countries (Cameroon, Chad and Niger). Since then, tens of thousands of people have returned across the border to Nigeria, including refugees, traders and other migrants. Most forced returns have occurred from the Cameroonian border towns of Bourha, Kolofata and Fotokol to the neighbouring Adamawa and Borno States in Nigeria. Despite efforts to sensitize the Cameroonian authorities about their international obligations as well as constant protection monitoring along the border with Nigeria, reports of forced returns continue to reach UNHCR post facto.

In the wake of Boko Haram suicide attacks in Cameroon's Far North Region and with the intensification of the military campaign against Boko Haram in north-eastern Nigeria, Nigerians crossing into Cameroon were considered as suspects and potential threat to security. In this context, and in an attempt to gain control over border areas with Nigeria, Cameroonian authorities and security forces started to return all foreign nationals found in those areas, especially around the towns of Fotokol and Kousseri (Logone et Chari department) and Mora and Kolofata (Mayo Tsava department). It must be mentioned that from the onset of the emergency, Cameroonian authorities had enforced a strict encampment policy for Nigerian refugees. Since then, they have maintained that only those who are in or arrive in Minawao camp are considered as refugees. Subsequent new arrivals underwent joint screening by UNHCR and the authorities before being transferred to Minawao camp.

Statistics of Nigerian refugees forced to return

- July-December 2015: between 9,000 to 12,000 people;
- In 2016: 76,525 people;
- In 2017: 3,400 people.

These statistics were collected by our protection focal points in the various localities. UNHCR Cameroon did not have access to the persons concerned to verify their status prior to their forced return. On the other hand, UNHCR Nigeria has conducted limited verifications with those who came into contact with its monitoring missions. It is likely that some of the people who were forcibly returned to Nigeria from the border areas were neither refugees nor asylum seekers. Moreover, because of the fluidity of population movements and the existence of multiple unofficial entry points, it is not excluded that there may be irregular movements with the result that an individual is arrested and returned to the border before returning to Cameroon again. The overall figure is thus indicative of the total number of persons taken back to the border but does not necessarily reflect the exact number of refugees that may have been refouled.

Brief analysis of the situation of forced returns in 2017

It should be noted that in 2015 and 2016, the authorities systematically returned to the border Nigerian refugees living outside Minawao camp in the border areas of the Far North region. Fresh reports were received in February 2017, and again in March 2017, shortly after the signing of the Tripartite Agreement between UNHCR and the Governments of Cameroon and Nigeria. The 3,400 people refouled so far this year are primarily from the Cameroonian communities of Kerewa and Kolofata in the department of Mayo-Sava. These two localities have recently recorded a high number of security incidents. The most recent report of refoulement occurred on 16 May when 430 recently arrived Nigerian refugees temporarily sheltered in Dabanga village in Logone et Chari department, were sent back to Gamburu, Nigeria. This latest incident was even more surprising considering that this group had been identified and pre-screened by UNHCR and the Joint Protection Committees in readiness for their transfer to Minawao camp.

Apart from the random round up and return of refugees in some villages, new arrivals are stopped at the border areas and sent back to Nigeria on grounds that Minawao camp is full to capacity with no room for new arrivals. It must be emphasized that there have been no forced returns of refugees from Minawao camp.

Also, refugees living outside the camp and who had been pre-registered by UNHCR and the Joint Protections Committees in November 2016 in the three districts of Mogode (Mayo-Tsanaga), Makary and Kousseri (Logone et Chari) have neither been harassed nor sent back across the border. As a reminder, UNHCR and the Joint Protection Committees had carried out a joint mission at that time and had pre-registered 21,886 refugees in these districts.

UNHCR's response

At the field level, UNHCR set up joint protection committees in each of the three border departments of the Far North region in April 2016 in a move to strengthen collaboration with the local authorities on refugee protection, especially as it pertains to access to asylum, as well as to institutionalize joint monitoring, screening and registration of refugees. UNHCR has on several occasions sought clarification from the Government of Cameroon on reports of forced returns of thousands of Nigerians, including letters addressed to the Governor of the Far North region by UNHCR's sub-office in Maroua.

On 2 March 2016, UNHCR and the two governments signed a Tripartite Agreement in Cameroon on the voluntary repatriation of Nigerian refugees living in Cameroon. Nevertheless, on 7 March, barely days after the signing of the agreement, additional reports emerged about cases of refoulement.

The commitment taken by Cameroon at the national level must be upheld at the local level to ensure that all returns remain voluntary. UNHCR has carried out advocacy at regional, national and international levels along the following main messages:

- These deportations are contrary to Cameroon's regional and international obligations in the area of refugee protection and the Tripartite Agreement signed on 2 March by Cameroon, Nigeria and UNHCR;
- UNHCR has acknowledged the security challenges facing Cameroon and stands ready to support the authorities in developing enhanced screening, status determination and registration mechanisms for those in need of protection, particularly through the set-up of transit centers in key localities.

In addition, UNHCR has addressed several high-level written correspondences to the Cameroonian government and made public statements about the issue, including:

- A letter from UNHCR's Assistant High Commissioner (Protection) to the Minister of Territorial Administration and Decentralization on 1 July 2016.
- UNHCR press statement on 21 March 2017 which the Cameroon government had resolutely protested against on 28 March 2017.
- A letter from UNHCR's High Commissioner to President Biya on 23 March 2017 following the press release issued by the organization a couple of days earlier.

It should also be noted that the former Humanitarian Coordinator in Cameroon had equally written letters to the Minister of External Relations and the Minister of Territorial Administration and Decentralization on 21 June 2016 and 3 January 2017 respectively, following reports of refoulement.

UNHCR's current approach is to manage relations with the government to avoid a further stiffening on their part and to deflect any negative impact on refugees. Also, in the face of these developments, UNHCR Cameroon and Nigeria have taken initiatives to jumpstart the tripartite consultations, such as the recent joint mission from UNHCR Nigeria and the Nigerian government.

Spontaneous return of Nigerian refugees

Background

The month of April 2017 saw the beginning of spontaneous returns of refugees living in Minawao camp. This wave of returns was again witnessed in May 2017. Refugees have been returning on their own accord and by their own means. Information reaching UNHCR Cameroon indicates that refugees have been swayed to believe that conditions are back to normal in their areas of origin. Refugees have apparently been led to believe that they can safely resume economic activities and are therefore making arrangements to return before the planting season. Authorities in the Far North have been providing security escorts for spontaneous returns. It should be stated clearly that UNHCR is not involved in facilitating or assisting the returns in any manner.

Statistics of spontaneous returns

Thus far, a total 12,202 Nigerian refugees have returned spontaneously:

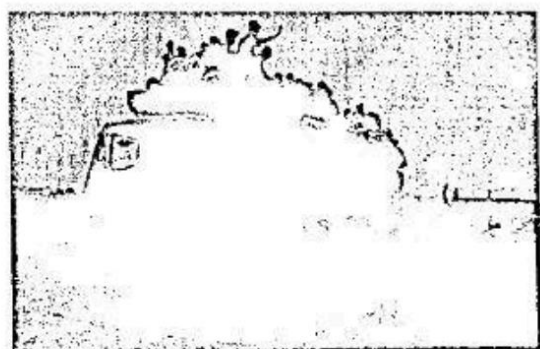
- 9-16 April 2017: a total of 1,754 returnees;
- 13-22 May 2017: a total of 10,448 returnees.

No spontaneous returns were recorded between the two periods. Their main areas of return are Banki, Pulka, Mubi and Bama in north-eastern Nigeria.

Brief analysis of the situation of spontaneous returns in 2017

These returns have taken place in a precipitous manner and, in both waves, during and after the distribution of food rations. In some cases, these rations were sold to provide the means to pay for their return to Nigeria.

Despite information circulating that areas of origin are now back to normal, reports indicate that a good number of the spontaneous returnees have ended up in IDP camps, pending a return to their areas of origin, and some others have returned to Cameroon.

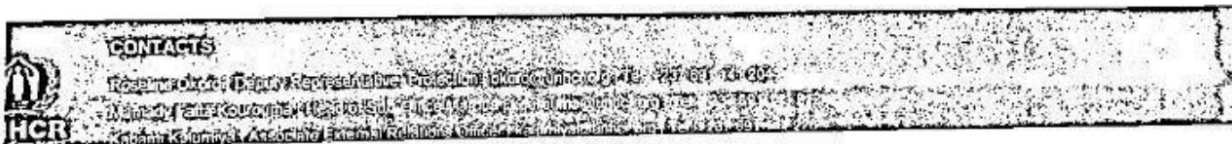


Departure from Minawao camp – spontaneous returns. UNHCR.

UNHCR's response

As stated above, UNHCR has not sanctioned these returns as we have yet to establish whether areas of return are indeed safe. These will be determined under the authority of the Tripartite Commission as it is the only body allowed to sanction voluntary repatriation. Contact with the immigration officials on both sides of the border has been maintained in order to collect statistical information on spontaneous and other forms of returns.

UNHCR and partners continue to sensitize refugees in Minawao camp about the potential risks of return and to await the take-off of the Tripartite Commission. According to the Nigerian side, they envisage convening the first meeting in the first half of June 2017.



Appendix 56: Correspondence from the minister of External Relations to the secretary general of the presidency of the Republic

REPUBLIQUE DU CAMEROUN
Paix-Travail-Patrie
MINISTERE
DES RELATIONS EXTERIEURES



REPUBLIC OF CAMEROON
Peace-Work-Fatherland
MINISTRY
OF EXTERNAL RELATIONS

DIRECTION DU PROTOCOLE
ET DES AFFAIRES CONSULAIRES

DEPARTMENT OF PROTOCOL
AND CONSULAR AFFAIRS

00235 *W SL*
N° 00235 *W SL* DIPL/DS/SDAC/SREM

Yaoundé, le 19 FFV 2014

LE MINISTRE DES RELATIONS EXTERIEURES
THE MINISTER OF EXTERNAL RELATIONS

A

MONSIEUR LE MINISTRE, SECRETAIRE
GENERAL DE LA PRESIDENCE DE LA
REPUBLIQUE

- YAOUNDE -

Réf. : M/L n° 00118/DIPL/D5/SDAC/SREM du 07.02.14

Objet : **Compte rendu de réunion A/S afflux des
réfugiés au Cameroun, avec les agences
onusiennes**

Comme suite à ma correspondance de référence, relative à l'objet repris en marge, j'ai l'honneur de vous soumettre le compte rendu de la réunion que j'ai tenue le jeudi 13 février 2014 à 15h30mn au Minrex, avec les responsables des agences des Nations Unies au Cameroun, concernées par la question de l'afflux actuel des réfugiés Nigériens et Centrafricains sur notre territoire.

Y ont pris part : la Coordinatrice du Système des Nations Unies au Cameroun, les représentants du Haut Commissariat des Nations Unies pour les Réfugiés (UNHCR), du Programme Alimentaire Mondial (PAM), de l'Organisation Mondiale de la Santé (OMS), du Comité International de la Croix-Rouge (CICR), de l'Organisation International pour les Migrations (OIM).

Il s'agissait de faire le point de la situation humanitaire depuis le déclenchement dudit afflux et de solliciter formellement l'appui de la communauté internationale pour l'assistance de ces personnes. Statutairement, l'intervention du HCR est automatique, tandis que celle des autres agences est subordonnée à une demande expresse du Gouvernement.

Après les civilités d'usage, j'ai tenu tout d'abord à remercier les différentes agences pour l'implication dans l'assistance fournis jusqu'ici aux réfugiés, et à rappeler la réputation d'hospitalité qui caractérise le Cameroun depuis les années 60, notamment avec l'arrivée des réfugiés biafrais et équato-guinéens. J'ai également rappelé qu'en janvier dernier à Bruxelles, lors d'une réunion de coordination de l'action humanitaire pour la République Centrafricaine, j'avais déjà fait part de la situation des pays limitrophes qui devaient aussi être pris en compte dans les aides à

octroyer. Ce qui avait d'ailleurs reçu un écho favorable, si on s'en tient à la réaction positive du Canada.

Par la suite, j'ai formellement demandé à chaque agence, dans son domaine de compétence, de venir en aide au Gouvernement en raison du caractère exceptionnel de la situation.

Prenant la parole en premier, en qualité de chef de file des agences onusiennes, la Coordinatrice du Système des Nations Unies au Cameroun, a estimé que l'appui sollicité par le Cameroun est fondamental, car de son avis, la situation qui prévaut dans ces deux pays est loin de s'améliorer. Du tour de table qui a suivi, il ressort :

Le HCR a indiqué qu'en l'espace d'une semaine, le nombre de personnes de nationalité centrafricaine enregistrées est passé de 17 182 à 24 225 réfugiés, soit au total pour la seule Centrafrique près de 122 582 réfugiés actuellement au Cameroun (y inclus les Bororos de 2005).

Quatre sites sont en cours d'aménagement du côté de Lolo. Le site de Mborguéné accueille les réfugiés depuis dimanche 16 février 2014. 95% des réfugiés centrafricains enregistré par le HCR sont musulmans. Ils sont dans un état physique et mental préoccupant. On commence à déplorer une hausse des prix des loyers dans la zone, ce qui à terme, pourrait avoir un impact négatif sur le plan social et économique. Par ailleurs, certains réfugiés continuent d'arriver par Douala et Yaoundé, d'où la nécessité de les sensibiliser à rejoindre les sites aménagés à l'Est. Les femmes étant en nombre important, le HCR a demandé à l'organisation ONU Femmes de préparer un accompagnement.

Le rapatriement des Tchadiens (7 290) est organisé par leur Gouvernement à partir de Kentzou.

En ce qui concerne les réfugiés nigériens, un afflux de 4 000 personnes a été enregistré. Seuls la moitié souhaite aller au camp. L'autre moitié reste le long de la frontière, dans une grande insécurité, arguant qu'en journée elle vaque à ses occupations au Nigeria, ne revenant au Cameroun qu'à la nuit tombée. Il y a donc lieu de renforcer la sensibilisation sur les dangers qu'elle encourt.

La Coordinatrice du Système des Nations Unies a révélé que 3 millions de dollars sont mobilisés pour venir en appui à l'opération concernant spécifiquement les réfugiés nigériens, à condition que ceux-ci soient dans les camps prévus pour eux.

Quant à l'OMS, elle continue d'intervenir sur le plan de la santé des réfugiés. La poliomyélite étant en nette progression, l'OMS préconise le renforcement du système épidémiologique. Les kits d'hygiène et de prévention du choléra ont été également commandés pour faire face à toute épidémie.

S'agissant du PAM, il continue d'assurer son programme régulier sous la coordination du HCR. Un pont aérien a commencé depuis la semaine dernière. Le PAM a annoncé le lancement d'une opération de distribution de vivres d'un coût estimé à 500 000 dollars pour environ 20 000 bénéficiaires. Pour soutenir l'opération à long terme, la nécessité de recourir aux pays donateurs est avérée.

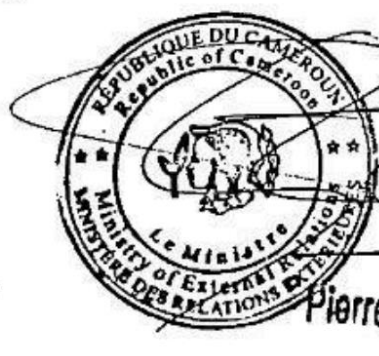
L'OIM a dit avoir reçu plusieurs demandes pour faciliter le rapatriement des ressortissants étrangers, notamment les Tchadiens. Cependant, elle souhaite avoir l'accord du Gouvernement camerounais afin que la Représentation de l'OIM/Tchad vienne lui prêter main forte.

Le CICR travaille depuis 2008 sur le terrain, et a prévu de livrer sur fonds propres, en coordination avec le HCR, 3000 abris d'urgence, 300 abris semi permanent, ainsi que la distribution des NFI's (produits non alimentaire). Il s'attèlera également au rétablissement des liens familiaux, à apporter un appui psychosocial, et à fournir des soins de santé au niveau communautaire.

Au cours de la rencontre, il a été fortement suggéré qu'une autre réunion ait lieu, élargie aux partenaires bilatéraux (Etats-Unis, France, Grande Bretagne, Union Européenne, Canada, Allemagne, Maroc, Turquie, Brésil etc.).

Par ailleurs, les 217 Nigériens qui étaient en transit à l'aéroport de Yaoundé - Nsimalen ont quitté le territoire camerounais vendredi 14 février 2014 abord d'un avion de la Compagnie Afriqiya, spécialement affrété par les autorités nigériennes en collaboration avec l'OIM.

Au terme de cette réunion qui s'est déroulée dans une atmosphère empreinte de sérénité et de convivialité, j'ai pu noter les bonnes dispositions des agences onusiennes à apporter un appui supplémentaire. Je me propose de convoquer une autre réunion élargie aux partenaires bilatéraux pour le même objectif. Je ne manquerai pas de vous en donner la quintessence./-



[Handwritten signature]
Pierre MOUKOKO MBONJO

Appendix 57: Profile of central African refugees in Cameroon as of 03/02/2014



PROFILE DES CENTRAFRICAINS AU 03/02/2014

I. Vagues d'arrivées au Cameroun

Zone	Nombre de cas au 03/02/2014	Nombre de cas au 03/02/2014	Nombre de cas au 03/02/2014	Nombre de cas au 03/02/2014	Nombre de cas au 03/02/2014
East (Bertoua)	50302	1254	0	5 669	57225
Adamawa (Meiganga)	36 845	0	463	7 619	44 927
Centre (Yaoundé)	4 076	2044	238	731	7 089
Littoral (Douala)	998	1 851	286	542	3 677
Total	92 221	5 149	987	14 561	112 918

II. Zone Rurale

1.1 Région de l'Est

1.1.1 Kenzou

Tranches d'âges	0-4 ans	5-11 ans	12-17 ans	18-59 ans	60 ans et plus	Total	Pourcentage
Hommes	501	693	352	664	56	2266	47,57%
Femmes	489	616	239	1078	76	2498	52,43%
Total	990	1309	591	1742	132	4764	
Pourcentage	20,78%	27,48%	12,41%	36,57%	2,77%		

Zone d'installation

- Stade 400 individus
- Mosquée 700 individus
- Famille d'accueil
- Rue

1.1.2 Garoua-Boulai

Tranches d'âges	0-4 ans	5-11 ans	12-17 ans	18-59 ans	60 ans et plus	Total	Pourcentage
Hommes	92	116	63	82	15	369	40,77%
Femmes	98	131	72	213	22	536	59,23%
Total	190	247	135	295	38	905	
Pourcentage	20,99%	27,29%	14,92%	32,60%	4,20%		

Zone d'installation

- Procure 400 individus
- Famille d'accueil

1.1.3 Total Est

Tranches d'âges	0-4 ans	5-11 ans	12-17 ans	18-59 ans	60 ans et plus	Total	Pourcentage
Hommes	593	809	415	746	72	2635	46,48%
Femmes	587	747	311	1291	98	3034	53,52%
Total	1180	1556	726	2037	170	5669	
<i>Pourcentage</i>	<i>20,81%</i>	<i>27,45%</i>	<i>12,81%</i>	<i>35,93%</i>	<i>3,00%</i>		

1.2 Adamoua

1.2.1 Site

Arrondissements d'accueil	Nbre de demandeurs recensés par les autorités	Nbre de réfugiés vérifiés par le HCR
Ngaoui (Ngaoui)	2260	1311
Meiganga (Gbatoua-Godolé)	339	323
Djohong (Yamba)	2220	1815
TOTAL	4819	3449

1.2.2 Répartition de la population

Sexe	0 à 5 ans	6 à 11 ans	12 à 17 ans	18 à 24 ans	25 à 49 ans	50 à +	TOTAL	Pourcentage
Hommes	518	428	181	62	195	87	1471	42,65%
Femmes	500	408	250	247	439	134	1978	57,35%
TOTAL	1018	836	431	309	634	221	3449	
<i>Pourcentage</i>	<i>29,52%</i>	<i>24,24%</i>	<i>12,50%</i>	<i>8,96%</i>	<i>18,38%</i>	<i>6,41%</i>		

Zone d'installation

- Famille d'accueil
- Abris précaires en paille

1.3 Personnes à besoins spécifiques

	Sexe	60 ans et +	Femmes allaitantes	Femmes enceintes	ENA	Hadincapés	Total
Adamaoua	H	24	0	0	4	7	35
	F	41	50	32	1	6	130
		65	50	32	5	13	165
Est	H	72			1	39	112
	F	98		11	4	37	150
		170	0	11	5	76	262
Total		235	50	43	10	89	427

1.4 Répartition par religion

	Adamaoua	Est	Total
Musulmans	89,22%	78,52%	81,06%
Chrétiens	10,78%	20,49%	18,19%
Autres	0,00%	0,99%	0,76%
Total	100,00%	100,00%	100,00%

1.5 Sites localisé pour l'installation

Site Proposé	Situation	Infrastructure
Borgop (Région de l'Adamaoua)	105 km de Meiganga, 73 km de la Frontière à Yamba et 54 km de la Frontière à Ngaoui	<ul style="list-style-type: none"> - 01 Ecole - 01 Point d'eau - 01 Centre de santé en construction
Ngam (Région de l'Adamaoua)	64 km de Meiganga, 72 Km de la Frontière à Gbatoua Godolé	<ul style="list-style-type: none"> - 01 Ecole - 01 Point d'eau - 01 Centre de santé - Forces de maintien de l'ordre - Non loin de l'hôpital de District de Djohong
LOLO (Région de l'Est)	36 km de Kenzou	<ul style="list-style-type: none"> - 01 Ecole, - 01 Centre de santé, - 01 point d'eau et 2 forages en pannes
		-
Mborgané	50 kms de Garoua-Boulai	<ul style="list-style-type: none"> - 2 forages en panne dans le village de Borgene à 3 kms du site - Une école de 2 salles de classe non fonctionnelle à cause du manque d'enseignants - Pas de centre de santé. Le centre de sante le plus proche est à 27 kms a Nandoungue et l'hôpital le plus proche est à 50 kms à Garoua-Boulai - Un poste du B.I.R sur l'axe

III. Zone urbaine

1.5.1 Répartition de la population

	Tranches d'âges	0-4 ans	5-11 ans	12-17 ans	18-59 ans	60ans et plus	Total
Yaoundé	Hommes	76	64	54	317	2	513
	Femmes	76	72	50	251	7	456
		152	136	104	568	9	969
Douala	Hommes	54	78	53	184	3	372
	Femmes	42	66	61	184	9	362
		96	144	114	368	12	734
Total		248	280	218	936	21	1703
Pourcentage		14,56%	16,44%	12,80%	54,96%	1,23%	

Zone d'installation

- Famille d'accueil

1.6 Répartition par religion

	Yaounde	Douala	Total
Musulmans	7,04%	62,04%	17,82%
Chrétiens	88,12%	37,69%	78,23%
Autres	4,85%	0,27%	3,95%
Total	100,00%	100,00%	100,00%

Source : UNHCR Cameroon

Appendix 58 : Statistics of CAR Refugees and other Asylum seekers in Cameroon as of 09/03/2014



STATISTICS OF CAR REFUGEES AND ASYLUM SEEKERS AS OF 09/03/2014

Location	Old Cases (arrived since 2004)	New arrival between November 2013 following March coup d'état	New arrival in December 2013 following the implication of new armed group Anti-Balaka	New arrival since January 2014 following the resignation of the transitional President	Total
East (Beroua)	50302	1254	0	23 607	75163
Adamawa (Meiganga)	36 845	0	463	12 493	49 801
Centre (Yaoundé)	4 076	2044	238	1 273	7 631
Littoral (Douala)**	998	1 851	286	1 351	4 486
Total	92 221	5 149	987	38 724	137 081

Since January 2014

140 104 au 13/6

Location	Number recorded by local authorities	Number verified and pre-registered by UNHCR	Number not yet verified by UNHCR	Entry points at the borders					
				Garoua Boulai : 8556	Kenzou : 13607	Mbov : 696	Gari Gombo : 550	Autre : 198	Total
East (Beroua)	23 607	23 607		Ngaoui : 6232	Yamba : 3733	Gbatoua : 790	Alhamidou : 790	Autre : 1033	23 607
Adamawa (Meiganga)	12 493	12 493		Garoua Boulai : 550	Douala : 164	Touboro : 160	Mbatimbourou : 84	Autre : 315	12 493
Centre (Yaoundé)**	1 273	1 273		Garoua-Boulai : 863	Kenzou : 102	Douala : 246	Yaoundé : 19	Autre : 121	1 273
Littoral (Douala)**	1 351	1 351							1 351
Total	38 724	38 724							38 724

* In the East and Adamawa regions, asylum seekers are first registered by the local authorities upon arrival at the borders
 ** In Douala, Yaoundé, asylum seekers come directly to UNHCR offices
 Nb: 9 000 individus été signalés à Gbitchel 2000 à Bombe Bakari par les autorités; la vérification par le HCR est en cours

Source : UNHCR Cameroon

Am 13.05.2014

Appendix 59: Inaugural meeting of the tripartite commission Abuja, Nigeria , 10 August 2017



INAUGURAL MEETING OF THE TRIPARTITE COMMISSION FOR THE VOLUNTARY REPATRIATION OF NIGERIAN REFUGEES FROM CAMEROON Abuja Nigeria, 10 August 2017

Final Joint Communiqué

1. At the invitation of the Honourable Minister of Interior of the Federal Republic of Nigeria, Lt. Gen. (Rtd) Abdulrahman Bello Dambazau CFR PhD, the Tripartite Commission for the Voluntary Repatriation of Nigerian refugees living in Cameroon met in Abuja on 10 August 2017 to discuss the modalities for the implementation of the Tripartite Agreement signed on 2 March 2017 between the Governments of Nigeria and Cameroon, and UNHCR in Yaoundé, Cameroon.
2. The meeting, hosted by Lt. Gen. (Rtd) Abdulrahman Bello Dambazau CFR PhD, Honourable Minister of Interior of the Federal Republic of Nigeria was attended by His Excellency, Mr. René Emmanuel Sadi, Minister of Territorial Administration and Decentralization of the Republic of Cameroon; and the Representative of the United Nations High Commissioner for Refugees in Nigeria, Mr. Antonio Jose Canhandula in the presence of other members of the Commission.
3. The meeting acknowledged the political stability of Nigeria, arising from sustained democratic principles and tenets since the return to civil rule in 1999, and the increase in allocation of resources to combat internal insecurity and the insurgency in the North East exacerbated by external interventions. The security situation had largely improved with the degrading of the Boko Haram sect with the active participation and cooperation of the Multi-National Joint Task Force comprising Benin, Cameroon, Chad Niger and Nigeria.
4. The response of Cameroon anchored on the spirit of brotherhood and very cordial fraternal relationship with Nigeria was the warm reception of Nigerians fleeing the insurgency. This however came at a huge cost as there was an increase in suicide bombings and general insecurity occasioned by Boko Haram infiltration, stretching beyond limits of humanitarian assistance, conflicts with local populace with regard to destruction of farmlands and cattle and allegations of commission of violent crimes.
5. The Commission took note of the need to strengthen cooperation in the management of the return process in line with the provisions of the Tripartite Agreement, the protection of the fundamental rights of the returnees and ensuring compliance with all international conventions on asylum and durable solutions.
6. *Recognizing* the current security challenges in Nigeria and efforts by the Government of Nigeria to restore basic social services to facilitate the repatriation and reintegration of returnees to Nigeria, the Commission noted that sustainable reintegration requires a holistic and community-based approach that would improve absorption capacity and enhance access to basic services and self-reliance for returnees, internally displaced persons and local communities in Nigeria.
7. The Commission directed the Technical Working Group to conclude concrete operational modalities and support measures, including setting the timetable and procedures to ensure the safe, dignified, voluntary return and sustainable reintegration of Nigerian refugees from Cameroon.
8. The Commission further directed the Technical Working Group to develop a phased-approach for organized return from Cameroon to Nigeria in a reasonable time frame based on the security situation in Nigeria's North-East and the restoration of basic services to ensure that returns are sustainable and conducted in safety and dignity.

et

et

et

9. To make returns durable, the Commission requested that individual returnee packages, community-driven Quick Impact Projects targeting rehabilitation and the extension of basic services and infrastructure be implemented in synergy with ongoing humanitarian and development actions.
10. The Commission also recognized the need for similar initiatives to strengthen the resilience of impacted host communities in Cameroon; the need for Quick Impact Projects to ensure livelihoods are not adversely affected; and to undertake environmental restoration where necessary.
11. The Commission called on the international community to support the Governments of Cameroon and Nigeria, as well as UNHCR to enhance delivery of protection and assistance to refugees in Cameroon, while arrangements and measures are being taken to facilitate their voluntary repatriation.
12. The Commission committed to actively engage various bilateral and multilateral development partners to raise the necessary funds and resources to facilitate the repatriation and restoration programmes.
13. The Commission agreed to meet to review the work of the Technical Working Group and progress made on the decisions of the Commission and the voluntary repatriation of Nigerian refugees from Cameroon on a date and place to be communicated through diplomatic channels.
14. The Honourable Minister of Interior of the Federal Republic of Nigeria, on behalf of the Government and People of Nigeria, thanked Cameroon for the hospitality towards Nigerian refugees and recognized the difficulties faced by Cameroon in balancing their national security with the protection of Nigerian refugees.
15. Finally, His Excellency, Mr. René Emmanuel Sadi, Minister of Territorial Administration and Decentralization thanked the Nigerian officials for the hospitality accorded him and the members of his delegation during their stay in Abuja.

Done at Abuja, on the 10th day of August 2017



Lt. Gen. (Rtd) Abdulrahman Bello Dambazau, CFR PhD
Honourable Minister of Interior

For: The Government of the Federal Republic of Nigeria



H.E. René Emmanuel Sadi
Minister of Territorial Administration &
Decentralization

For: The Government of the Republic of Cameroon



Mr. Antonio Jose Canhandula

For: The United Nations High Commissioner for Refugees (UNHCR)

Appendix 60 : *Operation de recensement des Refugees Urbains*

<p>REPUBLIQUE DU CAMEROUN Paix-Travail-Patrie</p>	 <p>REPUBLIQUE DU CAMEROUN REPUBLIC OF CAMEROON Peacc-Work-Fatherland</p>	<p>REPUBLIC OF CAMEROON Peacc-Work-Fatherland</p>
<p>MINISTERE DES RELATIONS EXTERIEURES</p>		<p>MINISTRY OF EXTERNAL RELATIONS</p>
<p>----- <i>DIRECTION DU PROTOCOLE ET DES AFFAIRES CONSULAIRES</i> -----</p>		<p>----- <i>DEPARTMENT OF PROTOCOL AND CONSULAR AFFAIRS</i> -----</p>
<p>N° _____ DIPL/D5/SDAC/SREM</p>	<p><i>me voir urgent le 12/08/10</i></p>	<p>Yaoundé, le 11 AOUT 2010</p>
<p>NOTE A L'ATTENTION DE MONSIEUR LE DIRECTEUR DU PROTOCOLE ET DES AFFAIRES CONSULAIRES A/S OPERATION DE RECENSEMENT DES REFUGIES URBAINS</p>		
<p>Le HCR en collaboration avec le Département organise depuis la fin du mois dernier un recensement des réfugiés se trouvant à Yaoundé et ses environs.</p>		
<p>Il convient de rappeler que ladite opération, dont la dernière date de 2006, a pour objectif d'actualiser la base de données de ces personnes, de mieux les connaître, de recueillir leurs souhaits et besoins spécifiques, pour un meilleur encadrement.</p>		
<p>Cette opération se déroule à l'Ecole Publique de Nkolndongo.</p>		
<p>Il serait recommandé qu'une descente y soit faite sous votre conduite. Elle pourrait avoir lieu le vendredi 13 août 2010 à 10 heures, si votre calendrier le permet.</p>		
<p>Instructions sollicitées./-</p>		
		 <p>ETOUNDI Richard Chef du Service des Réfugiés et des Migrants/D5</p>

*ça peut
être
une*

Appendix 61 : UNHCR operation to verify the status of Urban refugees in Yaoundé and Douala

**NATIONS UNIES
HAUT COMMISSARIAT
POUR LES REFUGIES**



**UNITED NATIONS
HIGH COMMISSIONER
FOR REFUGEES**

Représentation
en République du Cameroun

Representation
in Republic of Cameroon

Tel. 237 2220 29 54
Fax. 237 2221 05 44

B.P 7077
Yaoundé - CAMEROUN
e-mail: cmrya@unhcr.org

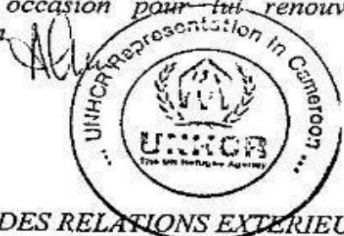
STANISLASEM
15/06/10
CMR/0589/010/AHM/chs

[Handwritten signatures and stamps]

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun présente ses compliments au Ministère des Relations Extérieures de la République du Cameroun et a l'honneur de l'informer qu'elle envisage de mener au cours de l'été un exercice de vérification de tous les réfugiés urbains vivant à Yaoundé et à Douala. Le principal objectif d'une telle opération, dont la dernière en date remonte à 2006, est de mettre à jour la base de données sur les réfugiés, de mieux connaître cette population, ses intentions et ses besoins spécifiques et par là même de mieux cibler nos interventions.

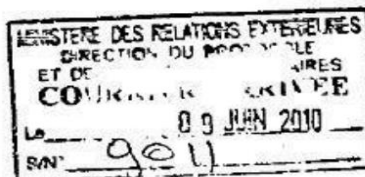
A ce titre, le HCR a le plaisir de soumettre au Ministère pour information une copie du document de planification rédigé à cet effet et d'inviter un des ses Représentants à une session de présentation de l'exercice de vérification mercredi 9 juin 2010 à 15 heures au HCR. Comme indiqué dans le document, le HCR sollicitera l'appui du Ministère des Relations Extérieures pour mener à bien l'exercice de vérification.

La Représentation du Haut Commissariat des Nations Unies pour les réfugiés en République du Cameroun remercie d'avance le Ministère des Relations Extérieures de la République du Cameroun de l'attention qu'il portera à ces informations, et saisit cette occasion pour lui renouveler les assurances de sa très haute considération.



Yaoundé, le 08 juin 2010

**MINISTRE DES RELATIONS EXTERIEURES
CABINET DU MINISTRE
YAOUNDE**



REPUBLIQUE DU CAMEROUN
MINISTRE DES RELATIONS EXTERIEURES
CAB/MINREX
Recu Le 08 JUN 2010
Sous Le N° 1242

Appendix 62 : UNHCR Master list Verification



UNHCR
The UN Refugee Agency

Verification Master List

proGres N°	Size	FamilyName	GivenName	Sex	Age	Ration card	FamilyName	GivenName	Sex	Age
Pays d'origine : ANG										
<input type="checkbox"/>	417-05C01175	6	GOUVEIA DO	Esmeralda Fatima	F	46				
<input type="checkbox"/>	417-05C01175	6	WADA	Mamadou	M	49				
<input type="checkbox"/>	417-05C01175	6	WADA	Djanaba Lisatou	F	21				
<input type="checkbox"/>	417-05C01175	6	WADA	Aicha Lisatou	F	18				
<input type="checkbox"/>	417-05C01175	6	WADA	Pinto Rasick	M	17				
<input type="checkbox"/>	417-05C01175	6	WADA	Alima Mocha	M	14				
<input type="checkbox"/>	417-06C03501	4	MACANDA	Cristostino	M	41				
<input type="checkbox"/>	417-06C03501	4	NSUNDA	Filouzena	F	33				
<input type="checkbox"/>	417-06C03501	4	MACANDA N	Xavier	M	8				
<input type="checkbox"/>	417-06C03501	4	MACANDA N	Jean	F	0				
<input type="checkbox"/>	417-84C00001	8	MBONGO	Emanuel	M	61				
<input checked="" type="checkbox"/>	417-84C00001	8	MAWETE MA	Faustine	F	57				
<input checked="" type="checkbox"/>	417-84C00001	8	MBONGO	Zoo	M	33				
<input type="checkbox"/>	417-84C00001	8	NSENGA	Lydie	F	29				
<input type="checkbox"/>	417-84C00001	8	MBONGO	Carine	F	27				
<input checked="" type="checkbox"/>	417-84C00001	8	TCHAOU-MB	Awalou Manuel	M	3				
<input checked="" type="checkbox"/>	417-84C00001	8	MBONGO	Jeanne Pierrette	F	22				
<input checked="" type="checkbox"/>	417-84C00001	8	MBONGO MO	Amaury	M	4				



Verification Form

Number	417-05C01175	
Case Size	6	
Nationality:	Angolan	
Langue :		
Current Address in Country of Asylum	Country	Province
CMR Centre	CMR	Centre
Earlier Address in Country of Origin	Country	State
Department	County	City
Mfoundi		
Arrondissement	Payem	Ville
Quartier		
Linked HH		

Individual #	Main Name	Given Name	Occupation COB	Sex	DOB/YOB	Mar. Rel.to Stat. H/I	SP Needs	Individual Comments
01	417-00006858	GOUVEIA DOLIVEIRA		F	09-nov-1963	MA PA		
02	417-00006861	WADA		M	24-avr-1961	MA HUS		
03	417-00006863	WADA		F	28-avr-1989	SN DAU		
04	417-00006864	WADA		F	15-jul-1991	SN DAU		
05	417-00006866	WADA		M	03-mars-1993	SN SON		
06	417-00006868	WADA		M	23-mars-1996	SN SON		
07								
08								
09								
10								



UNHCR Yaoundé, Cameroon

VER Page 01 of 03
(Each page 1 of 3)

Verification date : _____
 Updated by : _____
 Process Update date : _____

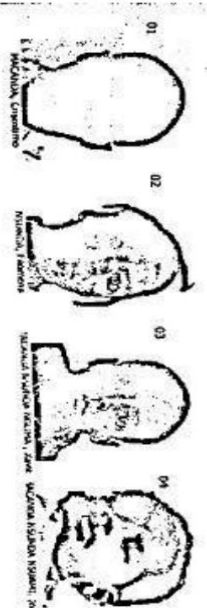


Verification Form

Case Number: **417-06C03501**
 Case Size: **4**
 Nationality: **Angolan**
 Langue: _____

Current Address in Country of Asylum: **CMR Centre**
 Country: **CMR** Province: **Centre** Department: **M'oundi**
 Earlier Address in Country of Origin: _____
 Country: _____ State: _____ Country: _____
 Linked HH: **417-06C03501**
 Arrondissement: _____ Ville Yaoundé: _____ Quarter: _____

Individual #	Main Name	Given Name	Occupation	COB	Sex	DOB/YOB	Mar. Stat.	Rel. to HRI	SP Needs	Individual Comments
01	417-00017235	MACANDA	Crisostimo	2213	M	08-aout-1968	MA	PA		
02	417-00021131	NSUNDA	Filomena	5220	F	11-sept-1976	MA	WIF		
03	417-00021132	MACANDA NSUNDA	Xavier	0001	M	28-aout-2001	SN	SON		
04	417-00032315	MACANDA NSUNDA	Joana	None	F	16-oct-2009	SN	DAU		
05										
06										
07										
08										
09										
10										



UNHCR
 SR Yaoundé, Cameroon

VVF Page 01 of 01
 (Total Page 2 of 2)

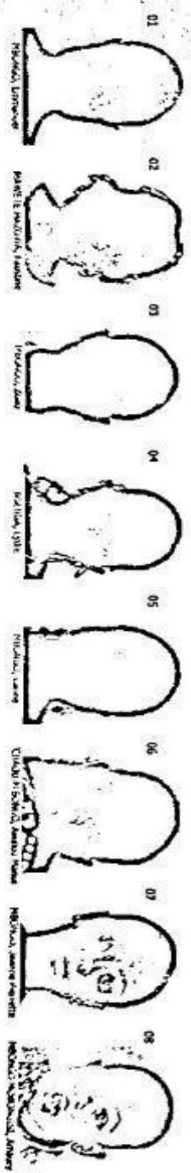
Verified by: _____
 Verification Date: _____
 Update by: _____
 Update Date: _____



Case Number	417-84C00001			Current Address in Country of Asylum	Country	Province	Department	Ville	Quartier
Case Size	8			Earlier Address in Country of Origin	Country	State	County	Pyram	Ville
Nationality:	Angolan			Linked HI 417-84C00001					

Individual # Main Name Given Name Occupation COB Sex DOB/YOB Mar. Status HRI SP Needs Individual Comments

01	417-00010865	MBONGO	Emmanuel		ANG	M	20-nov-1948	MA	PA		
02	417-00010866	MAWETE MAZOWA	Faustine		ANG	F	29-déc-1952	MA	WTF		
03	417-00001119	MBONGO	Zaao		COD	M	22-30dc-1976	SN	SON		
04	417-00001118	NSENGA	Lydie		CMR	F	23-jul-1980	SN	DAU		
05	417-00001120	MBONGO	Carine		CMR	F	01-août-1992	SN	DAU		
06	417-00020472	TCHAOU-M'BONGO	Avaloz Manuel	None	CMR	M	03-oct-2006	SN	GCM		
07	417-00023458	MBONGO	Jeanne Pierrette	0001	CMR	F	30-août-1987	SN	DAU		
08	417-00024597	MBONGO MOBONGISI	Amaury	None	CMR	M	20-avr-2006	SN	SON		
09											
10											



UNHCR Yaoundé, Cameroon

Verification date: _____

Verified by: _____

Progress Update date: _____

Updated by: _____

UNHCR Page 01 of 01 (March Page 3 of 3)

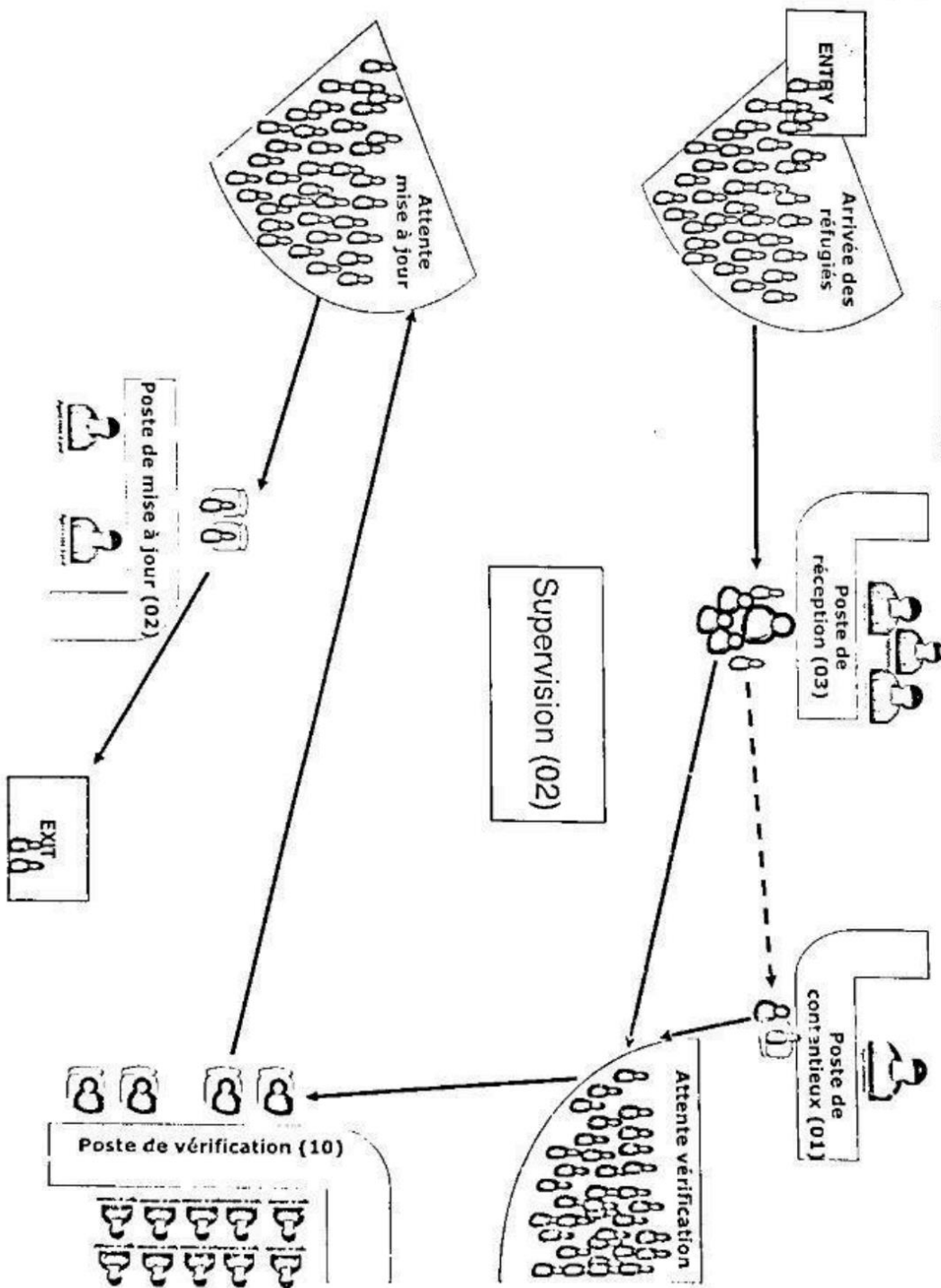


PROFILING EXERCISE PROTECTION QUESTIONNAIRE

Nom du demandeur :		N° proGres :	
Sexe : Masculin <input type="checkbox"/>	Féminin <input type="checkbox"/>	Demandeur Principal : <input type="checkbox"/>	Dépendant : <input type="checkbox"/>
Tél. :		Lieu de résidence (Province/Quartier) :	
Membres de la famille de 18 ans pour qui les formulaires seront remplis et annexés (à remplir pour les demandeurs principaux uniquement) :			
1		
2		
3		
4		
5		
6		

- 1) Pays d'origine :
- 2) Niveau d'étude :
- 3) Emplois dans le pays d'origine :
- 4) Emplois au Cameroun :
- 5) Date d'arrivée au pays d'asile :
- 6) Lieu de résidence dans le pays d'origine (Ville/Commune & Province/Préfecture. Indiquez si le CI a fui depuis un pays différent de son pays d'origine) :
.....
.....
- 7) Année et cause de la fuite de votre pays d'origine (brève description en point):
 - Avant 1994
 - Génocide de 1994
 - Invasion du Zaïre entre 1996-1997
 - Autres
 -
 -
- 8) Quelle solution durable souhaitez vous pour votre famille ?
 - Intégration locale

PLAN ORGANISATION SITE DE VERIFICATION



15

PLANNING PREVISIONNEL VERIFICATION DES URBAINS

I- Activités préparatoires et post vérifications

Tâches	8 jours	3j	15 jours
Reunion/Sensibilisation*			
Préparations/Logistiques			
Recrutement/Formation des agents			
Mise à jour et statistiques			

II- Activités de vérifications

Pays	16 jours	14 jours	5 jours	4 jours	2j	2j
Centrafrique						
Tchad						
Rwanda						
Congo Démocratique						
Burundi + République du Congo (COB)						
Autres nationalités						
Total jours : 43*						

* Prévoir les frais de sensibilisation à travers les médias, cette activité doit débuter le tôt possible car c'est elle qui garantie le succès de l'opération

* 8 jours seront consacrés à Douala et 35 jours à Yaoundé

Le mois de juillet et août semble être la période idéale pour la conduite de ses opérations parce que les enfants sont en vacances

Activités sur le terrain

Activités de bureau

Appendix 63 : Locations of urban refugees in Yaoundé

ARRONDISSEMENT DU MFOUNDI							
Code	Quartier	Code	Quartier	Code	Quartier	Code	Quartier
	ABOBO		DJOUNGOLO 1		Elig-Effa III		MBALLA III - C
	Abog-Doua		DJOUNGOLO 2		Elig-Effa IV		MBALLA III - E
	Abom		DJOUNGOLO 4		Elig-Effa V		MBALLA IV
	Abome		DJOUNGOLO I		Elig-Effa VI		MBALLA VI
	Afan-Oyoo I		DJOUNGOLO II		Elig-Effa VII		MBALLA VII
	Afan-Oyoo II		DJOUNGOLO III		Elig-Onamble		Mbankolo
	Afan-Oyoo III		DJOUNGOLO IV		EMANA CARREFOUR		Mbog-Abang
	Afan-Oyoo IV		DJOUNGOLO IX		EMANA CENTRE		MBOG-NDOUM
	Afoub-Melen		DJOUNGOLO V		EMANA -CENTRE		Mekoumbou I
	Agole		DJOUNGOLO VI		Essosal' Akok		Mekoumbou II
	Ahala 1		DJOUNGOLO VII		ESSO SUD 2		MELEN 1
	AHALA 2		DJOUNGOLO VIII		Essos		MELEN 3
	Ahala I		DJOUNGOLO X		ESSOS CENTRE I		MELEN 4
	Ahala II		DJOUNGOLO XI		ESSOS CENTRE II		MELEN 7 A
	Akana		DJOUNGOLO XII		ESSOS CENTRE III		MELEN 7 B
	Akoa-Ndoc1		Djougolo10		ESSOS NORD 2		MELEN 8 C
	Akoa-Ndoc3		Djougolo11		ESSOS NORD I		Melen 8A
	Akok-Ndoc		Djougolo12		ESSOS NORD II		Melen 8B
	Anguissa		DJOUNGOLO2		ESSOS SUD 1		Melen I
	Awae I		Djougolo6		ESSOS SUD 2		Melen II
	Awae II		Djougolo7		ESSOS SUD I		Melen III
	Awae III		Djougolo8		ESSOS SUD II		Melen IV
	Awae IV		Djougolo9		ESSOS SUD III		Melen IX
	Awae Mvog Manga		Eba		Elenga		Melen V
	Awae V		Ebendi rivibre		ETETAK		Melen VI
	Awae VI		Ebom		Eretak		Melen VII A
	Awae IV		EBOT-MEFOU		Etoa		Melen VII B
	AZEGUE I		École de police		ETOA - MEKI		Melen VIII C
	AZEGUE II		EDZOA MBEDE		ETOA MFKI		Mendong
	AZEGUE III		Efoulan 2		Etaudi		Messa
	AZEGUE IV		Efoulan I		Etaudi		MESSA ANGONO
	Baba		Efoulan II		ÉTOUG EBE 1		MESSA CARRIERE
	baligui		EkiU Nord		ÉTOUG EBE 2		MESSA DOUWASSI
	Barokomo		EkiU Sud		Etoug-Ebe I		MESSA EKOAZON
	BASTOS		EKOMBITIE		Etoug-Ebe II		MESSA MFZALA
	BELIBI NDOMO		EKOREZOC		FEBE		MESSA NKOABA'AH
	Belibi-Ndomo		EKOREZOK		Faire		MESSA PLATEAU
	Biteng		EKOUDOU I		GRAND MESSA		MESSA POSTE
	BIYEM ASSI		EKOUDOU II		KIKOA		Messamendongo
	Biyem-Assi		EKOUDOU III		Kondengui I Est		Messassi
	BRIQUETERIE CENTRE I		EKOUDOU IV		kondengui I Ouest		Mewoulou 1
	BRIQUETERIE CENTRE II		EKOUDOU VI		Kondengui II		Mewoulou 2
	BRIQUETERIE EST 4		EKOUDOU VII		Kondengui III		Mewoulou 3
	BRIQUETERIE EST I		Ekoum-Doum		Kondengui IV		Mewoulou 4
	BRIQUETERIE EST II		Ekounou II Nord		Kondengui III		Mewoulou 5
	BRIQUETERIE EST III		Ekounou Avens		KONG		Mewoulou 6
	BRIQUETERIE EST IV		Ekounou I		MADAGASCAR I		Mewoulou 7
	BRIQUETERIE OUEST		Ekounou II Nord		MADAGASCAR II		Mewoulou 8
	CarriPre		Ekounou II Sud		MADAGASCAR III		Meya
	Centre Administratif		Ekounou III (Ayene)		MADAGASCAR IV		MEYONG NDZENGUE
	Centre des handicapés		Ekounou IV		Mbakolo		MFANDENA
	CITE VERTE		Fkounou V		Mbalgong		MFANDENA 1
	CITE VERTE CENTRE		Elian vallée		MBALLA 1		MFANDENA I
	CITE VERTE NORD		ELIG EFFA 2		MBALLA 3A		MFANDENA I
	communauté urbaine YOE		ELIG EFFA 6		MBALLA 3B		MFANDENA II
	Dakar 2		ELIG EFFA 7		MBALLA 5		Mfoundassi 7
	Dakar I		ELIG OMCBA-NSI		MBALLA 6		Mfoundassi 8
	Dakar II		Elig-Effa I		MBALLA 4		Mfoundassi I
	DJOUNGOLO		Elig-Effa II		MBALLA II		Mfoundassi II
	Djougolo				MBALLA III - A		
					MBALLA III - B		

Appendix 64: UNHCR Country operation plan for 2012/2013/2014/2015, Cameroon

Atelier de planification stratégique 2014/2015	
Country Operation Plan (COP 2014/2015)	
<hr/>	
REALISATIONS/DEFIS 2012 ET PERSPECTIVES 2013	
PROGRAMME DES REFUGIES ET DEMANDEURS D'ASILE EN ZONES URBAINES	
YAOUNDE 12 MARS 2013	



PROTECTION

Documentation 2012

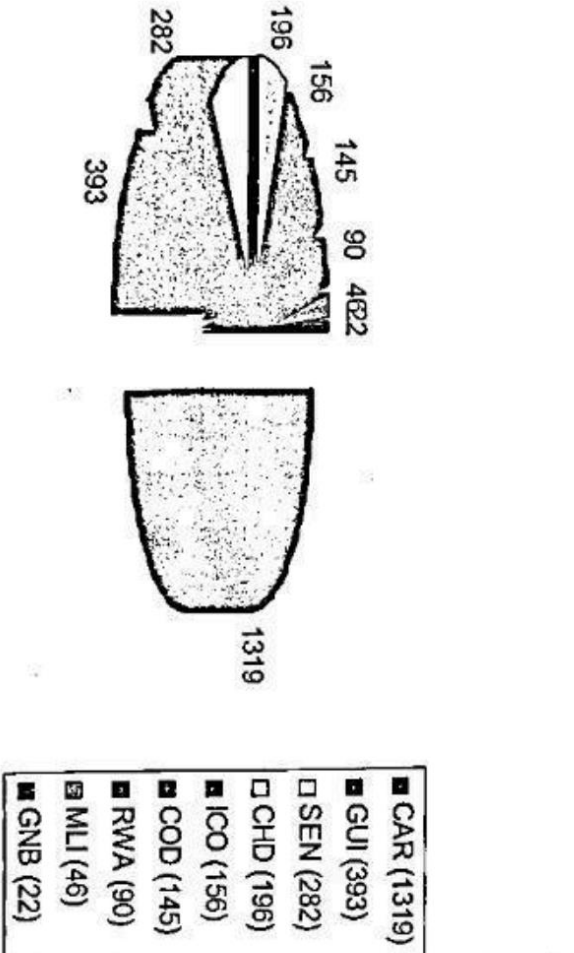
Documentation délivrée en 2012

- 2143 certificats de demandeurs d'asile;
- 876 attestations de composition familiale;
- 531 documents 'A qui de droit';
- 293 attestations tenant lieu d'acte de naissance;
- 144 cartes d'identification de réfugié;
- 41 titres de voyage pour réfugiés (TVC);
- 7 cas de jugements supplétifs pour la délivrance de l'acte de naissance.

PROTECTION

Détermination du statut de réfugié 2012

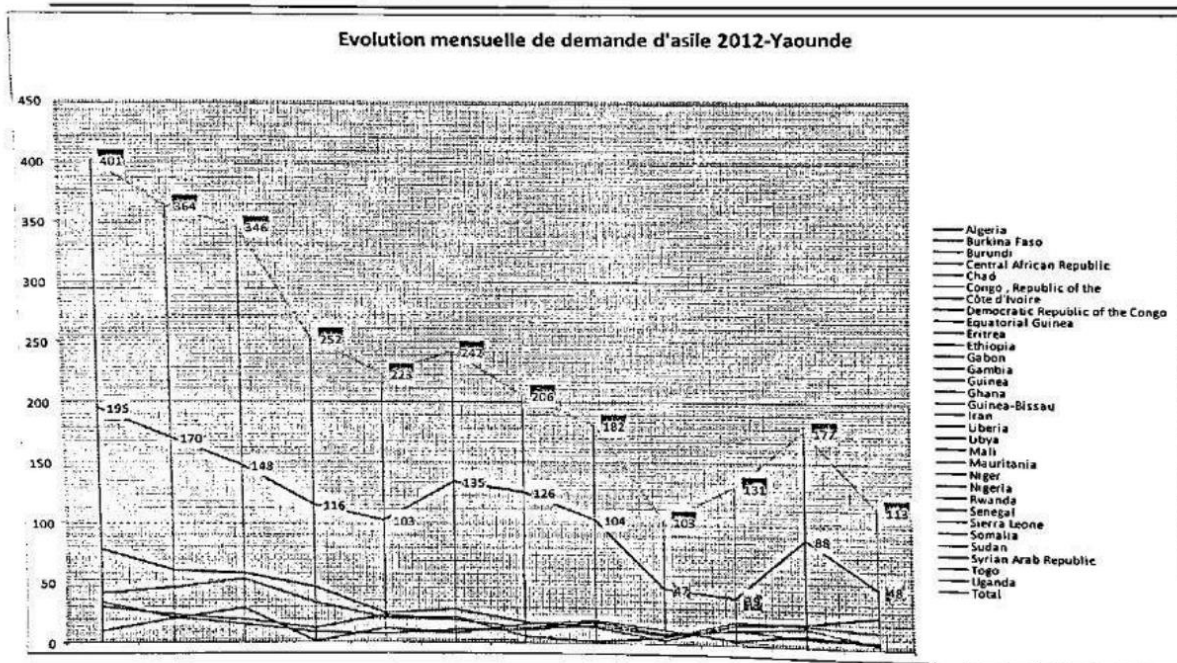
Répartition par principaux pays d'origine, des demandeurs
d'asile résident à Yaoundé



PROTECTORAT
DES REFUGIES
D'ASILE A YAOUNDE
2012

PROTECTION

Détermination du statut de réfugié 2012 (Suite)



PROTECTION

Détermination du statut de réfugié 2012 (Suite)

Supervision de la DSR (YDE)

1364 cas d'évaluations soumises en 2012 dont:

- ❑ 1279 cas supervisés et approuvés ; dont 70 cas reconnus (5.5%)
- ❑ 34 cas nécessitant un entretien complémentaires
- ❑ 14 cas nécessitant une révision sans entretien
- ❑ 19 cas en attente de supervision
- ❑ 11 cas en attente de clôture
- ❑ 5 cas en attente d'information des autres bureaux du HCR
- ❑ 2 cas en attente pour les autres raisons

Pays	Nombre de cas reconnus (YDE)
ICO	16
CAR	16 (9 s.d.)
SUD	11
CHD	8 (3 s.d.)
RWA	8 (7 s.d.)
COD	6 (5 s.d.)
EGU	2
SOM	1
SYR	1 (1 s.d.)
GUI	1

PROTECTION

Détermination du statut de réfugié 2013

Documentation

- ❑ Améliorer le taux de renouvellement des documents expirés surtout pour les demandes venant de Douala et réduire les délais rencontrés
- ❑ Envisager le transfert du renouvellement des ACF, AQDD et ATLN à Douala
- ❑ Envisager le transfert des dossiers physiques et assurer la gestion et l'archivage des dossiers à Douala
- ❑ Plaidoyer auprès du Gouvernement pour que la question des cartes de réfugiés et des titres de voyage soit définitivement réglée lors du transfert des activités au ST.

PROTECTION

Détermination du statut de réfugié 2013

Clause de cessation Rwandais

- ❑ Mettre en œuvre tous les aspects de la clause de cessation pour 670 personnes concernées
- ❑ Enregistrer les options à Yaoundé (à partir du 12/03) et à Douala
- ❑ Programmer les interviews d'exemption et commencer le processus d'examen des demandes
- ❑ Suivre la demande d'appui temporaire auprès du Siège pour traiter les demandes d'exemption
- ❑ Soumettre au Gouvernement la liste de ceux qui sollicitent un statut de résident
- ❑ Poursuivre en plus haut lieu le plaidoyer avec le Minrex pour obtenir des conditions et des coûts favorables d'obtention des cartes de résident.
- ❑ Coordonner avec les autorités les dossiers faisant l'objet d'une suspension et s'assurer que les intéressés aient des documents valides.
- ❑ Organiser une session d'information sur le processus de cessation auprès des partenaires.

SERVICES COMMUNAUTAIRES

PRISE EN CHARGE DES PERSONNES A BESOINS SPECIFIQUES 2012

Personnes à besoins spécifiques : 224 identifiées et assistées régulièrement (75 000 FCFA/trimestre)

- ▣ Personnes vivant avec un handicap : 33 ;
- ▣ Personnes âgées : 64 ;
- ▣ Mineurs non accompagnés : 18 dont 16 en famille d'accueil et 02 en processus de placement dans une famille d'accueil ;
- ▣ Malades chroniques : 81 ;
- ▣ Personnes détenues : 18 ;
- ▣ Personnes internées à la DST : 10 dont 07 ont été réinstallés ;

279 personnes ont reçu une somme de 30 000 Fcfa comme assistance ponctuels pour des.

Appendix 68 : 2004 Tripartite Agreement for Voluntary returns of Nigerian refugees in Cameroon



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

UNHCR
Représentation en République du Cameroun

BP 7077
Rue N° 1032-Nlonekak-

Tel.: 220 2954
Fax: 221 0544
Email :cmrya@unhcr.ch

29 November 2004

Notre/Our code: CMR/0699/04/JF/am

Subject/Objet: Tripartite agreement for repatriation

Excellency,

Following the request of the Nigerian Government to repatriate Nigerian refugees settled in the Adamaoua and North-West Provinces since 2002, and after having carried out a joined assessment mission in the field with Representatives of the MINREX and the MINAT,

I have the honor to inform you that all the parties have agreed to engage the process of voluntary repatriation for these Nigerian refugees. Information collected and preparations undertaken in the field allow us to give some insurance that the security and the dignity of the returnees will be guaranteed.

However this process of voluntary repatriation can only be engaged after the signature of a tripartite agreement Cameroon – Nigeria – UNHCR specifying all the modalities. To this end, a first proposal of agreement has been submitted to all the parties concerned, in order to fulfill all the requirements of the Governments of Cameroon and Nigeria.

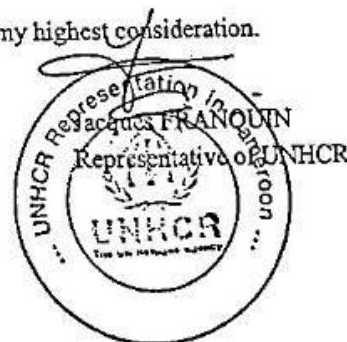
If this ultimate proposal of tripartite agreement can obtain your approval, I would be grateful if you could indicate to us any measure you will find appropriate in order to proceed to its signature without delay. We will follow your suggestion regarding the date and the venue that you will find the most convenient.

In this waiting, please accept, Excellency, the assurances of my highest consideration.

His Excellency
Mr. François-Xavier NGOUBEYOU
State Minister of External Relations

YAOUNDE

Enclosure: Mentioned



Cc:

— H.E. Mr. Edwin EDOBOR ENOSAKHARE, Nigeria High Commissioner in Cameroon
— Mr. David LAMBO, Director of Africa Bureau, UNHCR Geneva
— Mr. Eusèbe HOUNSOKOU, Representative of UNHCR in Nigeria

**TRIPARTITE AGREEMENT
FOR THE VOLUNTARY REPATRIATION
OF NIGERIAN REFUGEES**

BETWEEN

**THE GOVERNMENTS OF CAMEROON AND NIGERIA AND THE OFFICE
OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

The Government of the Republic of Cameroon and the Government of the Federal Republic of Nigeria (hereinafter referred to as "the Governments") and the United Nations High Commissioner for Refugees (hereinafter referred to as "the High Commissioner" or "UNHCR"),

Recalling that the United Nations General Assembly Resolution 428(v) of 14 December 1950, which adopted the Statute of UNHCR, ascribes to the High Commissioner the function of providing international protection to refugees and of seeking permanent solutions for the problems of refugees, *inter alia*, by promoting and facilitating their voluntary repatriation and reintegration in their country of origin;

Recognising that the right of all citizens to leave and to return to their country is a basic human right enshrined, *inter alia*, in Article 13(2) of the 1948 Universal Declaration of Human Rights and Article 12 of the 1966 International Covenant on Civil and Political Rights;

Recognising that voluntary repatriation, where feasible, constitutes the preferred durable solution for the problems of refugees, and that the attainment of this solution requires that refugees shall be repatriated in conditions of safety and dignity;

Noting that the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, to which the Governments of the Republic of Cameroon and the Republic of Nigeria sets out in Article V internationally accepted principles governing voluntary repatriation;

Further noting that Conclusions 18 (1980), and 40 (1985), of the Executive Committee of the High Commissioner's Programme, set out internationally accepted principles and standards governing the voluntary repatriation of refugees;

Recalling the incidents of 2001 and 2002 in Taraba and Benue States respectively, which led to the flight of about 17,000 Nigerian Refugees into Cameroon in search of asylum;

Further recalling the efforts made by the government of the Federal Republic of Nigeria at the local, state and federal levels, to reestablish peace and calm in the Mambila Plateau, where the majority of refugees originate from;

Recognising the need to define the specific procedures and modalities for the voluntary repatriation and reintegration of Nigerian refugees in Cameroon, with the assistance of the international community through UNHCR and other United Nations

agencies as well as intergovernmental and non-governmental organisations, as necessary.

Have agreed as follows:

ARTICLE 1

Definitions

For the purpose of this Agreement,

1. The term "refugee" shall mean any Nigerian national or former habitual resident who is living and recognised as a refugee in Cameroon, in possession of a UNHCR ration card.
2. The term "returnee" shall mean any refugee as defined in sub-section 1 of this Article, who has voluntarily returned to Nigeria pursuant to this Agreement, or spontaneously.

ARTICLE 2

Establishment of a Tripartite Commission

1. The Governments and UNHCR hereby establish a Commission for the Voluntary Repatriation of Nigerian refugees from Cameroon.
2. The Governments and UNHCR shall cooperate with the Members of the Commission at all stages of the voluntary repatriation programme.

ARTICLE 3

Composition of the Commission

1. The Commission shall comprise of three members; each of the Governments and UNHCR shall designate a member.
2. Any Member of the Commission may be accompanied to its meetings by advisers.
3. Where a Member is unable to attend to any business of the Commission, that Member shall designate a substitute.

directly or indirectly coerced into returning to Nigeria, and their status shall continue to be governed by the relevant international protection principles and standards.

ARTICLE 9

Freedom of Choice of Destination

The Governments and UNHCR reiterate that the refugees have the right and freedom to return to, and settle in, their former places of residence or any other places of their choice within Nigeria.

ARTICLE 10

Return in Safety and with Dignity

1. The Governments and UNHCR agree that the voluntary repatriation of Nigerian refugees under this Agreement shall take place when there exist conditions conducive to their return in safety and with dignity to places of final destination in Nigeria.
2. The Government of Cameroon shall retain responsibility for the safety and security of the repatriating refugees while on the territory of Cameroon, including in camps, staging areas and during convoy movements en route to the designated border crossing points. The Government of Nigeria shall be responsible for the safety and security of the returnees once within the territory of Nigeria.

ARTICLE 11

Assurances and Guarantees upon Return

1. The Government of Nigeria shall issue a Declaration on the Rights and Security of Returnees, in order to encourage refugees to voluntarily repatriate without any fear of harassment, intimidation, persecution, discrimination, prosecution or any punitive measures whatsoever on account of their having left or remained outside Nigeria as refugees.
2. The returnees shall benefit from the relevant provisions of any amnesty or clemency laws in force in Nigeria.
3. UNHCR takes note that any person who has committed crimes against humanity, war crimes and other serious violations of international humanitarian law shall not benefit from amnesty or clemency laws in force in Nigeria.

4. The Government of Nigeria shall ensure that returnees have access to land for settlement and use, in accordance with existing national laws and relevant international conventions to which Nigeria is a party.
5. The Government of Nigeria shall facilitate, to the extent possible, the recovery and/or restitution to the returnees of land or other immovable or movable property which they may have lost or left behind, in accordance with existing national laws and relevant international conventions to which Nigeria is a party.
6. The Government of Nigeria shall ensure that any returnee who would suffer undue hardship upon return may be exempted from the various taxes, rates and national financial obligations for a period of six months or other appropriate period, as provided for in existing national laws.

ARTICLE 12

Juridical Status and Equivalency

1. The Government of Nigeria shall accord recognition to changes in the personal status of Nigerian refugees repatriating from Cameroon, including birth, death, adoption, marriage and divorce.
2. The Government of Nigeria shall also seek to accord recognition, as appropriate, to the equivalency of academic and vocational diplomas and certificates obtained by refugees while in Cameroon.

ARTICLE 13

UNHCR Access to Refugees and Returnees

1. To be able to carry out effectively its international protection and assistance functions, UNHCR shall be granted free and unhindered access to all Nigerian refugees in Cameroon, and to all returnees wherever they may be located in Nigeria. Likewise, all refugees and returnees shall be granted free and unhindered access to UNHCR.
2. The Government of Nigeria shall, in particular, extend full co-operation to UNHCR to monitor the treatment of returning refugees in accordance with humanitarian and human rights standards, including the implementation of the commitments contained in this Agreement.
3. To enable UNHCR to carry out its monitoring functions in accordance with sub-sections 1 and 2 of this Article, the Government of Nigeria shall inform UNHCR about every case of arrest, detention and legal proceedings involving returnees, and shall provide UNHCR with the relevant legal documentation on these cases, as well as grant UNHCR free access to returnees under arrest or in detention.

4. The access provided to UNHCR under paragraph 1 of this Article shall, as appropriate, extend to inter-governmental or non-governmental organisations with which UNHCR, in consultation with the Governments, may enter into agreements for the implementation of one or more components of the repatriation operation contemplated under this Agreement.

ARTICLE 14

Spontaneous Return

1. The Governments and UNHCR hereby recognise, as a matter of principle, that all assurances, guarantees and other provisions set out in this Agreement and which govern the voluntary repatriation of Nigerian refugees from Cameroon shall also apply to those Nigerian refugees who may return to Nigeria by their own means.
2. The Governments and UNHCR hereby recognise, as a matter of principle, that Nigerian refugees from Cameroon who decide to return on their own, shall be permitted to do so at their own pace and means.

ARTICLE 15

Information and Sensitisation Campaign

1. UNHCR shall, in cooperation with the Governments, organise a campaign to provide the refugees with objective and accurate information relevant to their repatriation and reintegration in Nigeria so that the refugees shall be able to make the decision to repatriate in full knowledge of the facts.
2. The Government of Nigeria shall, with a view to creating conditions conducive to the reintegration of returnees in safety and with dignity, take all necessary measures to sensitise and prepare the population residing in areas to which the refugees shall be repatriating.

ARTICLE 16

Fact-Finding Visits by Refugee Representatives

1. The Governments and UNHCR shall, as appropriate and necessary, facilitate visits to Nigeria by representatives from a cross-section of the refugee population in Cameroon, for the purposes of acquainting themselves with the situation prevailing in their intended areas of return and reporting thereon to Nigerian refugees in Cameroon.
2. The Governments and UNHCR shall ensure that the fact-finding visits shall occur within a reasonable time frame prior to promotion of voluntary repatriation.

3. The Government of Nigeria shall retain responsibility for the safety and security of the representatives during the period of the fact-finding visits in Nigeria, and the Governments shall permit the representatives to return to Cameroon at the end of the fact-finding visits.

ARTICLE 17

Registration and Documentation

1. Pursuant to its mandated responsibility to ensure the voluntary character of the decision to return, UNHCR shall, in consultation with the Governments, devise the most appropriate means for the interviewing and registration of Nigerian refugees in Cameroon, who have expressed the wish to repatriate.
2. Duly completed Voluntary Repatriation Forms (VRFs) shall be recognised by the Governments as valid identity documents in Cameroon and Nigeria, and as travel documents for the purpose of the refugees' return to their final destinations in Nigeria. The format of the VRFs shall be mutually agreed upon by the Governments and UNHCR.

ARTICLE 18

Preservation of Family Unity

1. In accordance with the principle of family unity, UNHCR, in cooperation with the Governments, shall make every effort to ensure that refugee families are not arbitrarily separated but are repatriated as units. Where such efforts fail, a mechanism shall be established for their reunification in Nigeria.
2. In order to preserve the unity of the family, spouses and/or children of repatriating refugees who are themselves not citizens of Nigeria shall be allowed to enter and remain in Nigeria. The principle established herein shall also apply to non-Nigerian spouses as well as children of deceased Nigerian refugees who may wish to enter and remain in Nigeria to preserve family links.

ARTICLE 19

Special Measures for Vulnerable Groups

The Governments and UNHCR shall take special measures to ensure that vulnerable groups receive adequate protection, assistance and care throughout the repatriation and reintegration process, in accordance with relevant international legal principles and provisions.

ARTICLE 23

Movement and Security of UNHCR Staff and Resources

1. The Governments shall facilitate the movement of staff and personnel of UNHCR and of its implementing partners, as well as vehicles, relief goods and equipment used in the operation into, within and out of Cameroon and Nigeria.
2. The Governments shall authorise UNHCR to issue two-way cross-border travel authorisations, the format of which shall be mutually agreed upon by the Governments and UNHCR, to such staff and personnel for the duration of the repatriation operation.
3. The Governments shall take all appropriate steps to ensure the security and safety of UNHCR staff and all other personnel engaged in the repatriation operation provided for under this Agreement.

ARTICLE 24

Relief Goods, Materials and Equipment

1. The High Commissioner shall use his best endeavours to obtain the resources required from the international community to carry out the repatriation operation and implement reintegration activities in Nigeria.
2. The Governments shall exempt from the relevant taxes, duties and levies all relief goods, materials, equipment and means of transport destined for use in the repatriation and reintegration operation. The Governments shall expedite the clearance and handling of such resources.
3. The Governments hereby authorise UNHCR to operate, effectively and free of license fees, UN communications equipment, frequencies and networks, and shall, whenever operational requirements make this necessary, facilitate the allocation of other frequencies. The relevant written authorisations for equipment, frequencies and cross-border networks shall, upon request, be duly issued to UNHCR.

ARTICLE 25

UNHCR Field Offices

UNHCR may, whenever required for the purpose of a more effective discharge of its responsibilities under this Agreement, establish Field Offices at locations to be agreed with the Government concerned.

ARTICLE 26**Continued Validity of other Agreements**

This Agreement shall not affect the validity of any existing agreements, arrangements or mechanisms of cooperation between the Governments and UNHCR, including any host country agreement. To the extent necessary or applicable, such agreements, arrangements or mechanisms may be relied upon and applied to assist in the pursuit of the objectives of this Agreement, namely the voluntary repatriation and reintegration of Nigerian refugees.

ARTICLE 27**Privileges and Immunities**

Nothing in or relating to this Agreement shall be deemed a waiver, express or implied, of the privileges and immunities UNHCR enjoys under the applicable legal instruments.

ARTICLE 28**Resolution of Disputes**

Any question arising out of the interpretation or application of this Agreement, or for which no provision is expressly made herein, shall be resolved amicably through consultations between the Governments and UNHCR.

ARTICLE 29**Entry into Force**

This Agreement shall enter into force upon signature and ratification by the Government of the Federal Republic of Nigeria and signature of the Government of the Republic of Cameroon and UNHCR. The Agreement shall be applied provisionally in the period between signature by all parties and such ratification by the Nigerian Government.

ARTICLE 30**Amendment**

This Agreement may be amended by mutual agreement in writing between the Governments and UNHCR.

ARTICLE 31

Termination

This Agreement shall remain in force until it is terminated by mutual agreement between the Governments and UNHCR, upon completion of the repatriation operation.

In witness whereof, the authorised representatives of the Governments and UNHCR have hereby signed this Agreement.

DONE at....., this.....day of.....2004, in three originals, in the..... language(s).

For the Government of Nigeria

.....

For the Government of Cameroon

.....

For the United Nations High Commissioner for Refugees

.....

Appendix 69: The first voluntary repatriation of refugees started on 22 August 2019



PRESS RELEASE

PLACE

Yola,
Adamawa
State, Nigeria

DATE

23 August
2019

133 NIGERIAN REFUGEES RETURN TO ADAMAWA STATE, NIGERIA, AFTER YEARS IN CAMEROON

The first voluntary repatriation of refugees started on 22 August 2019, coordinated by the Government of Nigeria, the Government of Cameroon and UNHCR, the UN Refugee Agency.

133 Nigerian refugees landed yesterday in Yola, Adamawa State, after leaving Minawao refugee camp in Cameroon earlier. UNHCR, the UN Refugee Agency, supported these first repatriation efforts by the Governments of the Federal Republic of Nigeria and the Republic of Cameroon, all parties to the Tripartite Agreement for the Voluntary Repatriation of Nigerian refugees living in Cameroon.

Sadiya Umar Farouq, Nigeria Minister of Humanitarian Affairs, Disaster Management and Social Development, Government of Nigeria said: *“Pursuant to the Tripartite Agreement, Nigeria, as a responsible Member of the international community and in compliance with the Action Plan, is welcoming 23 families who have decided to voluntarily come back home to join the effort to develop the Nation. I want to take this opportunity to thank President Muhammadu Buhari and the Government of Adamawa State for all the support extended for the success of this first voluntary repatriation operation”*.

The Governor of Cameroon’s Far North Region, Mijiyawa Bakari, led the Cameroonian delegation to see off the first group which flew from Maroua to Yola, where transit centres have been set up, said *“the Nigerian government sent a mission here yesterday and we discussed how to assist these refugees in their return. All measures have been taken to ensure a smooth operation. This is the first departure and we want to see that the refugees are able to go back with all their possessions”*.

In March 2019, the Nigerian government allocated resources for the repatriation of the 4,000 refugees. These resources are to cover the costs for the renovation and management of a transit and reception centre in Yola, for air transport to Yola, where returnees will receive food and essential items, and onward journey to final destinations, where they will be provided with shelter kits and reintegration packages.

“UNHCR joins the Government of Nigeria, to welcome these 23 families from Adamawa and Bauchi States and fulfil their dream to return home. We are committed to supporting these families for sustainable integration back into their communities,” said Roger Hollo, Deputy Representative, UNHCR Nigeria, adding that *“we call on the Government and the entire humanitarian community to continue working hand in hand to ensure the provision of protection, services and livelihood opportunities to both the returnees and the host communities”*.

Mylene Ahounou, Head of UNHCR Sub Office Maroua in Cameroon, added *“This repatriation operation has been prepared for a long time with Cameroonian and Nigerian authorities on both sides of the border. More than 2,000 Nigerian refugees expressed their wish to go back to their country, and we facilitated this repatriation in safety and dignity for refugees originally from Adamawa and Bauchi States, where the conditions of security have improved.”*

Indima Peter, 22, who has just arrived in Yola with his wife and one year old child, could not contain his excitement; *“We are back in Nigeria! Cameroon was good to us, we got shelter and help. It was not home but we were safe. We are happy to be back home in Nigeria.”*

Violent attacks by Non State Armed Groups in parts of North East Nigeria has displaced over 240,000 Nigerians, with Borno State being the most affected. 107,840 of them have sought refuge in Cameroon with over 59,000 in the Minawao camp, and about 44,000 others living in host communities. Given the relative security and stability, Adamawa State constitutes a pilot phase. The Commission and its Technical Committee will keep the situation in Northeast Nigeria under constant review, in order to seize all opportunities for an end to the refugee situation, and a durable solutions approach to the current humanitarian situation.

About the Tripartite Agreement

The Governments of the Federal Republic of Nigeria and the Republic of Cameroon and UNHCR, signed on 2 March 2017 a Tripartite Agreement for the voluntary repatriation of Nigerian refugees living in Cameroon. The Agreement provides the legal framework and sets out modalities for the voluntary repatriation and facilitated return of Nigerian refugees, in safety and dignity. The agreement also established a Tripartite Commission (TC) and a subsidiary Technical Working Group (TWG) with representatives of both governments and UNHCR, to oversee the implementation of the said agreement. A first meeting took place in August 2018, where it adopted Practical Modalities and Standard Operating Procedures (SOPs) for the implementation of the Agreement.

About UNHCR

UNHCR is a global organisation dedicated to helping governments to protect the fundamental human rights of, and to find durable solutions for refugees, forcibly displaced populations and persons at risk of statelessness. UNHCR works with Governments and with civil society organizations (CSOs) in establishing response platforms for refugees, internally displaced persons (IDPs), and other persons of concern. UNHCR lives by, and intend to share in the spirit of the Istanbul World Humanitarian Summit: leave no one behind in restoring human dignity, and creating and fostering a protective environment.

For more information please contact:

NCFRMI Nigeria: Lawal Hamidu, Director of Refugees and Migrants, lwIhamidu@gmail.com

UNHCR Nigeria: Bina Emanvel, Senior External Relations Officer, emanvel@unhcr.org, +234 8090161438

UNHCR Cameroon: Xavier Bourgois, Public Information Officer, bourgois@unhcr.org, +237 693346121

BIBLIOGRAPHY

I. BOOKS

- Abbas, Hakina.**, *Africa's Long Road to Rights: Reflections on the 20th Anniversary of the African Commission on Human and Peoples' Rights*, Nairobi: Fahamu-Networks for Social Justice, 2007.
- Alborzi, M. R.**, *Evaluating the Effectiveness of International Refugee Law: The Protection of Iraqi Refugees*, Martinus Nijhoff Publishers, 2006.
- Angers Maurice.**, *Initiation pratique a la méthodologie des sciences humaines, Centre Educatif et culturel*, Montréal, 1992.
- Battistella, Dario.**, *Théories de relations Internationales*, 2eme edition, les Presses de la Fondation nationale de science politique, Paris, 2001.
- Bayefsky, A. Fruma.**, *Human Rights and Refugees, Internally Displaced Persons and Migrant Workers: Essays in Memory of Joan Fitzpatrick and Arthur Helton*, Martinus Nijhoff Publishers, 2006.
- Beyani, Chaloka.**, *Protection of the Right to Seek and Obtain Asylum Under the African Human Rights System*, Martinus Nijhoff Publishers, 2013.
- Black, R & Koser, K. eds.**, : *The end of the refugees cycle? Refugee Repatriation and Reconstruction*, Oxford press, 1999.
- Buergenthal, Thomas.**, *International Human Rights in a Nutshell*, West Academic Publishing; 4 edition ,October 14, 2009.
- Tom, Clark and Francois, Crepeau.**, *Mainstreaming Refugee Rights The 1951 Refugee Convention and International Human Right Law, Netherlands*, vol. 17, No 4, York University, New York, 2010.
- Contandriopoulos, Pierre.**, *Savoir préparer une recherche*, presse universitaire de Montréal, Montréal, 1990.
- Cunliffe, S. A. and Pugh, M.**, "UNHCR as Leader in Humanitarian Assistance: A Triumph of Politics over Law?" in *Refugee Rights and Realities*, eds. Nicholson and Twomey.

- Cuny, F. C & Stein, B.N.**, *NGOs and Repatriation during Conflict*. Dallas, Texas: Center for the Study of Societies in Crisis, 1992.
- Greig D.W.**, *The Protection of Refugees and Customary International Law*. Australian National University , 1980.
- Deng, F.** “Foreword” in *Internally Displaced People: A Global Survey*, ed. Janie Hampton, London: Earthscan Publications Ltd, 1998.
- Dowell-Jones, Mary.**, *Contextualising the International Covenant on Economic, Social and Cultural Rights: Accessing the Economic Deficit* (International Studies in Human Rights), Martinus Nijhoff Publishers, 2004.
- Durkheim, Emile.**, *Les règles de la méthode sociologique*, PUF, France, édition électronique, 2002, p. 9.
- Erikson, L., Melander, G. and Noble, P.**, *An Analysing Account of the Conference on the African Refugee Problem: Arusha, May 7, 1979*, Uppsala: Scandinavian Institute of African Studies, 1981.
- Evans, M., Murray, R.**, *The African Charter on Human and Peoples’ Rights: The System in Practice 1986 – 2006*, Cambridge: Cambridge University Press, 2008, 536 pages.
- Feller, E., Turk, V. and Nicholson, F.** *Refugee Protection in International Law :UNHCR’s Global Consultations on International Protection*, Cambridge: Cambridge University Press, 2003,757 pages.
- Forthsythe, David P.**, *Human Rights in International Relations*, Cambridge: Cambridge University Press, 2000, 370 pages
- Gibney, Matthew J. and Hansen, Randall A.**, *Immigration and Asylum: From 1900 to the Present*, Santa Barbara, California: ABC CLIO, 2005,1095 pages.
- Girardet, H. and Walter, J.**, *Essential Field Guides to humanitarian and conflict zones*, International Centre for Humanitarian Reporting, Cross lines Global Report, Geneva and Dublin, 1998.
- Golden, R. M.**, “Introduction” in *The Huguenot Connection: The Edict of Nantes, its Revocation, and Early French Migration to South Carolina*, ed. Richard M. Golden Dordrecht: Kluwer Academic Publishers, 1988.

- Goodwin-Gill, G. S.**, *The Refugee in International Law*, Second Edition, Clarendon Press, Oxford, 1996.
- Greenfield, R.**, 'The OAU and Africa's Refugees', in ElAyouty and I.W. Zartman (eds), *The OAU after Twenty Years*, Praeger, New York, 1984.
- Hakina Abbas.**, *Africa's Long Road to Rights: Reflections on the 20th Anniversary of the African Commission on Human and Peoples' Rights*, Nairobi: Fahamu-Networks for Social Justice, 2007.
- Harrell-Bond, B.E.**, Repatriation: Under What Conditions Is It the Most Desirable Solution for Refugees? An Agenda for Research. *African Studies Review* Vol. 32, No. 1, April, 1989
- "Breaking the Vicious Circle: Refugees and Other Displaced Persons in Africa." in *African Centre for Applied Research, The African Social Situation: Crucial Factors of Development and Transformation*. London, Hans Zeil Publishers, 1990.
- Hassner, P.**, "Refugees: a Special Case for Cosmopolitan Citizenship?" in *Re-imagining Political Community*, eds. D Archibugi, D Held, and M Kohler , London: Polity Press, 1998.
- Hathaway, James C.**, *The Rights of Refugees under International Law*, New York: Cambridge University Press, 2005.
- Hendrickson, D.**, *Humanitarian Action in Protracted Crises: the New Relief Agenda and Its Limits*, RRN Network Paper No. 25, London: ODI, 1998.
- Hickey, S.**, *Thinking about the politics of social protection in Africa*, Cambridge, Cambridge University Press, 2005.
- Howell, J., and Lind, J.**, *Civil Society under Strain: Counter-Terrorism Policy, Civil Society, and Aid Post-9/11*, Boulder: Kumarian Press, 2010.
- Hutchinson, J.**, *Champions of Charity: War and the Rise of the Red Cross*, Boulder: West view, 1996.
- Innes, J. and Philip, M.**, *Re-Imagining Democracy in the Age of Evolution; America, Britain and Ireland, 1750-1850*, Oxford, Oxford University Press, 2003.

- International Labour Organisation.,** *Freedom of Association: Selected Bibliography*, Geneva: International Labour Office.
- Gibney, J. and Hansen, Randall A.,** *Immigration and Asylum: From 1900 to the Present*. Santa Barbara, California: ABC CLIO, 2005.
- Jacobsen, K.,** *Refugee's Environmental Impact: the Effect of Patterns of Settlement*, Department of Political Science, Oxford University Press, United Kingdom, 1997.
- Jastram, K., Achiron, M. and UNHCR.,** *Refugee Protection: A Guide to International Refugee Law*, Geneva: Inter-Parliamentary Union (IPU), 2001.
- Joly, D. and Nettleton, C.,** *Refugees in Europe*, Nottingham: Russell Press Ltd, 1990.
- Kanmony, J. Cyril.,** *Human Rights and Health Care*, New Delhi: Krishan Mittal for Mittal Publications, 2009.
- Kant Emanuel.,** *Doctrine of Virtue: Metaphysics of Morals*, Paris, Philosophical Library J. Vrin, 1986.
- Koontz Harold.,** *Essentials of Management*, Tata McGraw-Hill Education, New York, 2010.
- Kosinkiaki, L. A. and Pethero, R. M.,** *People on the Move: Study on internal Migration*, London, Longman, 1975.
- Kourula, P.,** *Broadening the Edges: Refugee Definition and International Protection Revisited*, The Hague: Martinus Nijhoff Publishers, 1997.
- Kushner, T. and Knox, K.,** *Refugees in an Age of Genocide*, London: Frank Cass, 1999.
- Leader, N.,** *The Politics of Principle: The Principles of Humanitarian Action in Practice*, HPG Report 2 London: ODI, 2000.
- Leah, B.,** *The impact of environmental degradation on refugee-host relations: a case study from Tanzania*, Graduate School of International Studies, University of Denver, Colorado, USA, 2014.
- Lee, L.T.,** "Internally Displaced Persons and Refugees: Towards a Legal Synthesis" *Journal of Refugee Studies* 9(2), 1996.
- Lewis, Corinne.,** *UNHCR and International Refugee Law: From Treaties to Innovation*, New York: Routledge Research in International Law, 2012.

- Loescher, G.**, *Beyond Charity: International Cooperation and the Global Refugee Crisis*, Oxford University Press, Oxford, 1996, p. 80; Holborn, *Refugees*.
- Long.**, *The Point of No Return: Refugees, Rights and Repatriation*. Oxford: Oxford University Press, 2014.
- Lucassen, J. and Lucassen, L.**, “Migration, Migration History, History: Old Paradigms and New Perspectives” in *Migration, Migration History, History: Old Paradigms and New Perspectives*, eds. Jan Lucassen and Leo Lucassen ,Bern: Peter Lang, 1997.
- Mackintosh, K.**, *The principles of humanitarian action in international humanitarian law*, London: Overseas Development Institute, 2000.
- Macrae, J. and Leader, N.**, *Shifting Sands: the Search for Coherence between Political and Humanitarian Responses to Complex Emergencies*, HPG Report No. 8, London: ODI, 2000.
- Makki, S.**, *Militarisation de L’humanitaire, Privatisation du Militaire*, Paris: Cyber infrastructure for Phylogenetic Research (CIRPES), 2004.
- Malm, L.**, *Social Protection as Human Rights*, London, Macmillan, 1999.
- Marrus, M. R.**, “Introduction” in *Refugees in the Age of Total War*, ed. Anna C. Bramwell London: Unwin Hyman, 1988.
- *The Unwanted: European Refugees in the Twentieth Century*, Oxford: Oxford University Press, 1985.
- Mbaku, J. M. and J. Takougang.**, *The Leadership Challenge in Africa; Cameroon Under Paul Biya*, New Jersey, African World Press, 2004.
- Mbonji, Ejenguele.**, *Methodologie de redaction des thèses et des mémoires*, University of Yaoundé1, 2018.
- Meissner, D.M. et al.**, *International Migration Challenges in a New Era*, New York: the Trilateral Commission, 1993.
- Melander, G.**, “The Concept of the Term ‘Refugee’” in *Refugees in the Age of Total War*, ed. Bramwell.
- Melander, L. G. and Nobel, P.**, *An Analyzing Account of the Conference on the African Refugee Problem: Arusha, May 7*, Scandinavian Institute of African Studies, Uppsala, 1981.

- Michelle, Foster.**, *International Refugee Law and Socio-Economic Rights: Refuge from Deprivation* (Cambridge Studies in International and Comparative Law) 1st Edition, 2007.
- Morgenthau, Hans.**, *Politics among nations*. The struggle for power and peace, Alfred A. Knopf, New York, 1948, 752 pages.
- Morsink, J.**, *The Universal Declaration of Human Rights: Origins, Drafting and Intent*. Philadelphia, University of Pennsylvania Press, 1999.
- Mouton, P.**, *Social Security in Africa: Trends, Problems and Prospects*, Geneva: ILO, 1975.
- Murray, Evans.**, *The African Charter on Human and Peoples' Rights: The System in Practice 1986 – 2006*, Cambridge: Cambridge University Press, 2008.
- Ngoh, V. J.**, *Cameroon History since 1800*, Press Book Limbe, 1999.
- Nobel, P. and Melander, G.**, *African Refugees and the Law*, Uppsala: the Scandinavian Institute of African Studies, Offset Center AB, 1978.
- Obale, O.**, from *Conflict to Illicit: Mapping the Diamond Trade from Central African Republic to Cameroon*, Partnership Africa Canada, December 2016.
- Orbie, J.**, *Europe's Global Role: External Policies of the European Union*, Aldershot: Ashgate, 2014.
- Organization for Economic Co-operation and Development (OECD).**, *Assessing the Contribution of Refugees to the Development of their Host Countries*, Unclassified, DEV/DOC (2017)1, Development Centre, 28 September 2017.
- Oruonye, E.D. and Abbas Bashir.**, *The Geography of Taraba State, Nigeria*. LAP Publishing Company, Germany, 2011.
- Osaghae, E. E.**, *Ethnicity and its Management in Africa*, Lagos: Maltose Press, 1994.
- Palmer, A. W.**, *A Dictionary of Modern History*, John Murray, London, 1994.
- Pattison, J.**, *Humanitarian Intervention and the Responsibility to Protect: Who Should Intervene*, Oxford: Oxford University Press, 2010.
- Pictet, J.T.**, *Humanitarian law and the protection of war victims*, Leyden/Geneva: Sijthoff/Henry Dunant Institute, 1975.

----- *Geneva Convention Relative to the Protection of Civilian Persons in Time of War*, Geneva International Committee of the Red Cross, 1958.

Reynaud, N., *The International Labour Organization and Social Protection*, London, London, 1989.

Rogge, J. R., *Repatriation of Refugees*, in Allen, T. and Morsink, H. (eds.) *When Refugees Go Home: African Experiences*, UNRISD, 1994.

Route, J. T., *Taking Sides and Casting Views in World Politics*, 12th edition, McGraw Hill, New York, 2008.

Ruthström-Ruin, C., *Beyond Europe: the Globalization of Refugee Aid*, Lund: Lund University Press, 1993.

Sabates, R. and Waite, M., *Migration and Social Protection: A Concept Paper*, Sussex, Development Research Centre on Migration, Globalisation and Poverty, 2003.

Spijkerboer, T., *Gender and Refugee Status*, Dartmouth: Ashgate, 2000.

Stalker, P., *No Nonsense Guide to International Migration*, London, Longman, 2008.

Stark, O., *The Migration of Labour*, Brazil Black Well, Cambridge, 1991.

Stedman, S. J, and Tanner, F., *Refugee Manipulation; War Politics and the Abuse of Human Suffering*, Washington DC-Brooklyn Institute Press, 2003.

Stefansson, Anders, H., *Refugee returns to Sarajevo and their challenge to contemporary narratives of mobility*, Philadelphia: University of Pennsylvania Press, 2004.

Stein, J. et al., *Main Times: Humanitarian Action in Complex Political Emergencies-Stark Choices, Cruel Dilemmas*, Toronto: University of Toronto, 1999.

Steinbock, D.J., "The Refugee Definition as Law: Issues of Interpretation" in *Refugee Rights and Realities*, eds. Nicholson and Twomey.

Steiner, N., Gibney, M. and Loescher, G., *Problems of Protection: The UNHCR, Refugees and Human Rights in the 21st Century*, New York: Routledge, 2003.

Stoessinger, J. G., *The Refugee and the World Community*, University of Minnesota Press, Minneapolis 1956.

- Swepston, Lee.,** *The Universal Declaration of Human Rights and ILO Standards: A Comparative Analysis on the Occasion of the 50th Anniversary of the Declaration's Adoption*, Geneva: International Labour Office, 1998.
- Sztucki, J.,** "Who is a Refugee? The Convention Definition: Universal or Obsolete?" in *Refugee Rights and Realities*, eds. Nicholson and Twomey.
- Tabiy, Ghansiwiyi.,** *Citizenship Education for Ordinary Level*, Limber, Cameroon, 2015.
- Tajoche, T. J.,** *Cameroon History in the 19th Century*, Educational Book Center, Cameroon, Education Book Center, 2009.
- Tambi, E.M., and Robin, F. A.,** *History of Cameroon*, Essex, London, 1974.
- Tazifor, J. T and Tabi, J. N.,** *Cameroon History in the 19th and the 20th Centuries*, Education Book Center Buea, 2003.
- UNHCR.,** *Handbook, and Criteria for determining refugee status under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees*, UNHCR, Geneva, January 1992.
- UNICEF.,** *Promoting synergies between child protection and social protection in West and Central Africa*, UNICEF Regional Office for Central Africa, February 2009.
- United Nations Research Institution for Social Department (UNRISD),,** *Combating Poverty and Inequality: Structural Change, Social Policy and Politics*, 2006.
- United Nations.,** *Basic Facts About the United Nations*, New York: News and Media Division, United Nations Department of Public Information, 2000.
- Van Selm, V, J.,** *The Refugee Convention at Fifty: a view from forced migration studies*, Lexington Book, 2003.
- Watson, J.,** *Success in the 20th Century World Affairs*, 3rd edition, London, Longman, 1989.
- Weis, Paul.,** *The Refugee Convention, 1951: The Travaux Preparatoires Analysed*, Cambridge: Grotius Publications, 1995.
- Weyns, Y. et al.,** *Mapping conflict motive: the Central African Republic*, IPIS, Fiona Southward, 2014.
- Wilensky, R.,** *Military Medicine to Win Hearts and Minds: Aid to Civilians in the Vietnam War*, Lubbock: Texas Tech University Press, 2004.

- Wiles, P. et al.**, *Danida's humanitarian assistance to Afghanistan. An evaluation, Draft report*, Overseas Development Institute, 1999.
- World Bank.**, *The Economic Consequences of the CAR Crisis: A preliminary Assessment of External Financing Needs and the Role of the Fund and the World Bank in the International Response*, Washington DC, USA, 1999.
- Wronka, J. and Swepston, L.**, *The Universal Declaration of Human Rights and ILO Standards: A Comparative Analysis on the Occasion of the 50th Anniversary of the Declaration's Adoption*, Geneva: International Labour Office, 1998.
- Yi Cheung, S., and Phillimore, J.**, *Social networks, social capital and refugee integration*, Research Report for Nuffield Foundation, Birmingham, University of Birmingham, 2013.
- Zieck, M.**, *UNHCR and Voluntary Repatriation of Refugees: A Legal Analysis*, Martinus Nijhoff Publishers, 1997.
- Zimmermann, A., Dorscher, J. and Machts, F.**, *The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol: A Commentary*, Oxford Commentaries on International Law, 2011.

II. ARTICLES IN JOURNALS

- Al Jazeera.**, “Total Unrest in CAR”, in *Al Jazeera*, 8th of March 2013, 11pm.
- Alexander, A.**, “A short history on international humanitarian law” in *The European Journal of Law*, Vol.26, No.1, 2015.
- Alexis, A.**, *Crisis in the Central African Republic*, August 17, 2015.
- Ambrose, B. P.**, “Decentralization and the Protection of Human Rights”, in *Africa; Problems and Perspective*, Ptaeger Publishers, 1995.
- Amy Kirby shire et al.**, *Mass Displacement and the Challenge for Urban Resilience: Overseas Development Institute (ODI) working paper*, January 2017.
- Andilo, A.**, “The Central African Republic's Hidden Conflict” in *Crisis Group Africa Briefing*, N°105, Nairobi/Brussels, 12 December 2014.
- Fabos, Anita and Kibreab, Gaim.**, “Urban Refugees: Introduction.” *Refuge* 24(1), 2007.

- Atmar, M. H.**, “Politicization of Humanitarian Aid and its Consequences for Afghans”, in *Politics and Humanitarian Aid: Debates, Dilemmas and Dissension Conference*, Longman, London, 2001.
- Azizuddin. M.**, Global Encyclopedia of Public Administration, Public Policy, and Governance, Living Edition , 2016.
- Garcia, Banilla, Q.**, “Globalization and social protection: Myths, Utopias and Realities” in *Social protection: What workers and trade unions should know*, London education, No121, 2000/4.
- Barnett, L.**, “Global governance and the evolution of the international refugee regime”, *New Issues in Refugees Research*, Working Paper No. 54, 2002.
- Barrientos, A. and Hulme, D.**, “Social Protection for the Poor and Poorest in Developing Countries: Reflections on a Quiet Revolution: Commentary” in *Oxford Development Studies*, 37(4), 439-456, 2009.
- Stein, Barry N. and Cuny, Fred C.**, "Repatriation Under Conflict," U.S. Committee for Refugees, World Refugee Survey, 1991.
- Bartram, David.**, Forced migration and —rejected alternatives: A conceptual refinement. *Journal of Immigrant & Refugee Studies*, 13(4),2015.
- Bevan, P. et al.**, “The dynamics of Africa’s insecurity and security regimes”, in *Insecurity and Welfare Regimes in Asia, Africa and Latin America*, Cambridge: Cambridge University Press, 2004.
- Bothe, M.**, “The law of neutrality”, in *the handbook of international humanitarian law*, Vol.51.14-0, 2008 .
- Bradley, M.**, Refugees and the reparations movement: Reflections on some recent literature. *Journal of Refugee Studies*, 20, 2007.
- Chamber, R.**, “Vulnerability and Social Protection: How the Poor Cope”, in *IDS Bulletin*, Vol.20, 1989.
- Chandler, D.**, “The Road to Military Humanitarianism: How the Human Rights NGOs Shaped a New Humanitarian Agenda”, in *Human Rights Quarterly*, 23 (2001): 678–700. 3242, 2014.

- Concannon, B. and Lindstrom, B.**, “Cheaper, better, longer-lasting: a rights-based approach to disaster response in Haiti” in *Emory International Law Review*, 25, 1145-1192, 2011.
- Crisp, J.**, “Mind the Gap! UNHCR, humanitarian assistance and the development process” *New Issues in Refugee Research*, Working Paper No. 43, May 2001.
- “Review of UNHCR Implementing Arrangements and Implementing Partner”, in *Selection Procedures Review of UNHCR Implementing Arrangements and Implementing Partner Selection Procedures EVAL/08/97*, Central Evaluation Section; Andrew Mayne, Regional Bureau for Asia and Oceania 01 November 1997.
- Dany, S.**, “Beyond principles verses politics” in *humanitarian aid within the European Union*, Arena Working Paper Ii, November 2014.
- Davidson, J.**, “Humanitarian Intervention as Liberal Imperialism: A Force for Good?”, *POLIS Journal*, Vol. 7, University of Leeds, summer 2012.
- Devereux, S., and Sabates-Wheeler, R.**, “Editorial introduction: Debating social protection”, in *IDS Bulletin*, 38(3), 1-7, 2007.
- Dewan, T. and Thielemann, E. R.**, “The Myth of Free Riding; Refugee Protection and Implicit Burden Showing”, in *CEMAC Politics*, Vol. 29, 2006.
- Dowd R. & McAdam, Jane.**, International cooperation and responsibility sharing to protect refugees: what, why and how?, *International and Comparative Law Quarterly*, Volume 66, Issue 4, October 2017.
- Oruonye. E. D.**, “The Socio-economic Impact of Land resource Conflict in Taraba State: A Case Study of Kona – Minda crisis in Northern Taraba”, Department of Geography, Taraba State University, P.M.B. 1167, Jalingo, Taraba State, Nigeria ,*International Journal of Environmental Sciences* Vol.1 No.2. 2012
- Eduardo, A.**, “Refugee Definition in Africa and Latin America: The Lessons of Pragmatism” in *International Journal of Refugee Law*, vol. 3, No. 2, 1999.
- Edwards, Alice.**, Human Rights, Refugees, and The Right ‘To Enjoy’ Asylum, *International Journal of Refugee Law*, Volume 17, Issue 2, 2005.
- Egger, P.**, “Towards a Policy Framework, for Decent Work”, in *International Labour Review*, Vol.1-2:161-174, 2002.

- Mbua, Eloundou, E.**, “Law No. 2005/006 of 27 July 2005 Relating to the Status of Refugees in Cameroon: An Additional Hurdle or a Major Step” in *Journal of Law, Policy and Globalization*, Vol.38, 2015.
- Mattheisen, Emily.**, “ Because I am a stranger’ Urban refugees in Yaoundé, Cameroon.” UNHCR Policy Development and Evaluation Service: *New Issues in Refugee Research* No. 244, 2012.
- Endoscre, T.**, “Fraudulent importation of Wax in Cameroon”, *Cameroon Tribune*, No. 5061, 1992.
- Espiell, H.G., Picado, S. and Lanza, L. V.**, “Principles and Criteria for the Protection of and Assistance to Central American Refugees,” *International Journal of Refugee Law*, Vol.2 (1), 1990.
- Evans, G.**, “From Humanitarian Intervention to the Responsibility to Protect”, in *Wisconsin International Law Journal*, 24, 703-722, 2006.
- Falk, R.**, “Humanitarian Intervention: Elite and Critical Perspectives”, in *Global Dialogue*, 2005.
- Fatima, K. and Sackeyfio, Cecile.**, “Situating the Global Compact on Refugees in Africa: Will It Make a Difference to the Lives of Refugees ‘Languishing in Camps’?” *Journal of African Law* 65, no. S1, 2021.
- Fielden, A. and Crisp, J.**, “Local Integration; Receiving or Forgotten Solutions”, in *Forced Migration Review*, Vol.30, 2008.
- Gomez. M.P.**, *Forced Displacement: Overview of the World Bank Portfolio. Social Development Notes*; no.122, 2009. Conflict, crime and violence. Washington, DC: World Bank.
- Goodwin-Gill, G.**, “Refugee Identity and Protection’s Fading Prospect” in Nicholson and Twomey, eds., *Refugee Rights and Realities*.
- ‘The Right to Seek Asylum: Interception at Sea and the Principle of Non-refoulement’. *International Journal of Refugee Law* 23, 2011.
- Gorman, Robert.**, "Refugee Repatriation in Africa." *The World Today* October: 1984.
- Grahl-Madsen, A.**, Identifying the world's refugees. *The Annals of the American Academy of Political and Social Science*, 467(1), 1983.

- Gruat, J.**, “Social Security Schemes in Africa: Current trends and problems”, *International Labour Review* 129(4), 1990.
- Bond, Harell, B.**, ‘Are Refugees Camps Good for Children’ in *New Issues in Refugees Research Work*, Working Paper No. 29, Geneva, UNHCR, 2000.
- Heuven, G.**, “The problem of refugees”, RCADI, 1953, I HPG working paper, Veronique
- Hoerz, T.**, “Refugees and Host Environments” *A Review of Current and Related Literature*, Oxford University Press, August 1999.
- Hughes, P.**, *Paradox moron: Foolish Wisdom in Words and Pictures*, Reversespect, 2011.
- International Crisis Group.**, “Central African Republic: Priorities of the Transition”, Crisis Group Africa Report No203, 11 June 2013.
- International Organization for Migration (IOM).**, “Migration Dimension of the Crisis in the Central African Republic”, in *Short, Medium and Long-Term Considerations, Working Paper August 2014*, Department of Operations and Emergencies, Geneva, Switzerland, 2014.
- IPCR**(Institute for Peace and Conflict Resolution)., :Home Sweet Home,’ Exploring Issues Related to the Repatriation of Nigerians Affected by Land Related Conflict on the Mambilla Plateau’ , 2006.
- Crisp, Jeff.**, “The Global Compact on Refugees: What can we expect? *Refugees International*, 2017.
- Jacobsen, Karen.**, “Just Enough for the City: Urban Refugees Make their Own Way.” *World Refugee Survey* 2004.
- James, E.**, “Using Paradoxes to Teach Critical Thinking in Science”, *Journal of College Science Teaching*, 15 (5): 341–44, March-April 1996.
- Jastram, K., and. Achiron, M.**, *Refugee Protection: A Guide to International Refugee law*, 2015.
- Crisp, Jeff and Long, Katy.**, Journal on Migration and Human Security Safe ‘Voluntary Refugee Repatriation: From Principle to Practice’, Center for Migration Studies of New York, JMHS Volume 4 Number 3 ,2016.
- Kate Jastram, M. and Marilyn Achiron, M.**, *Refugee Protection: A Guide to International Refugee Law*, 2001.

Keith A. & Shawaf .N., When is return voluntary? Conditions of asylum in Lebanon. *Forced Migration Review*, 57, 2018.

Kindzeka ,M.E., “Concern Voiced About Education of Refugee Children in Cameroon - Cameroon.”

----- Hundreds of Cameroon's Central African Republic Refugees Voluntarily Repatriate, VOA, 2019.

Kuhlman, T., “The Economic Integration of Refugees in Developing Countries: Research Model,” in *Economic Integration of Refugees*, London: Oxford University Press, 1990.

Kuperman, A., “A Model Humanitarian Intervention? Reassessing NATO’s Libya Campaign”, in *International Security*, NO.105-3638, 2013.

Lombard.L., Genocide-mongering does nothing to help us understand the messy dynamics of conflict in CAR, 2014.

Lomo, Z. et al., “the Phenomenon of Forced Migration in Uganda”, in *An overview of Policy and Practice in an Historical Context*, Working Paper No. 1. Refugee Law Project, Uganda, 2001.

M. Ineli-Ciger., “Will the Global Compact on Refugees address the gap in international refugee law concerning burden sharing?”,20 June 2018

Marchal, R., “Central African Republic: Back to War Again?” The Global Observatory, 2013.

Max, T., *The Mathematical Universe Foundations of Physics*, 38 (2),2008.

Mbiyozo, A.N. “Cameroon’s Forceful Repatriation of Nigerian Refugees.” Policy Brief. Institute for Security Studies. 2017.

----- “How Boko Haram Specifically Targets Displaced People.” Policy Brief. Institute for Security Studies,2017.

Mbua, E. E., “Journal of Law”, in *Policy and Globalization*, Vol.38, 2015,

Mbull, R., “Humanitarian Crisis and the Management of refugee in CARs; the case of Cameroon”, *paper presented to the world conference on humanitarian studies*, Groningen, Nether land, February 2004.

Abdulazeez, Medinat., “The Boko Haram Insurgency and Internal Displacement”, Nigerian Defence Academy at the State Secretariat for Migration (SEM) , 20 June 2016.

- Melia, Ghislain.**, Nurse, African Humanitarian Action (AHA),2019.
- Meludu, N. T. & Emerole E. N.**, Enhancing sustainable participation in local livelihood Activities by the Refugees in Nigeria. *Studies of Tribes and Tribals*, 7(2), 2009.
- Mills, K.**, “Neo-Humanitarianism: The Role of International Humanitarian Norms and Organizations in Contemporary Conflict”, *Global Governance*, 2005.
- Mokake, J.**, *Basic facts on Cameroon History Since 1884*, CURE Series, 2009.
- Montclo, M. A. P.**, *Les Humanitaires Dans la Guerre: Des Idéaux à L'épreuve de la République*, La documentation Africaine, 2013.
- Murphy, C. N.**, *The United Nations Development Programme - A Better Way?* , Cambridge, 2006
- Mohammad, Najla.**, “Refugees in Urban Areas”, *International Journal of Humanities and Social Science*, Vol. 7(No. 3), March 2017.
- Ndouyou-Mouliom, J.**, “Refugiés, Le Cameroun invité à la réunion interministérielle”, *Cameroon tribune*, 17th November, 2011.
- Newland, K.**, “The New Politics of Displacement”, in *World Watch Paper*, No.43, 2004, p.7.
- M, Olivier.**, “The relevance of ‘soft law’ as a source of international human rights” (2002) 35/3 *Comparative and International Law Journal of Southern Africa*.
- Richards,Oludare et al.**, “UN Opposes Forced Return of Nigerian Refugees from Cameroon.” *The Guardian Nigeria*,2017.
- Oruonye, E. D.**, “ Land and Compensation Issues in Resettlement Scheme”: A case study of the Lake Chad resettlement scheme. *The Knowledge Review*. Vol.19 (1), 2009
- Djamengo, Piamou and Fanokoa, P. S.**, *System Dynamics Modeling of Impacts of Central African Republic Refugees in Eastern Region of Cameroon since 2005*, 2015.
- Pongou Roland et al.**, “Crossing Boundaries: Internal, Regional and International Migration in Cameroon.” *International Migration* 54 (1): 2012.
- Stone, Pound W.**, *Labyrinths of reason; paradox, puzzle and the frailty of knowledge*, Anchor, 19893.
- Ravenstein, E. G.**, “The Laws of Immigration“, in *Journal of Social Statistical Society*, Vol.52, London, 1989.

Refugees International., “Who is a Stateless Person?” Available at www.refintl.org Accessed: 3 July 2019.

Roberts, A. and Sivakumaran, J., “Lawmaking by non-state actors: Engaging armed groups in the creation of international humanitarian law”, in *Yale Journal of International Law*, 37, 107-152, 2012.

Sanyal, Romola., “Refugees and the City: An Urban Discussion”, *Geography Compass*, Vol. 6(No. 11), 28 July 2015.

Sallinen, H., “Intergovernmental Advocates of Refugees: The Refugee Policy of the League of Nations and the International Labour Organization in the 1920s and 1930s”, University of Helsinki, Faculty of Social Sciences, Department of Economic and Political Studies, 2014.

Shacknove, A. E. Who is a Refugee? *Ethics*. 95(2), 1985.

Sharpe, Marina., Engaging with refugee protection? The Organisation of African Unity and African Union since 1963. *New Issues in Refugee Research*, Working Paper N° 266, Geneva: UNHCR, 2011

Culbertson, Shelly et al., Rethinking Coordination to Refugees in Urban Areas: Managing the Crisis in Jordan and Lebanon, RAND Corporation, Santa Monica, Calif, ISBN: 978-0-8330-9446-9, 2016.

Simpson, Gerry., “They Forced Us onto Trucks like Animals’ Cameroon’s Mass Forced Return and Abuse of Nigerian Refugees.” Human Rights Watch, 2017.

Singer, P. W., “Private Military Contractors and Humanitarians”, in *Disaster and the Politics of Intervention*, New York, NY: Columbia University Press.

Skran, M. C., “Profiles of the First Two High Commissioners”, in *Journal of Refugee Studies*, Vol. 3, No 4, p. 277-296.

Slim, H., “Is Humanitarianism Being Politicized? A Reply to David Rieff”, in *The Dutch Red Cross Symposium on Ethics in Aid*, Hague, 8 October, 2003.

Smith, K., and Lewis, M. W., “Toward a theory of paradox: A dynamic equilibrium model of organizing”, in *Academy of Management Review*, 2011.

Spalding, L. J., “A Critical Investigation of the IR Theories that Underpin the Debate on Humanitarian Intervention”, *International Public Policy Review*, IPPR 2012/2013.

- Spieker, H.**, “The right to give and receive humanitarian assistance”, in *International law and humanitarian assistance*, Heidelberg: Springer, 2011.
- Spittaels .S. and Hilgert. F.**, Mapping Conflict Motives: Central African Republic, 2009.
- Stein, B. N.**, Refugee Repatriation, Return, and Refoulement During Conflict. In USAID Conference Promoting Democracy, Human Rights and Reintegration in Post-conflict Societies.–October, 1997.
- Suhrke, A.**, “Burden Sharing during Refugees Emergencies; The Logic of Collective Actions Verses National Action”, in *Journal of Refugee Studies*, Vol. 11, 1998, p.17.
- T. Modibo.**, “Cameroon: North-West and South-West Crisis Situation Report N1.”, 2018.
- Tharoor, S. and Daws, S.**, “Humanitarian Intervention: Getting Past the Reefs”, *World Policy Journal*, 2001.
- Thet, K.**, “Pull and Push Factors of Migration: A case in the urban area of Monywa”, in *Journal of Regional Science*, 46, 97,120, p.9.
- Tim, M.**, “Urban Refugees in Yemen”, in *Forced Migration Review*, Issue 34: 2010.
- UN High Commissioner for Refugees (UNHCR).**, UNHCR Master Glossary of Terms, June 2006.
- UNHCR.**, *Situation of Co-Existence within the Camps*, 2014.
- UNHCR.**, “Lancement Officiel de L’operation D’enregistrement Biometrique Des Refugies Nigeriens Dans Le Departement Du Logone-et-Chari.” 2018.
- UNHCR.**, “50 Anniversary: The Wall Behind which Refugees can Shelter, the 1951 Geneva Convention”, *Refugee Magazine*, Vol.2, Issue 123 of 2001.
- UNHCR.**, “UNHCR Deplores Forced Refugee Returns from Cameroon.” 2019.
- UNHCR’s handbook.**, « Refugee Protection: A Guide to International Refugee Law » inter-parliamentary Union, 2001.
- United Nations High Commissioner of Human Rights (UNHCHR).**, *Crimes in Central African Republic*, 25th of December 2015.
- United States Department of State. n.d.**, “Country Report on Human Rights Practices for 2017: Cameroon.” Country Reports on Human Rights Practices for 2017. Washington, DC: Bureau of Democracy, Human Rights and Labor.

Vasak, K., *The International Dimension of Humanitarian Rights*, Vol.2.

Veronique, B., “Supporting Central African Refugees in Cameroon.” HPG Working Paper. ODI. 2017.

Warner, D., Voluntary repatriation and the meaning of return to home: A critique of liberal mathematics. *Journal of Refugee Studies*, 7(2-3), 1994.

Weis, P., “The Concept of the Refugee in International Law”, in *Journal du Droit International*, 1960 .

Weis, P., “The International Protection of Refugees,” *American Journal of International Law*, Vol. 48, 1954.

Whitaker, E. B., “Changing Opportunities: Refugees and Host Communities in Western Tanzania”, *New Issues in Refugee Research*, Working Paper 11, University of North Carolina, USA, 1999.

Women’s Refugees Commission (WRC), Mean Streets: Identifying and Responding to Urban Refugees’ Risks of Gender-Based Violence, February 2015, ISBN:1-58030-144-4, 2016.

Wood Bernard., 'Lessons and Guidance for Donors: Key Points from the Development Assistance Committee's Guidelines on Conflict, Peace, and Development Cooperation', USAID Conference: Promoting Democracy, Human Rights, and Reintegration in PostConflict Societies, in mimeo, 30-31 October 1997.

Woods, N., “The Shifting Politics of Foreign Aid”, in *International Affairs*, 2005.

Zhang, Y. et al., “Paradoxical leader behaviors in people management: Antecedents and consequences” in *Academy of Management Journal*, 2015.

III. THESES AND DISSERTATIONS

Alain, Didier Et Al., “Le Cameroun et le Haut-Commissariat des Nations Unies pour les Réfugiés (HCR)”: De 1978 à nos jours. Unpublished Maîtrise Dissertation, University of Yaoundé I, 2004.

Meyer, Angela., “Regional Integration and its Impact on structure, security and stability of weak states: The case of four Central African States, PhD thesis, Paris, 2006.

Bacaian, L. E., “The protection of Refugees and their right to seek asylum in the European Union”, *Mémoire présenté pour l’obtention du Master en études européennes*, Institut Européen De L’université De Genève, Collection Euryopa, Vol. 70- 2011.

Ngolle, Ngolle Elvis., “The African Refugee and the Distribution of Refugee Assistance in Comparative Perspective; An empirical Analysis of the Policies of the United Nations High Commissioner for Refugees (UNHCR) 1960-1980”, PhD Dissertation, Denver: Faculty of the Graduate School of International Studies, University of Denver, Colorador,1985.

Moh, Kepeh Eric., “The Repatriation of Nigerian Refugees from Cameroon”: A Historical Investigation 2001-2017, Unpublished Masters in History of International Relations, University of Yaoundé 1, July 2018.

----- “UNHCR Policy on Urban Refugee Protection and the Quest for Durable Solutions for Refugees In Yaoundé” A Dissertation Submitted in Partial Fulfillment for the Award of a Master Degree in International Co-operation, Humanitarian Action and Sustainable Development, IRIC, 2020.

Foga, Konefon, W. D., « *Le Cameroun et Le Question de Immigration Nigérienne:1963-2008* », Master II Dissertation in History, the University of Yaounde 1, 2008.

James, Francis, A., “The Role of Legislative, Executive and Judicial Mechanisms in Ensuring A Fair and Effective Asylum Process”, A Thesis Submitted for the Degree of Doctor of Philosophy, The Australian National University, Australian National University College of Law. December 2008.

Kamdem, S. K., “*La question d’immigration au Cameroun et le rôle de la Communauté internationale 1990-2005*”, Master Dissertation in History, University of Yaounde 1, 2008.

Kebule, Bih, E., “The Role of UNHCR In The Promotion of Health to The Central African Refugees; The Case of The Garoua Boulai in the East Region of Cameroon”, A Dissertation Submitted for the Award of a Master Degree in International Relation, Option; International Co-operations, Humanitarian Actions and Sustainable Development, Specialty; Development, Co-operation and Humanitarian Action, 2014.

Agbor, Lawrence., ‘The International Protection of Refugees in Africa’: The Case of the Great Lakes Region.

Moubarak, M., «*Diplomatie Multilaterale; Initiatives et Responsabilité Politiques de L'humanitaire*,» A Dissertation Submitted in Partial Fulfillment for the Award of A Professional Master In International Relations Co-operation, Humanitarian Action and Durable Development, IRIC, 2011.

Mouelle, Kombi Jean Narcisse., “Le Cameroun et les Réfugiés”, Unpublished Maîtrise Dissertation, Yaoundé: University of Yaoundé, 1986.

Nchinda, Keming, David., “The UNHCR in Cameroon; 1982-2011, A Historical Investigation”, A Thesis Presented for the Award of a Ph.D in History, University of Yaounde 1, 2016.

Tayimlang, Afuh Robert, “The Local Integration and the Settlement of Refugee and its Socio-Economic Impact on Host Communities ; The Case of the Communities Hosting the Central African Refugees In the East Region of Cameroon” A Dissertation Submitted in Partial Fulfillment for the Award of a Master Degree in International Co-operation, Humanitarian Action and Sustainable Development, IRIC, 2015.

----- “Social Protection of Refugees in Cameroon”, Professional Master in Cameroon Institute of International Relations (IRIC), for the award of A Master In International Relations, 2013.

Chu, T.Z. The Management of Central African Republic Refugees in Cameroon. Case Study: UNHCR and partners at the Lolo refugee site in the East Region of Cameroon.

IV. ARCHIVAL DOCUMENTARIES

- File No. 16, Law No. 777/PJL/AN/, Refugee Laws, 2005. Archive of National Assembly (ANS), File No. 89, a deliberations on the laws governing the protection of internally and internationally displaced person in Cameroon, 2011.
- File No. 89, Deliberations on the laws governing the protection of Internally and internationally displaced person in Cameroon, 2011.
- File No. 66/2014, *A Special Report on Commission and Duties*, Yaounde, 2015.
- File No, CMR/0938/11/AHM/am ,14, *Mission sur la situation des réfugiés nigériens des régions de l'Adamaoua et du Nord-ouest, UNHCR Représentation en République du Cameroun juillet 2011*

- Réf. : V/L n°0105/CAB/PR du 05.03.10, Objet : *Projet d'Accord Tripartite CAMEROUN-TCHAD-HCR en vue du rapatriement volontaire des réfugiés Tchadiens vivant au Cameroun*
- DIPL /DS/ SDAC/ SREM , *Note A L'attention De S.E. M. Le Ministre Des Relations Exterieures, A/S Rapatriement Volontaire Des Refugies Tchadiens Vivant Au Cameroun Projet D'accord Tripartite Cameroun-TChad-Hcr En Vue Du Rapatriement Volontaire Des Refugies Tchadiens Vivant Au Cameroun.* Yaoundé, le 11 MARS 2010
- *Ministere Des Relations Exterieures Direction Du Protocole Et Des Affaires Consulaires Le Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, Reunion Technique Sur L'accord Tripartite Cameroun/TChad/Hcr En Vue Du Rapatriement Volontaire Des Refugies Tchadiens Du Camp De Langui.* 19 Jul 2011 Yaoundé,
- File No_A194/a /SG/PR, Réf: V/L n° 02997/DIPL/D5/SDAC/SREM du 03 septembre 2012
- File No 0299DIPL/D5/SDAC/SREM, Yaoundé, le 03 SEP. 2012, *Direction Du Protocole Et Des Affaires Consulaires And Consulaires*
- Réf.: M/L n° 00386/DIPL/D5/SDAC/SREM du 25.02.10, Objet : *Projet d'Accord Tripartite Cameroun-TChad-HCR en vue du rapatriement volontaire des réfugiés Tchadiens vivant au Cameroun*
- *Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, A/S, Reunion Technique Sur L'accord Tripartite Cameroun/TChad/Hcr En Vue Du, Rapatriement Volontaire Des Refugies Tchadiens Du Camp De Langui, Yaoundé, leq 19 JUIL 2011*
- Notre/Our code: CMR/0899/11/AHM/am ,Objet : *Accord tripartite Cameroun/Tchad/UNHCR sur le rapatriement des réfugiés Tchadiens du camp de Langui,08 juillet 2011*
- File N°85./ D5/SDAC/SREM, *Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures A/S, Projet D'accord Tripartite Cameroun-TChad-Hcr En Vue Du Rapatriement Volontaire Des Refugies Tchadiens Vivant Au Cameroun* Yaoundé, le 22 JUN 2010
- File No..... /D5/SDAC/SREM, *Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, A/S, Projet D'accord Tripartite Cameroun-TChad-Hcr En Vue Rapatriement Volontaire Des Refugies Tchadiens Vivant Au Cameroun ,* Yaoundé, le 22 FEV. 2010

- File NO 02853 DIPL/D5/SDAC/ ,Objet : *Etablissement d'un Titre de Voyage de la Convention , Yaoundé, le 27 JUIN 2012*
- File No 2855 DIPL/D5/SDAC/SREM, Objet : *Etablissement d'un titre de voyage de la Convention, Yaoundé, le 27 JUIN 2012*
- File NO 02854 DIPLDS SDAC/, Objet : *Etablissement d'un Titre de Voyage de la Convention, Yaoundé, le 27 JUIN 2012*
- File No 02852 DIPL/DS/SDAC/ , Objet : *Etablissement d'un Titre de Voyage de la Convention, Yaoundé, le 27 JUIN 2012*
- File No...../D5/SDAC/SREM , *Note A L'attention De S.E.M. Le Ministre Des Relations Exterieures, A/S ,Projet D'accord Tripartite Cameroun-TChad-Hcr En Vue Du Rapatriement Volontaire Des Refugies TChadiens Ducamp De Langui, Yaoundé, le 29 JAN. 2010*
- File No03384DIPL/D5, *Objet : Projet d'Accord tripartite Cameroun//TChad/HCR en vue du rapatriement volontaire des réfugiés tChadiens, Ref: V/L n° 218/a 78 du 22 août 2008, Yaoundé, le 20 OCT 2008*
- File N° A218/a /SG/PM , *Objet: Maîtrise des flux migratoires au Cameroun.- REC 06 JUL 2012 Yaoundé, le 5 JUIL 2012*
- Appendix to UNGA Res. 429(V), 14 Dec. 1950, GAOR, Fifth Session, Supplement No. 20 (A/1775); Holborn, Refugees.
- Convention of 28 October, 1933 relating to the International Status of Refugees, League of Nations, Treaty Series Vol. CLIX No. 3663.
- League of Nations, *Treaty Series*, Vol. CXCII, No. 4461, p. 59. Cited in
- League of Nations, *Treaty Series*, Vol. CSCVIII, No. 4634, p. 141.
- Resolution adopted by the General Assembly on 19 September 2016, Seventy-first session, Agenda, items 13 and 117, A/71/L.1,
- Regional refugee instruments and related recommendations from the Pan-African Conference on the Situation of Refugees in Africa, Arusha (Tanzania), 17 May 1979.
- GA A/36/316 (11 June 1981).
- Report of the Secretary-General (addendum), A/39/402/Add.2 (10 December 1984).

- Decree of the Head of State No2011/408 of 09 December 2011 to organise the Government.

V. DICTIONARIES OF PUBLIC POLICY, CLASSICAL DICTIONARIES, ENCYCLOPEDIA.

- JAY SHAFRITZ., the Dictionary of Public Policy and Administration, New York, 2004.
- The Cambridge Advanced Learner's Dictionary, Cambridge University Press, Fourth Edition.
- The Oxford Advanced Learners' Dictionary, Oxford University Press, Oxford, International Student's Edition (New 8th Edition)

VI. OFFICIAL TEXTS

1.1. INTERNATIONAL LEGAL INSTRUMENTS AND REPORTS

- Charter of the United Nations of 26 June, 1945.
- The Universal Declaration of Human Rights of 10 December 1948.
- The 1951 Convention Relating to the status Refugees.
- The 1967 Additional protocol relating to the Status of Refugees.
- The New York Declaration of 19th September 2016.
- Cartagena Declaration, 1984.
- "Declaration on Territorial Asylum", Article 3.1, 1967.
- UNHCR, "States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol".
- The 1954 Convention relating to the status of stateless person
- UNHCR Handbook for Voluntary Repatriation, Geneva, UNHCR Department of International Protection, 1996.
- UNHCR Handbook for Voluntary Repatriation, Geneva, UNHCR Department of International Protection, 1996.
- UNHCR., Thirty Years On: A Legal Review of the 1969 OAU Refugee Convention Governing

- the Specific Aspects of Refugee Problems in Africa, 2001, Refugee Survey Quarterly, Vol. 20, No. 1, 2001.
- UN High Commissioner for Refugees, UNHCR Policy on Refugee Protection and Solutions in Urban Areas, September 2009
- UNCHR. "Cameroun: Statistiques Des Personnes Relevant de La Competence Du HCR." 2019.
- UNHCR. "Cameroon Global Focus," 2018.
- UNCHR. "Cameroun: Statistiques Des Personnes Relevant de La Competence Du HCR." 2019.
- UNHCR. "Cameroon Global Focus," accessed October 2: 2018.
- UNCHR. "*Cameroun: Statistiques Des Personnes Relevant de La Competence Du HCR.*" 2019. <https://data2.unhcr.org/en/documents/download/67964>.
- The U.N. refugee agency's (UNHCR) commissioner to Cameroon, Kouassi Lazare Etien during the official ceremony of voluntary repatriation on October 23, 2019.
- UNHCR, Cameroon, : *Opération de rapatriement des réfugiés Centrafricains* ,au 14 novembre 2019
- *Portant Statut Des Refugies Au Cameroun, Pub. L. No. L'Assemblée Nationale-2005/006, La République du Cameroun 2005.*
- The United Nations. The United Nations High Commissioner for Refugees. *Submission by UNHCR for the Office of the High Commissioner for Human Rights' Compilation Report-Universal Periodic Review: CAMEROON.* Geneva: U.N., 2012.
- "World Refugee Survey 2009: Cameroon." *2009 Country Updates.* U.S. Committee for Refugees and Immigrants, 2009.
- UNHCR. 2018. "Cameroon Global Focus," accessed October 2:
- World Bank. "Community Development Program Support Project Phase II." Project Information Document AB4223. 2009.
- World Bank. "Project Paper on Proposed Additional Credit in the Amount of Eur 24.6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of \$30 Million to the Republic of Cameroon for the Social Safety Net Project." Project Paper PAD2744, 2018.

- UNICEF. “Cameroon Humanitarian Situation Report.” 2017.
- World Bank, “Project Paper on a Proposed Additional Credit in the Amount of \$6 Million and a Proposed Additional Grant from the IDA18 Refugee Sub-Window in the Amount of SDR 20.8 Million to the Republic of Cameroon for the Health System Performance Reinforcement Project,” Project Paper ,2018.
- World Bank. “Project Appraisal Document on a Proposed Credit in the Amount of Eur 80.3 Million and a Proposed Grant in the Amount of SDR 20.6 Million from the IDA18 Refugee Sub -window to the Republic of Cameroon for an Education Reform Support Project.” Project Paper PAD2366. 2018.
- Norwegian Refugee Council. 2018. Thousands of Children out of School.
- World Bank. “Project Appraisal Document on a Proposed Credit in the Amount of Eur 80.3 Million and a Proposed Grant in the Amount of SDR 20.6 Million from the IDA18 Refugee Sub-window to the Republic of Cameroon for an Education Reform Support Project.” Project Paper PAD2366. 2018.
- World Bank. “Cameroon – Community Development Program Support Project Response to Forced Displacement Project: additional financing (English).” Washington, DC: World Bank Group. 2018.
- UNHCR. “Cameroon: Far North Region Update on Returns.” 2018.
- UNDP , Annual Report, 2018
- UNDP for Beginners: A Beginner’s Guide to the United Nations Development Programme
- AHA, Annual Report,1995.
- AHA 2021 annual Report
- AHA, “Future Focus: Africa Humanitarian Action Marks 25 Years”, AHA’s 25th Anniversary highlights the role of African NGOs and civil society in the search for durable solutions for forced displacement in the continent, Addis Abeba, 30 October 2019.
- UNFPA, Final Country Programme Document for the Central African Republic, 29 September 2011.
- UN map of CAR consulted on the 6th November 2019

- Marc, A . Understanding access to justice and conflict resolution at the local level in the Central African Republic (CAR), World Bank (Washington D.C: 24 February 2012) .
- IOM, Migration dimensions of the crisis in the Central African Republic: Short, Medium and Long-term Considerations, Working Paper August 2014 .
- UN, Report of the Secretary-General on the Central African Republic, 2014, and UN 2014, Preliminary Report of the International Commission of Inquiry on the Central African Republic, 2014.
- U.S , Field Evaluation of Local Integration of Central African Refugees in Cameroon Final Field Visit Report, U.S. Department of State Task Order No. SAWMMA13F2592, Evaluating the Effectiveness of Humanitarian Engagement and Programming in Promoting Local Integration of Refugees in Zambia, Tanzania, and Cameroon, September 22, 2014.
- UN High Commissioner for Refugees (UNHCR), *Tripartite Agreement for the Voluntary Repatriation of Central African Refugees Living in Cameroon between the Government of the Republic of Cameroon, the Governments of the Central African Republic and UNHCR*, 29 June 2019.

1.2. REGIONAL LEGAL INSTRUMENTS.

- Organisation of African Unity convention governing specific Refugees Problem in Africa in 1969.
- African Charter on Human and Peoples Right of 1 June 1981 Protocol to the African Charter on Human and People's Rights on the establishment of an African Court of Human and Peoples Rights of July 1998.

1.3. NATIONAL LEGAL INSTRUMENTS

- Law N° 96/6 of 18 January 1996, Constitution of the Republic of Cameroon.
- Law No. 2005/006 of 17 July 2005 relating to the status of Refugees in Cameroon.
- Law No. 97/12 of 10th January 1997 to lay down the Conditions of Entry, Stay and Exit for Aliens.
- Presidential Order No. 269 on 13th March 2014 setting up an Inter-Ministerial committed to handle very urgent issues concerning Refugees in Cameroon.

- Decree No 2011/389 of 28th November 2011 relating to the organisation and functioning of Managing organs of the Status of Refugees in Cameroon.
- Arête No. 0013/DIPL/CAB of 06th August 2012 constituting the composition of the Refugee Status Eligibility Commission.
- Arête No. 014/DIPL/CAB of 06th August 2012 Notifying the Composition of the Refugee Appeals Commission.
- Convention relating to the Status of Refugees, 1951.
- Law N° 2005/006 of 27 July 2005 on the Status of Refugees in Cameroon.

VII. COMPLEMENTARY RESEARCH SOURCES

1. ACTS OF WORK

1.1 ACTS OF COLLOQUIUMS

- UNHCR, Colloquium on the legal aspects of refugee problems, (the General Assembly), held in Bellagio, Como, Italy, May 5th 1965.
- UNHCR, Colloquium on the development in the law of refugees with particular reference to the 1951 Convention and Statute of the Office of the United Nations High Commissioner for Refugees held at Villa Serbelloni Bellagio (Italy) from 21-28th April 1965: Background Paper submitted by the Office of the UNHCR, Palais des Nations, Geneva, Switzerland, 1965

1.2 ACTS OF CONFERENCES

- African Union Day, Conference at IRIC, May 25th 2019, Year of refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa.

3. WEB- BIBLIOGRAPHIES.

3.1.E-BOOKS

Gratz, Alan., Refugee, New York University press, New York, 2017, Pp. 3-6, www.alan-gratz.refugee, consulted on 29th September 2019.

Rawlence, Ben., City of Thorns: Nine in the World's Largest Refugee Camp, University press, New York, 2016, www.city-of-thorns-ben-rewlence.com, consulted on 27th September 2019.

Herzegovina-Bosnia - International Committee of the Red Cross, available at <https://www.icrc.org/eng/assets/files/other/bosnia.pdf>, retrieved on the 17 of February 2018.

Crisp, J., "The Local Integration and Local Settlement of Refugees: A Conceptual Framework and Historical Analysis," UNHCR Working Paper No. 102, of 2004, p.22, available at <http://www.unhcr.org/407d3b762.html>, retrieved on 29th of September 2019.

Nayeri, Dina., The Ungrateful Refugee: what Immigrants Never tell you, New York University press, New York, 2019, www.strong-refugee-quotations.com, consulted on 28th November 2019, 6:20pm.

Guiding Principles on Internal Displacement of 1998, available at <http://www.idpguidingprinciples.org/>, Retrieved on 6th of May 2017.

http://ochanet.unocha.org/p/Documents/OOMhumanitarianprinciples_eng_June_12.pdf, Retrieved on 10 of June 2017.

http://www.echr.coe.int/Documents/Archives_1950_Convention_ENG.pdf, Retrieved on the 28 of August 2019.

http://www.law.emory.edu/fileadmin/journals/eilr/25/25.3/Concannon_Li_ndstrom.pdf, Retrieved on 8th of May 2019.

https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11&chapter=4&lang=e, Retrieved on the accessed on 27th September 2019..

<https://www.icrc.org/eng/resources/documents/treaty/geneva-convention-1864.htm>, retrieved on the 28 of September 2019.

The 1951 Convention relating to the Status of Refugees is available at www.unhchr.ch/html/menu3/b/o_c_ref.htm, accessed on 27th September 2019.

The International Red Cross and the Red Crescent Movement-Wikipedia, at http://en.m.wikipedia.org/wiki*intern, retrieved on the accessed on 27th September 2019.

UNHCR, *Global Trends: Forced Displacement in 2016*, 2017, available at <http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, accessed on 27th September 2019.

United Nations, “The Universal Declaration of Human Rights” Retrieved from www.un.org/events/humanrights/2007/hrphotos/declaration%eng.pdf, accessed on 27th September 2019.

Valentino, Benjamin, Huth, Paul and Croco, Sarah, “Covenants without the Sword: International Law and the Protection of Civilians in Times of War”, *World Politics*, Vol. 58, No. 3, 2006, p. 342, www.reviews-on-refugees.com, accessed on 27th September 2019.

Thanh, Viet, *The Displaced: Refugee writers on refugee lives*, university Press, California, 2018, pp. 1-30, www.viet-tian-the-displaced.en, consulted 17th September 2020.

Vircoulon, T., *Cameroon: Africa's Pivot*, *World Policy Journal* (Summer 2015, available at <http://www.worldpolicy.org/journal/summer2015/cameroon-africas-pivot>, retrieved on the 14 of March 2019.

3.3. INTERNET SITES

- www.the-1951-convention-governing-the-status-of-refugees.com
- www.unhcr.org.
- www.un-guiding-principles-on-internal-displacement.com
- www.unhcr-definition-of-asylum-seeker.com
- www.refintl.org-who-is-a-stateless-person
- www.universal-declaration-of-human-rights.com
- www.the-1967-protocol-for-refugees.com
- www.united-nations-map-of-the-Central-African-Republic.com
- www.the-OAU-convention-governing-specific-aspects-of-refugee-problems-in-africa.com
- www.the-cartagena-declaration-of-1984
- www.fao-definition-of-institutions.com
- www.UN-guiding-principles-on-internal-displacement.com
- www.Cameroon-constitution-of-1996.com

- www.decree-no-2011/389-of-28th-november-2011-relating-to-the-organisation-andfunctioning-of-managing-organs-of-the-status-of-refugees-in-Cameroon.com
- <https://doi.org/10.1177/0002716283467001002>
- <https://doi.org/10.1086/292626>
- <https://doi.org/10.1093/ijrl/eei011>
- <http://www.unhcr.org/cgi-bin/tehis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3bfe68d32>.
- <https://doi.org/10.1080/0972639X.2009.11886604>
- <https://doi.org/10.1080/15562948.2015.1030489>
- <https://doi.org/10.1093/jrs/7.2-3.160>
- <https://doi.org/10.9783/9781512821659-010>
- <https://doi.org/10.1093/jrs/fem041>
- https://www.ipa.government.bg/sites/default/files/narchnik_za_razrobotvane_na_politiki.pdf
- <https://www.merriam-webster.com/dictionary/policy>
- https://link.springer.com/referenceworkentry/10.1007%2F978-3-319-31816-5_1853-1#howtocite
- <http://projects.worldbank.org/P113027/cm-community-development-program-support-project-phase-ii?lang=en&tab=documents&subTab=projectDocuments>
- <https://data2.unhcr.org/en/documents/download/67964>
- <http://reporting.unhcr.org/node/2525?y=2014#year>
- <https://www.hrw.org/news/2017/09/27/cameroon-mass-forcedreturn-nigerian-refugees>
- <https://www.ejiltalk.org/will-the-global-compact-on-refugees-address-the-gap-in-international-refugee-lawconcerning-burden-sharing>
- <https://www.refugeesinternational.org/blog/>
- <https://reliefweb.int/report/unicef-cameroon-humanitariansituation-report-september-2017>
- <https://www.ecoi.net/en/file/local/2020069/document-3.pdf>
- <http://reporting.unhcr.org/node/2525?y=2014#year>.
- <https://data2.unhcr.org/en/documents/download/67964>.
- <http://reporting.unhcr.org/node/2525?y=2014#year>
- <https://www.nrc.no/news/2018/june/thousands-of-children-out-of-school/>

- <http://documents.worldbank.org/curated/en/182641525399305603/>
https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ocha_cameroon_situation_report_no1_sw-nw_november_2018_en_final.pdf
- <http://www.unhcr.org/about-us/background/4ec262df9/1951-convention-relating-status-refugees-its-1967-protocol.html>.
- <http://www.refworld.org/docid/4ab8e7f72.html>
- <https://www.refworld.org/docid/53e1f12c4.html>
- <https://reliefweb.int/report/cameroon/concernvoiced-about-education-refugee-children-cameroon>
- <https://reliefweb.int/report/cameroon/cameroon-far-north-region-update-returns-april-2018>
- <https://annualreport.undp.org/assets/UNDP-Annual-Report-2018-en.pdf>
- <https://www.cm.undp.org/content/cameroon/en/home.html>
<file:///C:/Users/HP/Downloads/UNDP%20for%20Beginners%20-%205%20edition%20-%20May%202015.pdf>
- <file:///C:/Users/HP/Downloads/Annual%20Report%201995.pdf>
- <https://africahumanitarian.org/wp-content/uploads/2020/07/AHA-2019-R10-Final.pdf>
- <https://data2.unhcr.org/en/documents/download/66949>.
- <https://guardian.ng/news/unopposes-forced-return-of-nigerian-refugees-from-cameroon/>
- <https://www.refworld.org/docid/5d2f244a4.html>
- <https://www.voanews.com/africa/hundreds-cameroots-central-african-republic-refugees-voluntarily-repatriate>
- <https://doi.org/10.1111/j.1468-2435.2012.00766.x>.
- <https://www.unhcr.org/news/press/2019/1/5c419a704/unhcr-deplores-forced-refugee-returnscameroon.html>.
- <https://www.hrw.org/news/2017/09/27/cameroon-mass-forced-return-nigerian-refugees>

VIII. ORAL SOURCES

NO	NAMES	AGE	OCCUPATION	PLACE	DATE
1.	Aabid Diamond	25	CAR Refugee	Yaounde	4 th May 2019
2.	Aamaal Hopes	23	Nurse	Yaounde	4 th May 2019
3.	Abdabill Shirak	50	Nigerian Refugee	Minawoa	6 th April 2018
4.	Abdou Dahiru	27	CAR Refugee	Yaounde	4 th May 2019
5.	Abdoulaya Sadjo	51	Driver , Chadian, Ref	Yaounde	4 th May 2019
6.	Abdul Qahaar	32	Nigerian Refugee	Minawao	6 th April 2018
7.	Achirim Peter	50	Farmer	Yaounde	4 th May 2019
8.	Adamou Chidi	40	CAR Refugee	Yaounde	4 th May 2019
9.	Adamou Ibrahim	47	Communication assistant	Yaounde	4 th May 2019
10.	Afuh Robert	33	Diplomat at MINREX	Yaoundé	24 th April 2018
11.	Ahamed kzikahu	27	Nigerian Refugee	Minawoa	6 th April 2018
12.	Alia Faith	38	CAR, Refugee,Trader	Yaounde	4 th may 2019
13.	Allah Mbauam Romaric	28	Driver	Yaounde	4 th May 2019
14.	Allah Ndjikim Donald	25	Student	Yaounde	4 th May 2019
15.	Amatullah Sunday	32	Seamstress	Yaounde	4 th May 2019
16.	Aminah Abra	35	Student	Yaounde	4 th May 2019
17.	Babasheau Mackinla	50	Nigerian Refugee	Minawoa	6 th April 2018
18.	Badoum Prisca	31	Nigerian Refugee	Minawoa	6 th April 2018
19.	Baraa Dazzling	27	Farmer	Yaounde	4 th May 2019
20.	Belem Boris	19	CAR Refugee, Student	Yaounde	4 th May 2019
21.	Bendoloum Romaric	24	CAR Refugee, Student	Yaounde	4 th May 2019
22.	Beniga Saint-Roger	18	CAR Refugee, Student	Yaounde	4 th May 2019
23.	Beninga Phileme	30	CAR Refugee	Yaounde	4 th May 2019
24.	Betoujou Raphael	26	Nurse	Yaounde	4 th May 2019
25.	Beyebe Blaise	36	Eligibility officer	Yaoundé	26 th March 2018
26.	Binesh Good	30	Nigerian Refugee	Minawoa	6 th April 2018
27.	Bisar James	28	CAR, refugee, Trader	Yaounde	4 th may 2019
28.	Bombande Thierry	38	Farmer ,Chadian, Refugee	Garoua	8 th August 2019
29.	Botibe Leopold	28	Student, Chad	Garoua	8 th August 2019
30.	Budur Cala	50	CAR Refugee	Yaounde	4 th May 2019

31.	Cala Cala Walter	42	Nigerian Refugee	Minawoa	6 th April 2018
32.	Chanda Light	42	CAR Refugee	Yaounde	4 th May 2019
33.	Charafu Asahnu	52	Refugee camp	Yaounde	4 th May 2019
34.	Daleela Princess	22	Student	Yaounde	4 th May 2019
35.	Denekoibam Gaelle	36	Driver	Yaounde	4 th May 2019
36.	Devon Sara	38	Trader	Yaounde	4 th May 2019
37.	Dimanche Chimene	32	Farmer	Yaounde	4 th May 2019
38.	Dina Prayer	38	Farmer	Yaounde	4 th May 2019
39.	Dingao Madji Vekent	40	Head of logistic, UNHCR	Minawao	6 th April 2018
40.	Djerayum Sebastien	22	Student	Minawao	6 th April 2018
41.	Dorkem Cesar	21	CAR Refugee, Student	Yaounde	4 th May 2019
42.	Doumpa Pakagne	35	Chadian Refugee	Garoua	8 th August 2019
43.	Duaa Shining	27	Student	Yaounde	4 th May 2019
44.	Durriyah Dunya Dunia	33	CAR Refugee	Yaounde	4 th May 2019
45.	Eiman Precious	40	Chief of health department	Yaounde	4 th May 2019
46.	Eman Micheal Fadimatu	30	Nigerian Refugee	Minawoa	6 th April 2018
47.	Faizaan Grace	51	School Administrator	Minawao	6 th April 2018
48.	Farhan Happy	47	Nigerian Refugee	Minawao	6 th April 2018
49.	Fayruz Joy	20	Nurse	Yaounde	4 th May 2019
50.	Firdoos Faatin	63	Nigerian Refugee	Minawoa	6 th April 2018
51.	Fui Hans Garette	35	MINATD	Yaoundé	27 th March 2018
52.	Gadsia Rudolph	35	Teacher	Yaounde	5 th April 2018
53.	Ghaada Young	41	Unknown	Yaounde	4 th May 2019
54.	Ghazal Stranger	35	Student	Yaounde	4 th May 2019
55.	Gobal Fabien	41	Logistician	Minawao	6 th April 2018
56.	Guimiyamadji Ngona	30	Driver, Chadian Refugee	Garoua	8 th August 2019
57.	Guiryamadji Ngona	16	Street trader	Yaounde	4 th May 2019
58.	Hamadou Heaven	19	Student	Yaounde	4 th May 2019
59.	Hanan Mercy	29	Farmer,	Yaounde	4 th May 2019
60.	Haoua Natoyoum	33	Trader, Chadian, ref	Yaounde	4 th May 2019

61.	Hazirah Hope	20	Student	Minawoa	6 th April 2018
62.	Herman Bongashike	30	MINATD	Yaoundé	27 th March 2018
63.	Hooriya Gift	25	Driver	Yaounde	4 th May 2019
64.	Ibrahim Amadou	19	Chad Refugee	Garoua	8 th October 2019
65.	Ibtihaaj Joy	34	Trader	Yaounde	4 th May 2019
66.	Ihtiram Moses	39	Coordinator of social affairs	Minawao	6 th April 2018
67.	Il-Djimet Millam	29	Trader, Chadian Refugee	Garoua	8 th August 2019
68.	Inaam Favour	18	Student	Yaounde	4 th May 2019
69.	Intisar Jude	26	Nurse	Yaounde	4 th May 2019
70.	Isaku Bertrand	60	Head of community	Minawoa	6 th April 2018
71.	Isha Jean	35	Project coordinator	Yaounde	6 th April 2018
72.	Ismael Rasuh	75	Rwandan Refugee	Yaounde	4 th May 2019
73.	Istabraq Safeguarding	46	CAR, Farmer, Refugee	Yaounde	4 th May 2019
74.	Jabeen Emmanuel	35	Farmer	Yaounde	4 th May 2019
75.	Jalilah Ike	29	Head of Nigeria Ref	Minawoa	6 th April 2018
76.	Jasmina Flower	29	Farmer	Garoua	8 th October 2019
77.	Judi Tali	40	Farmer ,CAR , Refugee	Yaounde	4 th May 2019
78.	Kadadoum Kladegue	30	Chadian Refugee	Garoua	8 th August 2019
79.	Kadja Pascal	36	Driver, Chadian Refugee	Yaounde	4 th May 2019
80.	Kalila Perfect	29	Pharmacist	Yaounde	4 th May 2019
81.	Kanval Treasure	32	Farmer	Yaounde	4 th May 2019
82.	Kanz Treasure	33	Student, Nigerian, Ref	Yaounde	4 th May 2019
83.	Kedetoloum Cyrile	34	Teacher, Chadian	Garoua	8 th August 2019
84.	Keitar alphasse	42	Nigerian Refugee	Minawoa	6 th April 2018
85.	Keming Nchinda.D	36	Researcher	Yaoundé	26 th March 2018
86.	Luka Isaac	45	Minawao camp	Minawao	6 th April 2018
87.	Madjitoloum Ange	29	Assistant coordinator	Minawao	6 th April 2018
88.	Magloire Ngaiporo	36	Chadian Refugee	Garoua	8 th August 2019
89.	Magshalu Elvis	33	Diplomat	Yaoundé	26 March 2018
90.	Mahamat	52	Sub Director of Nigeria	Yaoundé	24 th April 2017

91.	Maitarang Innocent	24	Seamstress, Chad	Garoua	8 th August 2019
92.	Majeeda Glorious	23	Student, Libyan Refugee	Yaounde	4 th May 2019
93.	Makingabi Alain	31	Trader, Chadian Refugee	Garoua	8 th August 2019
94.	Malak Angel	17	Farmer, Rwandan, ref	Yaounde	4 th May 2019
95.	Marboua Alexis	18	CAR Refugee, Student	Yaounde	4 th May 2019
96.	Maro Alexis	43	Eligibility officer	Yaounde	4 th April 2019
97.	Mbaiguem Florent	20	CAR Refugee, Student	Yaounde	4 th May 2019
98.	Mbatini Noudjou	31	project coordinator officer	Minawao	6 th April 2018
99.	Meneine Maxime	41	Nigerian Refugee	Minawoa	6 th April 2018
100.	Moundakode Narcisse	18	CAR Refugee, Student	Yaounde	4 th May 2019
101.	Moussa Youssef	25	Nigerian Refugee	Minawoa	6 th April 2018
102.	Mufeda Johnson	35	Eligibility officer	Yaounde	4 th May 2019
103.	Nadji Veronique	50	Nigerian Refugee	Minawoa	6 th April 2018
104.	Nasir Abel Fernandes	31	UNHCR- SEC	Minawoa	6 th April 2018
105.	Nawar Purity	40	Trader	Yaounde	4 th May 2019
106.	Ndjiraibe Beni	27	Chadian Refugee	Garoua	8 th August 2019
107.	Ndorkem Vincent	18	CAR Refugee, Student	Yaounde	4 th May 2019
108.	Nelelangue Pelagie	27	CAR Refugee	Yaounde	4 th May 2019
109.	Neoutam Raissa	31	CAR Refugee	Yaounde	4 th May 2019
110.	Nexeur Marie-Noelle	26	Chadian Refugee	Yaounde	4 th May 2019
111.	Ngangjoh Mama	77	Prison Administrator	Yaoundé	10 March 2016
112.	Ngono Emmerencia	27	Diplomat at MINREX	Yaoundé	26 March 2018
113.	Ngueluolo fidele	23	Student	Minawao	6 th April 2018
114.	Nkoumou BEYEME	35	Diplomate,Minrex	Yaoundé	24 April 2017
115.	Noubjoukem Augustine	24	CAR Refugee	Yaounde	4 th May 2019
116.	Oungoyo Virginnie	29	Nurse	Minawao	6 th April 2018
117.	Paya Christian	32	Assistant director	Minawao	6 th April 2018
118.	Pelebai Casimir	24	Chadian Refugee	Yaounde	4 th May 2019
119.	Philippe Nombaye	25	Driver, Chadian Refugee	Yaounde	4 th May 2019
120.	Qaniah Mark	29	Restor owner, Rwandan	Yaounde	4 th May 2019
121.	Rabayar Mohammed	30	Nigerian Refugee	Minawoa	6 th April 2018

122.	Raghd Richard	28	Senior program assistance	Yaounde	4 th may 2019
123.	Raniya Timothy	58	Trader, CAR Refugee	Yaounde	4 th May 2019
124.	Ressene Fidele	18	CAR Refugee, Student	Yaounde	4 th May 2019
125.	Richard ETOUNDI	51	Former chief of service	Yaoundé	7 th February 2016
126.	Roland Julien NTSA	50	Diplomat	Yaoundé	24 th April 2016
127.	Roupele Jean-Gerard	37	Teacher, Chadian Refugee	Yaounde	4 th May 2019
128.	SECK BIDJOCKA	36	Minrex-external affairs	Yaoundé	24 April 2016
129.	Sumaiyaa Prosper	47	Rwandan Refugee	Yaounde	4 th May 2019
130.	Tarnyade Bodalta	42	Journalist, Chadian, Ref	Yaounde	4 th May 2019
131.	Taryande Bodalta	45	Chadian Refugee	Yaounde	4 th may 2019
132.	Tchatat Powel	35	Plan coordinator	Mayo Tsanaga	5 th April 2018
133.	Tekeboua Nestor	26	Nigerian Refugee	Minawoa	6 th April 2018
134.	Thufailah Mike Deed	51	Assistant project coordinator	Minawao	6 th April 2018
135.	Tirlamo Norbert	35	UNHCR Head of service /Minrex	Yaounde	6 th may 2019
136.	Toussidibe Senghor	19	Unemployed	Garoua	8 th August 2019
137.	Uoram Philomne	38	CAR Refugee	Yaounde	4 th May 2019
138.	Utaybah Simon	38	Car mechanics , CAR	Yaounde	4 th may 2019
139.	Yangotoh Elmer	48	Senior project coordinator	Minawao	6 th April 2018
140.	Yaouba Ngomna	60	Chief of Gadala village	Gadala	5 th April 2018
141.	Yap Mariatou	32	Civilian protection Division MINATD	Yaoundé	27 th March 2018
142.	Yazeme Joel	23	CAR Refugee, Student	Yaounde	4 th May 2019
143.	Yoyam Brigitte	30	Eligibility officer	Yaounde	6 th April 2018

A Synthesis of List of Informants

Generally, we interviewed 143 people who gave us significant information that helped us to enrich our research work. Out of the 143, we carried out an intensive survey with 80 urban refugees from Yaoundé. The data presented in chapter four was entirely based on the result of the survey as well as a greater part of our recommendations. The majority of the urban refugees

surveyed age-wise were refugees from 15-25 years, making a total percentage of 31.3% and 7.5% within the age range of 55-65+. In terms of gender, 63.7% of the 80 surveyed were male and 43.6% female. However, about 72.5% of refugees interviewed in Yaoundé were refugees from the Central African Republic. All together we interviewed CAR, Nigerian, Chad, Rwanda, and Lybia refugees.

In addition to the 80 urban refugees surveyed in Yaoundé, we equally interviewed 20 Nigeria refugees in Manawao, 12 Chadian in Garoua (these were part of the Chadian refugee's family members who chose local integration in Cameroon over voluntary repatriation) and the rest of the people interviewed were either researchers, diplomat, eligibility officers, prison administrator, police officers and administrators handling the affairs of refugees at Technical secretariat, MINREX, MINAT and Delegation general of national security. We also spoke with a handful of refugees during our observation of major roundabouts in Yaoundé,

INDEX

A

Abubakar shekau 171
 Act's 22
 Adamawa 2, 182, 193, 195, 196, 262, 263, 306
 adequate 3, 25, 35, 42, 69, 84, 87, 149, 175, 233, 234,
 236, 246, 260, 263, 265, 275, 276, 310, 312, 316
 agricultural inputs 179
 Appeals 144, 145, 146, 147, 148, 149, 156, 332, 573
 assassination 171
 assistance 8, 17, 19, 21, 27, 38, 68, 72, 73, 78, 84, 87,
 104, 106, 109, 111, 113, 137, 145, 151, 152, 160, 174,
 176, 178, 200, 206, 208, 209, 210, 211, 234, 235, 237,
 244, 248, 252, 255, 256, 257, 260, 263, 264, 272, 278,
 282, 295, 299, 305, 308, 309, 320, 322, 329, 333, 338,
 555, 563, 582
 asylum 565
 asylum seeker 10, 16, 23, 232, 240, 293, 298, 333
 awareness 27, 80, 131, 146, 181, 192, 238, 270, 335

B

Boko Haram.. 35, 165, 169, 170, 171, 172, 173, 181, 188,
 193, 195, 232, 263, 292, 293, 294, 295, 296, 297, 300,
 303, 304, 307, 310, 332, 334, 340, 560
 boundary 166, 292
 bribe 266, 267, 270
 businesses 160, 180, 248, 264, 268

C

camp.. 2, 21, 22, 24, 71, 80, 95, 106, 130, 133, 184, 185,
 189, 190, 200, 207, 239, 259, 262, 263, 264, 266, 270,
 271, 273, 308
 CAR refugees 15, 18, 19, 29, 245, 256, 258, 262, 263,
 264, 267, 268, 270, 271, 298, 582
 causality 165, 197, 213
 CEMAC 557
 Central African Republic 554, 555, 559, 561, 563
 Chadian refugees ..29, 164, 196, 198, 200, 201, 202, 203,
 204, 205, 206, 207, 208, 209, 210, 211, 212, 232, 266,
 268, 295, 300, 303, 304, 305, 319, 332, 334, 340, 359,
 360, 362, 378, 394, 415, 581
 citizenship 21, 205, 259, 265
 Commission xiii, 19, 24, 42, 104, 110, 111, 129, 130, 131,
 132, 133, 134, 135, 136, 144, 145, 146, 147, 149, 153,
 154, 156, 158, 159, 160, 161, 166, 174, 177, 192, 195,
 202, 212, 259, 332, 547, 549, 564, 566, 573
 complex 20, 22, 30, 38, 76, 106, 265, 267, 278, 292, 304,
 314, 334
 Consular 150, 151, 203

convention 75, 574
 Convention 553, 554, 563, 574
 Coordination 22, 151, 186, 562
 Counter-Terrorism Policy 549

D

DAFI scholarship 253
 Decentralization xiii, 150, 155, 156, 555
 democracy 110, 111, 112, 165, 318
 Departure 148, 190, 210
 deported 187, 188, 271
 durable 2, 3, 4, 6, 12, 13, 15, 16, 18, 20, 21, 22, 24, 25,
 26, 27, 29, 30, 33, 34, 35, 42, 44, 67, 71, 72, 76, 78,
 82, 84, 85, 91, 92, 101, 104, 129, 136, 137, 162, 164,
 177, 194, 205, 206, 208, 232, 233, 234, 237, 238, 239,
 240, 244, 245, 247, 249, 250, 257, 258, 259, 261, 262,
 278, 281, 282, 293, 295, 305, 308, 310, 313, 315, 320,
 325, 327, 329, 330, 332, 339, 340, 341

E

East Region 565, 566
 Eastern Nigeria 164, 173, 185, 232, 332
 economic migrant 12, 176
 Eligibility144, 145, 146, 147, 148, 149, 152, 153, 154,
 156, 323, 332, 573, 578, 581, 582
 Entry 100, 148, 152, 572
 Exit 100, 152, 572

F

federal 165, 171
 fighting 166, 171, 200, 263
 Framework 15, 17, 39, 104, 136, 143, 204, 312, 316, 326,
 557, 574
 Fulani 164, 166
 fundamental 11, 12, 16, 27, 34, 44, 66, 67, 69, 72, 77, 81,
 86, 87, 89, 91, 92, 94, 104, 202, 232, 233, 274, 282,
 295, 301, 315, 318, 320, 332, 333, 339, 340

G

Gaddafi 199
 Garoua Boulai 565
 Garu 168, 169
 governor 188, 210

H

Haram . 170, 171, 173, 181, 232, 292, 293, 296, 297, 300, 310, 332
 herders 164
 Heritage iii
 history 555
 holistic iv, 4, 162, 174, 208, 235, 314, 321
 Human Rights iii, 551, 555, 556, 563
 humanitarian iii, 1, 4, 10, 15, 19, 20, 22, 24, 27, 32, 36, 39, 70, 73, 81, 82, 93, 94, 105, 136, 137, 155, 156, 170, 174, 189, 191, 200, 202, 205, 207, 208, 232, 261, 262, 263, 274, 278, 295, 296, 299, 308, 309, 310, 311, 313, 314, 316, 322, 323, 324, 327, 328, 332, 333, 548, 551, 555, 556, 557, 560, 562, 563
 humanitarian aid 340, 557
 humanitarian migrants iii
Humanitarianism 556, 561, 562

I

ID Cards..... 260
 ILO 552, 555
 immigration 34, 39, 152, 153, 305, 565
 implementation ... 19, 21, 25, 44, 71, 78, 88, 99, 103, 131, 132, 144, 151, 158, 161, 162, 164, 174, 181, 192, 195, 203, 233, 237, 239, 253, 281, 282, 303, 304, 306, 307, 308, 310, 311, 312, 316, 317, 318, 319, 322, 324, 327, 329, 332, 334, 339, 341
 infringement..... 1
 insecurity 556
 Inter-Ministerial 150, 153, 154, 572
 international community 2, 18, 36, 136, 195, 196, 208, 275, 292, 295, 303, 309, 311, 312, 318, 334

J

jailed 271
 jealously..... 232, 333
 Jukun minority 166
Jus cogens..... 275

K

kousseri..... 173, 201, 211

L

land 19, 134, 166, 168, 169, 170, 197, 201, 306, 560
 Langui Camp 209
 livelihood 12, 24, 32, 69, 174, 179, 232, 239, 247, 248, 249, 250, 258, 261, 262, 263, 264, 265, 273, 296, 318, 319, 320, 324, 326, 332, 333

M

Mambilla..... 166, 559
 man-made 1, 136, 137
 marginalisation..... 166, 277
 mediation 160, 180
 Minawao 40, 109, 188, 189, 190, 192, 195, 232, 263, 264, 304, 309, 311, 332, 578, 579, 580, 581, 582
miniature 306
 monitoring... 77, 78, 79, 80, 107, 109, 110, 111, 113, 136, 158, 178, 250, 252, 314, 316
 monuments..... 171

N

National Security xiii, 111, 149, 150, 152, 153, 155
 nationality 75
 neighbors..... 34, 306, 333
 neutrality 556
 NGOs 556
 Nigerian refugees .. 2, 17, 25, 28, 29, 39, 40, 41, 108, 164, 169, 173, 174, 175, 176, 181, 185, 186, 187, 189, 191, 192, 193, 194, 195, 196, 197, 232, 239, 263, 291, 292, 294, 295, 298, 299, 300, 301, 302, 303, 305, 307, 308, 310, 311, 332, 340, 468, 490, 496, 535, 578, 579, 580, 581
non refoulement .. 10, 77, 91, 98, 101, 260, 261, 291, 293, 295, 298, 301, 302, 339

O

objective 26, 32, 33, 38, 84, 113, 204, 237, 239, 247, 250, 257, 275, 305, 315, 327

P

Paradoxes..... 559
 Peace..... iii
 pharmacies 179
 police officers 161, 267, 270, 271, 321, 331
 policy 3, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 29, 76, 80, 81, 82, 83, 84, 85, 95, 97, 101, 110, 113, 136, 151, 152, 199, 233, 235, 239, 243, 248, 250, 261, 262, 263, 272, 273, 277, 278, 281, 282, 292, 303, 304, 305, 312, 314, 315, 317, 318, 319, 322, 324, 327, 328, 333, 334, 338, 339, 340
 positive partnership..... 250, 251
Prima Facie xviii
 prize 254
 Protocol... 1, 2, 64, 68, 70, 71, 72, 75, 79, 80, 83, 85, 101, 132, 134, 135, 150, 202, 203, 206, 239, 265, 278, 298, 450, 554, 555, 569, 572
 psychological 177, 181, 201, 206, 207, 244, 256, 260, 319

R

reconstruction 12, 15, 79, 80, 178, 309, 310, 314
 Red Cross..... 549, 574
 refugee 75, 550, 554, 555, 560
 Refugee Law 557, 559, 560
 regional 1, 2, 6, 14, 23, 25, 29, 32, 42, 44, 93, 94, 96, 101,
 104, 106, 110, 111, 112, 113, 129, 131, 133, 135, 136,
 162, 181, 189, 193, 197, 208, 232, 254, 272, 274, 291,
 293, 297, 309, 311, 313, 314, 315, 316, 317, 332, 333,
 339, 340
 reintegration.. 15, 18, 77, 78, 80, 176, 177, 178, 179, 180,
 181, 194, 195, 204, 205, 208, 210, 213, 258, 303, 308,
 312, 313, 314, 317, 334
 reluctant 41, 264, 307
 resettlement... 6, 25, 27, 32, 71, 84, 94, 99, 104, 105, 106,
 136, 137, 166, 194, 208, 239, 244, 250, 257, 258, 259,
 282, 319, 337, 561
 Rwandan 175, 200, 264, 266, 305, 309, 580, 581

S

safe haven 232, 272, 332, 333
 Sardauna 164, 173
 sexual abuse..... 95, 270, 274
 social protection..... 549, 553, 554, 556, 557
 sociocultural..... 181
 sovereignty... 7, 34, 40, 100, 232, 239, 293, 302, 323, 333
 spontaneous repatriations..... 164
 surveyed..... 233, 243, 249, 306, 307
 sustainable 15, 22, 33, 77, 79, 98, 176, 178, 207, 233,
 248, 259, 260, 264, 304, 313, 314, 341
 symbolic 171, 275
 System Dynamics 561

T

Taraba . 164, 165, 166, 168, 169, 173, 176, 178, 232, 303,
 332, 340, 552, 557
 Tiv 166
 torture 11, 75, 77, 91, 95, 255, 301
 transformation..... 180

tripartite agreement 14, 164, 174, 192, 193, 194, 203,
 204, 206, 207, 208, 209, 212, 232, 258, 293, 298, 299,
 301, 308, 310, 311, 332, 340, 341, 373

U

unaccompanied 244, 255
 UNHCR 104, 554, 557, 559, 563, 565, 566, 574, 575
 Universal Declaration of Human Rights 552, 555, 575
 University 16, 549, 550, 552, 553, 554, 555, 556, 557,
 559, 560, 562, 564, 565, 566
 unmarried..... 179
 upheaval..... 198, 199, 232, 304, 332
 urbanization 3, 24, 262
 USA 550, 555, 564

V

vocational..... 86, 105, 252, 253, 254, 257, 325
voluntariness..... 10, 13, 15, 17, 164, 174, 202, 203, 204,
 206, 259, 260, 298, 300, 303, 304, 305, 313, 315, 334,
 339
 voluntary repatriation 6, 13, 14, 15, 16, 17, 25, 26, 27, 29,
 32, 67, 71, 77, 78, 79, 84, 99, 104, 106, 110, 137, 164,
 174, 176, 191, 192, 193, 195, 196, 197, 201, 202, 203,
 205, 206, 207, 208, 209, 210, 211, 212, 232, 239, 244,
 257, 258, 259, 282, 289, 291, 292, 295, 299, 300, 301,
 304, 305, 306, 307, 310, 311, 312, 314, 315, 316, 332,
 334, 337, 340, 341, 362, 496, 545

W

waves 181, 190, 266
 well-founded 75
 Western 170, 564
 witnessed..... 3, 189, 197
 World Bank..... 555
 World Food 189, 309

Y

Yaounde 16, 147, 565, 566