ADVOCACY AND THE CONDUCT OF VOLUNTARY REPATRIATION OF LIBERIAN REFUGEE FROM NIGERIA: AN ASSESSMENT

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ABSTRACT
Voluntary repatriation of refugee back to their countries of origin is one of the ways of terminating refugee status as contained in the Nigeria's Refugee Act. The repatriation was experimented on the Liberian refugee which enabled them returned home as a result of the return of normalcy in their country and a nostalgia for return home by the refugee. This work examines the advocacy for and conducts of the repatriation exercise and the level of its conformity to the requirement of Nigerian's Refugee Act and how that translates into a durable solution to the beneficiaries. The study employs primary and secondary sources to generate data. The work, using Arendt's theory of refugee as a stateless person, concludes that despite the problem of poor funding and the reluctance of some refugee to opt for repatriation, the repatriation of the Liberian refugee is substantially in line with the set standard envisaged under Nigeria's Refugee Act and provides a durable solution to the beneficiaries.

Introduction
An important component of global refugee politics is the need to end refugee status through the repatriation of refugee back to their countries of origin. Repatriation entails a voluntary return of refugee back to their countries of origin from their countries of refuge. The United Nations sees repatriation as the most durable solution to refugee problems (UNHCR, 1980) because it automatically terminate refugee status and confers on the returnees the rights to protection and security as well as other privileges sanctioned by the law of their home countries.

As a signatory to some international treaties on refugee and in line with its refugee management Act which recognizes repatriation of refugee from its territory back to their countries of origin, Nigeria experimented the repatriation of the Liberian refugee back home sequel to the return of normalcy there after a decade of war which forced many to flee for safety. It was also motivated by the desire to respond to nostalgia for home by some of the refugee. The repatriation exercise was done in consultations with the Liberian Government andwith the support of the United Nations High Commission for Refugee (UNHCR) and was also monitored by some Non-governmental Organizations. It came into existence as a result of repatriation agreement between Nigeria, Liberia and UNHCR where they agreed to repatriate the refugee back to Liberia. All these were to ensure a voluntary nature and transparent conduct of the exercise as envisaged in the global standard. In an acceptable global standard, repatriation should not be imposed on refugee and its voluntary nature should not only be proclaimed but also seen to be implemented.

After some advocacy activities including a two days sensitization of the refugee and the one-on-one enlightenment to convince the opinion makers among them to accept the repatriation option, the Liberian refugee were allowed to individually decide wither to repatriate or not. They were also briefed about the prevailing situation at their home country and the peaceful disposition of the human environment with which they will interact when they return. In view of these, this

study was carried out with the bid to examine the voluntary nature and conduct of the repatriation exercise and its conformity with the requirement of the Nigeria's Act of refugee management; highlight the inclusive and transparent conduct of the repatriation through the involvement of maj or stakeholders like the returnees and their receiving communities at home and, identifies the challenges involved. The paper holds that, despite some challenges, the repatriation program substantially conforms with the provision of Nigeria's Act on refugee and that the refugee have returned home safely thereby providing them with a durable solution so essential for self-rehabilitation and empowerment.

The paper is divided in to five sections so as to unravel the subject matter of the study. Following immediately the introduction is the second section which is about methodology. The third section presents the theoretical framework employed in the research. The fourth section examines the preparations for and the conduct of the repatriation of Liberian refugee and the challenges encountered, while section five is the Concluding remarks.

Methodology

The study utilizes both primary and secondary sources to generate data. The target population for interview includes some key informants who double as members and leaders of Liberian refugee Council in Nigeria, the Camp Commander of the Oru Refugee Camp in Ogun State, the Head of the Lagos Liaison office of The NationalCommission for Refugee (NCFR), an official of the Lagos based Nigerian office of the United Nations High Commissioner for Refugee (UNHCR) and some Non-governmental Organizations that were involved in the preparations and monitoring of the repatriation of the Liberian refugee from Nigeria. These categories of respondents were found suitable for interview because they are deeply involved in the advocacy for and the conduct of the exercise. Through the one-on-one interviews, the respondents express their personal experiences which help depict the conduct of the Liberian refugee repatriation in Nigeria.

The secondary data was mainly obtained from the office of the Oru refugee Camp Commander at the Oru camp and the Lagos Liaison Office which is the business spot for the management of refugee affairs in Nigeria. In particular, the Nigeria Act of Refugee and annual records of the activities of the National Commission for Refugee were found very vital in projecting the sequence of events and trends in the preparation and conduct of the repatriation exercise. Data was also sourced from the conventional literature on refugee affairs. These documents helps us to validate or interrogate information obtained from the interviews conducted. The data collected from both primary and secondary sources is analyzed qualitatively (descriptively) in line with the set goal of the paper which is captured in the introduction.

Repatriation of Refugee: A Theoretical Framework

The work adopts the theory of Refugee as Stateless Persons developed by Hannah Arendt (2004) which held that attainment of a dominant durable solution to displacement has significant implications on refugee predicament. The theory view refugee settlement in a safe and secured environment of his choice as a durable solution and a right. In this theory, refugee are seen as Stateless persons without rights to claim for and which depends on membership of a political community, a status lost by refugee as a result of the crossing of international borders. This, according to the theory, refugee are stateless, powerless and therefore in persistent difficulties

which can only be remedy when refugee repatriates back to their state of origin. The theory has its origin or is shaped by the experiences of the European Jewish refugee that fled the holocaust of the world wars. At that time, the international law focused mainly on States as subjects of international rights and obligations and failed short of recognizing individuals like refugee as beneficiaries of rights and obligations.

In order to actualize this return dream, the home state, according to the theory, should, on the basis of a minimum conception of justice, libertyand equality provides protection to their displaced citizens by allowing them to return home. To achieve this, the theory postulates that, the States of origin should, as a minimum obligation, play active positive role m the context of the return exercise. In this regard, the States should provide assurance for enhancing critical reintegration and reconstruction programmes, developments assistance and positive attitude towards the returnees. Through this, according to the theory, refugee can find a political community willing and able to provide them with a durable solution and guaranteed rights which entices them to repatriate. The best political community to do these is the Refugee's country of origin.

Even though Arendt's theory continue to resonate as it helps in explaining refugee rights to repatriate back to their countries of origin, certain developments since its evolution have provoked criticism against its core assumption that mere loss of citizenship is tantamount to the loss of human rights. Certain developments not foreseen by Arendt like the codification of human rights in international law and the signing and ratification of the United Nations 1951 Geneva Refugee Convention which mandate states to accord human rights to refugee in their countries, have all made human rights protection for refugee necessary and which makes them important subject of international law who must be protected. However, despite these, the theory, in its emphasis on the need for refugee to seek for a durable solution through repatriation and by also connecting that with the need for home States to get involved in the return exercise, provides us with analytical tool for the study of the repatriation of the Liberian refugee from Nigeria.

In addition, the theory is found relevant to the study because, at the descriptive level, it emphasizes interaction between the Stateless refugee and their home country which confer human rights to them when they repatriate back home. At "the analysis level, the theory focuses on active role of critical stakeholders in the country of return so as to create a friendly human environment for the returnees. All these are essential towards the success of refugee repatriation and therefore essential in explaining the conduct of repatriation of Liberian refugee from Nigeria.

Advocacy for and the Conduct of the Refugee Repatriation fromNigeria

Repatriation of refugee back to their country of origin is a preferred durable solution to refugee. In line with the international best practice,repatriation should, as an irreducible minimum requirement, be voluntary in nature involving what Bariagaber (2006), sees as refugees' non-coerced consent. Also, according to The United Nations, the conduct of repatriation must respect refugee's right to return in safety and dignity (UNHCR, 2004). It is against this that the Nigerian government in conjunction with other stakeholders engaged in the repatriation of the Liberian refugee in 2004after a protracted war between 1989 to 2000 which displaced the citizens and forced them to cross boarders into many countries including Nigeria. The repatriation was also

inspired by what a respondents called a nostalgia for home by some refugees (interview, 24/11/2011).

Several activities constitute part of the preparation for the repatriation exercise. Some of these activities sanction by the Nigeria's Act on Refugee management like the Article 33 which prohibits forced return of refugee and article 35 which mandates Nigeria to cooperate with the United Nations in all its endeavors relating to refugee management (FGN, 1989). Other activities deem essential for the success for the repatriation and which are not directly sanctioned by the refugee Act includes the signing of repatriation agreement, intensive advocacy to enlighten the refugee and the involvement of some critical stockholders like the Non-Governmental Organizations. The signing of a repatriation agreement, between Nigeria and UNHCR for the voluntary repatriation of the Liberian refugee which mandates Nigeria to:

i. Allow the repatriants to carry along all their belongingswithout custom charges
ii. Allow some Liberian traditional chiefs to visit the refugee andbrief them on the security situations at home
iii. Allow refugee representatives to visit Liberia for sightseeing (NCFR, 2008)

This agreement serves as a road map to the voluntary repatriation of the refugee. It clearly stipulates the role of Nigeria as a host state that have a sovereign power to provide legal and security protection for the returning refugee to motivate them and strengthen their willingness for a voluntary return to Liberia. It is also clear from the agreement that even though the repatriation was a strictly controlled official exercise, the target was not for a spontaneous voluntary repatriation as the refugee are allowed to exercise some control over the return migration. Infect, it was this agreement that provides the basis for other preparations and execution of the repatriation of the Liberian refugeefrom Nigeria. In line with the agreement which lay the foundation of the repatriation exercise, the repatriants' were issued with judicial certificates including certificates testifying births, adoptions, marriages, and divorce among the departing refugee. The issuance of these valid legal documents was meant to heighten the refugee nostalgia for return home. This nostalgia for home among the refugee is, as confirmed by a leader of Liberian refugee Association in Nigeria, about preserving something that was there in the past and which cannot be achieved except through a return home (interview, 23/10/2011). This relates to the quest to re-unite with the culture and tradition of the refugee which is only possible when refugee repatriate back to their home, hi order to further entice the refugee about the return project, two important steps were further taken as part of the preparations and the conduct of return programme. One was to allow some Liberian Local Chiefs and some opinion leaders to come to Nigeria and interact with the refugee (interview, 23/10/2011).

This provides an avenue for face-to-face interactions with the refugee which immensely helped in allaying their fears of violence and reprisal attacks if they returned home. The second step and whose effect is intricately link to the first one was the permission granted by the Nigerian government to some refugee representatives to visit Liberia for what a respondent called a sight-seeing visit preparatory to the take-off of the repatriation (interview, 23/10/2011). These advocacy measures were found to be very important in helping the refugee to arrive and take informed decision on whether to return to Liberia or not.

The interactions between the refugee and the Liberian Local Chiefs and the visit to Liberia by the refugee are all advocacy strategies which constitute important sources of information to the refugee who are conventionally known to explore many sources of information. According to Bradley (2013) repatriating refugee often source information from, both formal and informal sources. These includes diverse group of official sources both from their host authority and home government, information from aid and relief agencies, religious institutions, community members left behind at home, the media and the early returnees who report back to the refugee in exile about conditions at home. In our case study, the visit to Liberia by the refugee afforded them the opportunity to obtained information from community members and the religious institutions left behind which build trust, hope and the confidence to repatriate back home.

Infect, the impact of these advocacy is more glaring when the refugee representative returned to Nigeria and transmit information to their colleagues. Thereafter, many refugee took decision to repatriate back to Liberia after weighing the conditions in exile and the prospects in returning home (interview, 29/9/2011). The Oru Camp Commander Confirms that after these advocacy interactions many refugees start filling consent forms from which signifies their intent to return home (interview, 29/9/2011).

A next stage of the preparation involves intensive advocacy activites which includes the hosting of the refugee for a sensitization exercise where they were informed about the benefits of returning to Liberia. At the interaction sessions the voluntary nature of the program was emphasized. The main channel through which the advocacy is conducted was through seminars which was followed by "question-answer interaction" between the refugees and the officials of NCFR and the UNHCR with son NGO officials playing the role of observers. In line with the essence of advocacy which, according to Mefalopulos (2008), is to engenders development towards needed directions, most of the speakers encourage the refugee to repatriate back to Liberia as a way of regaining their honour, dignity and sustainable happiness (interview, 29/9/2011). Also different ways of legitimation were deployed during the seminars to influence the judgement of the refugee (UNHCR, 2009).

The extensive involvement of some Non-governmental Organizations and the United Nations in the process and execution of the repatriation of the Liberians formed part of the preparation and conduct of the exercise. An official of a Non-governmental Organization confirms their involvement as observers in the voluntary exercise the respondent who works with Africa Refugee Foundation (AREF), one of the organizations involves in the excises attests to the transperant conduct of the repatriation. He reveals that they were at Apapa port as observers at the point of the refugee departure where they were checked and inaugurated along with their wives, children and luggage (interview, 30/9/2011). The role of the UNHCR in the long repatriation process involves the provision of technical guide and shouldering of some financial responsibilities. According to the Head of the UNHCR office at Lagos, the organization invest money, provides logistics and technical guide during the exercise (interview, 22/9/2011).This moderating role played by the UNHCR demonstrates the transparent conduct of the repatriation. It also conforms to the provision of Nigeria's refugee Act which, in article 35, provides that Nigeria shouldcooperate with the United Nations in all its refugee management endeavors (FGN, 1989).Generally, the involvement of these organizations assist in averting forcible return or

threat of doing so. It enhances a humane treatment of the departing refugee as summarized by an NGO official whose account further depicts the conduct of the exercise:

> "We kept a chose marking throughout the exercise and there was no known cases of anti-Liberian refugee by the Nigeriangovernment. The refugee opted for voluntary repatriation and were given relief materials. They were kept at a reception center where there were provisions for feeding, immunization and medical screening. They were returned by sea (interview, 30/9/2011)"

All these were meant to safeguard the refugee interest and to alsobolster their confidence and commitment to the repatriation exercise whose, goal is, as Bradley (2013) puts it, to end refugee cycle along with the dependencies syndrome it promote.

Sequel to these elaborate preparations and activites, many Liberian refugee voluntarily consented to repatriate back to Liberia. The Liberian Refugee Repatriation and Resettlement Commission confirmed the return of many of Liberians from their countries of refuge out of which 2136 are from Nigeria (LRRCOM, 2008). Some major features of the repatriation exercise includes its non-coerced and voluntary nature as well as the role of advocacy in influencing the success of the programme. Only refugee who shows interest were asked to repatriate. This is in compliance with what is envisaged in Article 33 of Nigeria's Act on Refugee which, as earlier noted, prohibits forced return of refugee to where live is under threat (FGN, 1989). In the assessment of the .United Nations, the exercise was conducted to the satisfaction, pride and dignity of the repatriants (UNHCR, 2012) except for certain problem which are highlighted later. An excellent indicator of the non coerced nature of the exercise was the facts that all refugee who wishes to remain in Nigeria because they have found other avenues for their aspirations were excluded from the exercise (Interview, 29/9/2011). The respect for the human dignity of the repatriants manifest right from the provision made available to the refugee on their exit point as narrated by a refugee who repatriated to Liberia but regularly visits Nigeria. According to him, the "repatriation was voluntary and the repatriants were given money, cooking utensils, food, blanket and beverages to go home with"(interview, 1/10/2011). This benevolence enables them to attend to their basic human needs as they settle in their homeland. It enhances their self reliance thereby deepening their integration in to their community. It reduces pressure on the scarce resources available in their community and more importantly, it promotes harmonious interactions between the returnees and the stayees. This harmonious intercourse is of tremendous benefits not only to the repatriants whose networks were uprooted during their absence, but it also helps in preventing the relapse of orgy violence which initially displaces the citizen.

The involvement of family members of refugee in the repatriation under review also depicts an expanded scope of the right to return. The revelation that no family member of the repatriating refugee was denied the right to join their sibling (Interview, 29/9/2011) ant that children and women were also at the port to repatriate along with the heads of their households (interview, 30/9/2011) demonstrates compliance with key requirement of Nigerians refugee Act. The Act, in schedule 28, mandates Nigeria to issue travel documents to children to enable them join their parents (FGN, 1989). The grant of the right to return to refugee's family members which figure prominently in the exercise demonstrates the inclusive nature of the repatriation endeavor and its

substantial conformity with the Nigerian's refugee Act. This singular development also tallies with the humanitarian intent of the return exercise which seeks to promote and sustain family union as essential for child development and protection as depicted by a scholar who opined that many children fall into harm because they are separated from their parents (Michael, 2001). This inclusiveness also creates psychological satisfaction to repatriants as a key component of durable solution which the repatriation seeks to promote. It also, as envisage by our adopted theory, assist the returnees to .attain recognition from the Liberian political community which confers on them rights which are hitherto denied.

However despite the excellent provisions made for the conduct of the repatriation, the exercise also faces certain challenges. The major hitches border a refusal of some refugee to opt for repatriation despite assurances for support and safety by both the Nigerian officials, the UNHCR and Liberian Local Chiefs. According to a respondent, two fundamental reasons account for this development. The first is the fear of clan vengeance by some refugee when they return home and secondly, was the feeling by some that they lost everything at home, hence it is needless to return (interview, 29/9/2011). This has reducedthe size of the repatriating refugee as a result of which some are excluded from the exercise. There are also operational challenges which made the exercise a less attractive option for the refugee. This relates to the size of luggage the repatriants were allowed to carry along. The Nigerian Refugee Act, specifically in Article 30, provides that refugee should be allowed to transfer their assets out of Nigeria to any country they are admitted to stay. But the narrations by some refugee that the Nigerian officials have limited the size of luggage they can carry (interview, 1/10/2011), and the confirmation that the repatriants were only allowed to carry along some kilograms of their baggage (interview, 30/9/2011) are testimonies to the limits placed on the refugee right to carry home their luggage. The Nigerian officials placed the blame for this on paucity of fund (interview, 23/10/2011). This failure to allow the refugee to carry along all their possessions constitutes not only a deviation from the requirements of the Public Act on Refugee Management but also infringes on the refugee rights. The desire for a return home in honor and pride should not only be proclaimed but holistically executed. The right and permission to carry all possession by repatriating refugee is an irreducible requirement for returning home in honour, pride and dignity.

Conclusion

The paper looks at the primacy of voluntary repatriation of the Liberian refugee from Nigeria back home as a durable solution to their refugee status. The voluntary repatriation, as shown in the paper, was essentially motivated by the nostalgia for home and the return of normalcy in the whole Liberia after decade long civil war which scattered many of the citizens to different countries including Nigeria. This nostalgia and the eventual return of the refugee enables them to, as postulated by our adopted theory, acquire a protection and recognition from an organized political community so essential for settlement, empowerment and regain of lost rights which repatriation seeks to promote. With this regain of the recognition from the Liberia state, the repatriants ceases to be stateless person as in the assumption of our adopted theory or theoretical framework. The paper highlighted the virile advocacy engagements conducted by the NCFR and the UNHCR which created awareness among refugee on the need to repatriate and how that affected the refugee participation and the conduct of the repatriation. The repatriation is a product of an agreement between Nigeria, UNHCR and Liberia for the repatriation of the refugee. As shown above, the terms of the agreement were fully implemented in preparations for

and conduct of the exercise. The voluntary requirement of the repatriation is achieved. Also, thetransparent conduct of the exercise which relate to the involvement of critical stakeholders including the Liberian Local Chiefs, Non-Governmental Organizations and the UNHCR are also highlighted. Allthese revelations from the empirical data were marshalled to depict thesuccess of the exercise.

However, and as shown in the paper the exercise was marred byproblems of insufficient fund which results in limiting the refugee rightto go home with all their possessions as required by Nigeria's refugeeAct. There was also the refusal of many refugee to repatriate because o\f some personal reasons thereby denying themselves a durablesolutions which refugee repatriation seeks to achieve. Many refugeemanagement endeavors, such as refugee repatriation, are constrain bythe inability of aid agencies including the UNHCR to provide \ sufficient fund this is cause largely by the fact that the aid agenciesdepends mainly on donor contraries and organizations for funds which is not forth coming. The repatriation exercise of the Liberia refugeefrom Nigeria was also affected by similar development. By way of <4 recommendation, this author suggests, first, and increase andconsistent funding of aid agencies to enable them adequately respond to all refugee management endeavors. Second, refugee themselves must also develop interest in self-empowerment effort through skill acquisitions which will help them diversify their source of income thereby reducing their dependence on hand out form aid agencies.

Personalities Interviewed

Muridiat Alao Interviewed at Lagos on 23/10/2011, at NCFR Liaison Office.

Morriss Tamore Interviewedat Lagos on 1/10/2011, at NCFR Liason Office.

Ogunjobi, Tayo. Interviewed at Ijebu Ode on 29/9/2011.

Olujimi, Olusola. Interviewed at Lagos on 30/9/2011 at Aref Office.

Sackor, Muhammad. Interviewed at Oru Camp on 29/9/2011.

Smith, Josephine. Interviewed at Lagos on 22/9/2011, UNHCR Office.

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