



**TRIPATITE AGREEMENT**

**FOR**

**THE VOLUNTARY REPATRIATION OF CENTRAL AFRICAN  
REFUGEES LIVING IN CAMEROON**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF CAMEROON,**

**THE GOVERNMENT OF THE CENTRAL AFRICAN REPUBLIC,**

**AND**

**THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

## PREAMBLE

The Government of the Republic of Cameroon, the country of asylum, hereinafter referred to as the "Government of Cameroon",

The Government of the Central African Republic, the country of origin, hereinafter referred to as the "Government of the Central African Republic",

The United Nations High Commissioner for Refugees, hereinafter referred to as the "UNHCR",

All three hereinafter referred to as the "Parties";

- (a) **Considering** the Convention on the privileges and immunities of the United Nations adopted in New York on 13 February 1946;
- (b) **Considering** the Geneva Convention of 28 July 1951 relating to the status of refugees and its Additional Protocol of 31 January 1967;
- (c) **Considering** the OAU Convention of 10 September 1969 governing Specific Aspects of Refugee Problems in Africa, and more specifically Article V governing voluntary repatriation;
- (d) **Considering** the Convention of 28 September 1954 relating to the Status of Stateless Persons and the Convention of 30 August 1961 on the Reduction of Statelessness;
- (e) **Considering** the Legal Cooperation Agreement of 28 January 2004 signed between CEMAC member states;
- (f) **Considering** the Headquarters Agreement of 8 May 1982 between the Government of Cameroon and the UNHCR;
- (g) **Considering** the Headquarters Agreement of 14 August 1986 between the Government of the Central African Republic and the United Nations High Commissioner for Refugees;
- (h) **Considering** Law No. 2005/006 of 27 July 2005 to lay down the status of Refugees in Cameroon and its Decree of Application No. 2011/389 of 28 November 2011 to organise and establish structures to manage the status of refugees in Cameroon;
- (i) **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 seeking permanent solutions for the problems of refugees, inter alia, by facilitating their voluntary repatriation in safety and dignity;
- (j) **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 10 December 1948 Universal Declaration of Human Rights and Article 12 of the 16 December 1966 International Covenant on Civil and Political Rights;

- (k) **Cognizant** that voluntary repatriation, wherever feasible, constitutes the preferred durable solution for problems of refugees, and that Conclusions 18 (XXXI, 1980), 40 (XXXVI, 1985) and 101 (LV, 2004) of the Executive Committee of the High Commissioner's Programme set out internationally accepted principles and standards governing the voluntary repatriation of refugees;
- (l) **Considering** that Central African Republic nationals who took refuge in Cameroonian territory due to events in the Central African Republic enjoy the status of refugee by virtue of Article 1 paragraph 2 of 10 September 1969 OAU Convention governing issues related to the problems of refugees in Africa;
- (m) **Considering** that the Government of Cameroon reaffirms its commitment to maintaining a conducive and secure environment and guarantees easy access to eligible asylum seekers including Central Africans;
- (n) **Commending** the holding of free, regular and fair presidential and legislative elections for all, and for allowing refugees from the Central African Republic to participate in the elections;
- (o) **Considering** the commitment of the Government of the Central African Republic to go above and beyond to ensuring favourable conditions for the return of refugees in safety and dignity;
- (p) **Considering** the spontaneous return movements of Central African refugees living in Cameroon;
- (q) **Considering** the concerted efforts of both Governments to set up a legal framework to facilitate the voluntary repatriation of all refugees in safety and dignity as well as their reintegration into society in the Central African Republic;
- (r) **Recognising** the need to define the specific procedures and modalities for the voluntary repatriation Central African refugees living in Cameroon and their reintegration in the Central African Republic with the assistance of the Parties, United Nations System, international non-governmental organisations and development partners;
- (s) **Cognizant** of the fact that implementing the voluntary repatriation programme shall contribute to consolidating peace and national reconciliation; and
- (t) **Considering finally** the need for all the Parties to mobilise resources necessary for conducting the programme for voluntary repatriation and reintegration in the Central African Republic;

Have agreed as follows:





## GENERAL PROVISIONS

### Article 1

#### **Definitions:**

For the purpose of this Agreement:

1. The term "**Refugee**" refers to any person of Central African nationality or whose former usual residence was in the Central African Republic, and who has the status of refugee in Cameroon, as defined by the Convention of 28 July 1951 relating to the status of refugees and its Additional Protocol of 31 January 1967 as well as the OAU Convention of 10 September 1969 governing Specific Aspects of Problems of Refugee in Africa.
2. The term "**asylum seeker**" refers to any person of Central African nationality who has applied for refugee status in Cameroon and waiting while their application is still being examined pending the final decision.
3. The term "**repatriated refugee**" refers to any "refugee", as defined in paragraph I of this Article, who has returned voluntarily to the Central African Republic pursuant to this Agreement.
4. The terms "**spontaneously returned refugee**" applies to any refugee, as defined in paragraph 1 of this Article, who has returned voluntarily to the Central African Republic without assistance and without informing the Parties to this Agreement prior to such return.
5. The term "**Stateless Person**" refers to all persons not considered by any State as a national in applying its law according to the Convention of 28 September 1954 relating to the status of Stateless Persons.
6. The term "**vulnerable person or a group of vulnerable people**" refers to people or group of people such as women, children, the elderly, the sick and persons with disabilities identified as needing special protection.
7. The term "**system of asylum**" refers to any legal framework, institutions and practices which manages and determines the status of a refugee.
8. The term "**Commission**" refers to the Tripartite Commission for voluntary repatriation as established by the Parties under Article 39 of this Agreement.



## Article 2

### **Purpose**

1. The purpose of this Agreement shall be the voluntary repatriation of refugees and/or, exceptionally, Central African asylum seekers living in Cameroon.
2. To this effect, the Agreement shall aim at taking every appropriate measure to ensure the voluntary return and reintegration of Central African refugees in all dignity and safety, in accordance with international legal instruments and domestic laws in force.

## Article 3

### **Right to Return**

Any refugee and/or, exceptionally, Central African asylum seekers living in Cameroon and who shall express the desire to return to the Central African Republic shall have the right to do so without any precondition.

## Article 4

### **Voluntary Nature of the Repatriation**

1. The Parties hereby reaffirm that the voluntary repatriation of Central African Refugees living in Cameroon shall be done solely on the basis of their freely expressed will and that no Central African refugee shall be coerced in any way to return to their country of origin or their usual residence in the Central African Republic.
2. The Parties shall to this effect undertake to provide objective information to Central African refugees on living conditions in the areas of return and their repatriation shall be done based on their full knowledge of the facts.

## Article 5

### **Return in Safety and Dignity**

1. The Parties shall undertake to conduct the voluntary repatriation process in a progressive, humane and orderly manner, under conditions of dignity and safety, only after the prevailing living conditions in the areas of return shall have been deemed favourable.
2. Assessing appropriate security conditions for the return shall be based on a consensual agreement amongst all Parties. The physical, legal and material security conditions shall thus enable the UNHCR and any other humanitarian stakeholders to organise relevant activities thereof.



**Article 6**  
**Preservation of Family Unity and Reunification**

1. In accordance with the principle of family unity, the Parties shall make every effort to ensure that families are repatriated as units. Measures shall be taken to prevent the rupture of family unity and ensure family reunification in the Central African Republic, wherever need arises. Where these efforts are not successful, the Parties shall put in place mechanisms to ensure that families are brought together in the Central African Republic.
2. In order to preserve family unity, spouses and/or children of repatriating refugees who are themselves not citizens of the Central African Republic shall be allowed to enter and reside in
3. The Central African Republic in compliance with its laws. This principle established herein shall also apply to non-Central African spouses as well as children of deceased CAR refugees.
4. In the same light, Central African refugees whose spouses and/or children are citizens of the Republic of Cameroon shall be authorised to stay in Cameroon as legal residents and duly considered as such, in case they apply for nationality status.

**Article 7**  
**Special Measures for Vulnerable Groups**

1. In accordance with relevant international principles and standard regulations, the Parties shall take special measures to ensure that persons or group of persons receive adequate protection, assistance and care throughout the repatriation and reintegration process.
2. Specifically, the Parties shall undertake measures to ensure that separated and/or unaccompanied children are not returned prior to adequate tracing of their family members or without specific and adequate reception and care-taking arrangements put in place in the Central African Republic. No separated or unaccompanied child shall be repatriated by any of the Parties unless following a formal determination of the best interest of the child that shall have conditioned the taking of that very decision.

**Article 8**  
**Spontaneous Returns**

1. The Parties shall in principle acknowledge that all the assurances, guarantees and other measures set out in this Agreement and which govern the voluntary repatriation of Central African refugees living in Cameroon shall also be applied to Central African refugees who may return to Central African by their own means.





2. The Parties shall acknowledge equally that Central African refugees living in Cameroon who may decide to return without assistance shall do so at their own pace and by their own means using the itineraries and corridors agreed upon through the joint consent of the Parties, as per Article 35 below.

## **RESPONSIBILITIES OF THE ASYLUM COUNTRY: THE REPUBLIC OF CAMEROON**

### **Article 9**

#### **Recognising the Voluntary Nature of Repatriation**

The Government of Cameroon shall undertake to guarantee the voluntary nature of the repatriation of Central African refugees and shall after consultations with the High Commissioner make all necessary arrangements to ensure that basic principles underlying international protection are implemented.

### **Article 10**

#### **Voluntary Repatriation in Safety and Dignity**

The Government of Cameroon shall undertake to ensure the safety of Refugees seeking voluntary repatriation as long as they shall be in Cameroonian territory, including camps, assembly areas and when travelling in convoy to the designated border crossing points.

### **Article 11**

#### **Information campaigns and visits by refugee representatives**

##### ***Go-and-See / Come-and-Tell Visits***

1. With a view to guaranteeing the voluntary nature of repatriation, the Government of Cameroon shall undertake to take all necessary measures to ensure that CAR refugees living in its territory shall be properly informed of the situation prevailing in the Central African Republic.
2. In this respect, the Government of Cameroon shall undertake to collaborate with the Government of the Central African Republic, UNHCR and the Civil Society in organising Go-and-See / Come-and-Tell Visits aimed at providing Refugees with objective and accurate information on their repatriation and reintegration in return areas in order to enable them to decide to return knowingly.
3. In addition, the Government of Cameroon, with the assistance of the Government of the Central African Republic and UNHCR, shall 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 to Cameroon, without prejudice to their Refugee status.
4. For the same purpose, the Government of Cameroon, with the assistance of the Government of the Central African Republic and UNHCR, shall also, where appropriate, facilitate visits to Cameroon by Representatives of Returnees who shall have returned and be already resettled in the Central African Republic so that they share with Refugees still found in Cameroon information on the prevailing situation in their area of residence.



5. The Government of Cameroon shall then be responsible for the security of refugee representatives of Central African Republic during the visits and shall permit the refugees to return to the Central African Republic at the end of the visits.

#### **Article 12**

##### **Status and Treatment of Refugees Who Have not Opted for Repatriation**

1. The Cameroonian Government shall undertake to guarantee that Central African refugees who do not opt for voluntary repatriation shall not be 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.
2. In addition, the Government of Cameroon shall also undertake 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.



#### **Article 13**

##### **UNHCR Access to Refugees**

1. The Government of Cameroon shall take all necessary measures to ensure that UNHCR has free and unhindered access to refugees living in its territory for the full implementation of the voluntary repatriation programme.
2. In the same way, any refugee residing in Cameroon shall be granted access to UNHCR once they express any interest in voluntary repatriation.
3. Access provided to UNHCR under this Article shall, where appropriate, extend 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 this Agreement.

#### **Article 14**

##### **Civil Status and Equivalency**

1. The Government of Cameroon shall 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 shall be laid down for this purpose as part of the voluntary repatriation operation.
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2. The Government of Cameroon shall also provide refugees, prior to their repatriation and at their request, with authenticated school and apprenticeship diplomas, certificates and testimonials earned during their stay in Cameroon.

#### **Article 15**

##### **Departure Procedures**

1. To ensure the quick return of refugees and their property, the Government of Cameroon shall 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.

2. Personal or community property of refugees duly identified as such, including livestock, vehicles and foodstuffs for personal consumption shall be exempt from all charges, taxes and customs duties.

3. In the event that 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 necessary travel documents.

#### **Article 16**

##### **Movement and Safety of UNHCR Staff and Resources**

1. The Government of Cameroon shall 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.

2. The Government of Cameroon shall further authorise 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.

3. The Government of Cameroon shall 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.

#### **Article 17**

##### **Essential Goods, Materials and Equipment**

1. The Government of Cameroon shall 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.



2. The Government of Cameroon also shall authorize UNHCR to operate United Nations equipment, frequencies and communication networks effectively and free of licensing charges, and shall facilitate the allocation of other frequencies whenever operational requirements are required. The written authorizations, required for equipment, frequencies and cross-border networks shall be duly issued to UNHCR at its request.

## **RESPONSIBILITIES OF THE COUNTRY OF ORIGIN: CENTRAL AFRICAN REPUBLIC**

### **Article 18**

#### **Voluntary Repatriation in Safety and Dignity**

The Government of the Central African Republic shall 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. The Government of the Central African Republic shall undertake to ensure the safety of the returnees once they shall be in the territory of the Central African Republic.

### **Article 19**

#### **Go-and-See / Come-and-Tell Visits on Repatriation and Conditions of Return**

1. The Government of the Central African Republic shall 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 make the decision to repatriate in full knowledge of the facts.
2. During visits to the Central African Republic by Central African refugees living in Cameroon for the purpose of acquainting themselves with the situation prevailing back in their country of origin, the Government of the Central African Republic shall ensure the safety of the delegations taking part in the visits and guarantee their return to Cameroon without any prejudice on the refugee status of the members.
3. In addition, the Government of the Central African Republic shall where appropriate facilitate visits to Cameroon by representatives of returnees already resettled in Central African Republic so they can share information on the situation prevailing in their areas of residence with those still in Cameroon.

### **Article 20**

#### **Freedom of Choice of Destination and Freedom of Movement**

1. 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 in any other place of their choice in the Central African Republic.
2. The Government of the Central African Republic shall also guarantee the freedom of movement of returnees, in accordance with 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 shall protect the people from any new displacement and shall refrain from any resettlement or compelled reintegration.



### Article 21

#### **Prevention of Statelessness**

1. The Government of the Central African Republic shall reaffirm its intention to implement all necessary measures to ensure that all refugees without citizenship (stateless persons) who had their permanent residence in the Central African Republic enjoy their right of return and enjoy the guarantees of legal residence there in order to regularize their stay including going through naturalization procedures. This same right shall be extended to non-Central African spouses and dependents of the refugees.
2. The Government of the Central African Republic shall also ensure that occasional situations of statelessness are avoided in accordance with the 1961 Convention on the Reduction of Statelessness. In this connection, in the event of any dispute over nationality, the Government of the Central African Republic shall in consultation with the Government of Cameroon and UNHCR presume that the persons already have the nationality declared at the time of registration, unless tangible evidence is presented so as to refute this presumption.



### Article 22

#### **Guarantees Upon Return**

1. The Government of the Central African Republic shall with all the Parties concerned take measures to ensure the protection of returnees against any harassment, intimidation, persecution or discrimination as well as any form of prosecution or punitive sanctions for leaving or staying outside the Central African Republic as a Refugee.
2. The returnees shall benefit from the relevant provisions of any amnesty or clemency laws in force in the Central African Republic.
3. UNHCR recognizes that anyone who has committed crimes against humanity, war crimes, genocide or other serious violations of International Humanitarian Law shall not benefit from the amnesty or leniency laws in force in Central African Republic.

### Article 23

#### **Civil Status and Equivalency**

1. The Government of the Central African Republic shall recognize any changes in the personal legal status of refugees during their stay in Cameroon, including births, deaths, adoptions, marriages and divorces.
  2. The Government of the Central African Republic shall also 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 in accordance with the law in force.
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#### **Article 24**

##### **Documentation**

The Government of the Central African Republic shall facilitate 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.

#### **Article 25**

##### **Reintegration of Returnees**

1. With a view to ensuring lasting peace, achieving effective national reconciliation and better reintegration, the Government of the Central African Republic shall take the necessary measures to guarantee the freedom of movement for returnees in order to enable them to return to their areas of origin or to resettle in any other locality of their choice.

2. Furthermore, the Government of the Central African Republic shall 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.

3. The Government of the Central African Republic reaffirms that measures shall 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.

#### **Article 26**



##### **Entry Procedures**

The Government of the Central African Republic shall commit to simplifying 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 shall also enable the entry of their belongings and personal property, which shall be exempted from customs duties, charges and taxes. Medical checks and inspections at the entry points shall be carried out promptly. They shall be limited to the minimum requirements and conducted in full respect for the dignity and human rights of refugees.

#### **Article 27**

##### **UNHCR Access to Returnees**

1. The Government of the Central African Republic shall undertake 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 in order to carry out follow-up activities in the fields of legal and material assistance.



2. The Government of the Central African Republic shall also undertake to facilitate access by the UNHCR to any voluntary returnee or to any person who benefited from repatriation assistance.
3. To enable the UNHCR to carry out its supervision functions in accordance with Paragraph 2 of this Article, the Government of Central African Republic shall undertake to inform the UNHCR of any arrest, detention and legal proceedings involving returnees; this Government shall 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.
4. Access to the UNHCR in pursuance of this Article shall, where appropriate, extend to the International or Non-Governmental Organizations (NGOs) with which the UNHCR may, in consultation with both Governments concerned, get into Agreements for the conduct of one or more components of the repatriation operation provided for in this Agreement.



#### **Article 28**

##### **Facilitation of Activities of the UNHCR and Its Operational Partners**

1. The Government of the Central African Republic shall undertake facilitate 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.
2. The Government of the Central African Republic shall further undertake to authorize the UNHCR the issuing to the Staff throughout the period of the repatriation operation a two-way border crossing authorizations whose format shall be determined through the joint consent of all the signatory Parties.
3. The Government of the Central African Republic shall also undertake to enable the UNHCR have direct access to the airports/airstrips closest to the final destination areas of the returnees even where they shall not be amongst the designated points of entry. In addition, the Government of the Central African Republic shall facilitate customs and immigration procedures in said airports/airstrips.
4. The Government of the Central African Republic shall finally undertake to take all appropriate measures to ensure the safety of the UNHC Staff and any other Staff involved in the repatriation operation provided for in this Agreement.

#### **Article 29**

##### **Customs and Immigration Procedures**

1. The Government of the Central African Republic shall undertake to exempt from taxes, charges and custom duties on all essential goods, 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.
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2. The Government of the Central African Republic shall also undertake to authorize the UNHCR to use equipment, frequencies and the United Nations communication networks effectively and without licence fees and shall enable the provision of other frequencies whenever operational need so warrant. The required written authorizations for equipment, frequencies and cross-border networks shall be duly issued to the UNHCR upon request.

## **COMMITMENTS OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

### **Article 30**

#### **Verification of the Voluntary Nature of Repatriation**

The UNHCR having free and full access to refugees shall verify the voluntary nature of their decision to return to their country as well as the effective reintegration of returnees, in a process ensuring the safety and dignity of all concerned.

### **Article 31**

#### **Information and Awareness-raising Campaigns**

1. The UNHCR shall in collaboration with other Parties to this Agreement organize information campaigns for refugees from the Central African Republic in order 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.

2. The UNHCR in addition with the support of the Governments of the Parties to this Agreement shall undertake 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 so as share with refugees still in Cameroon the information on the prevailing situation in their area of residence.

### **Article 32**

#### **Registration Provisions**

1. Given that the UNHCR is the guarantor of the voluntary nature of the return decision, and in accordance with its mandate, the UNHCR shall in consultation with the Governments of the Parties to this Agreement provide the most appropriate means for the consultation and registration of Central African refugees living in Cameroon who shall have expressed the wish to be repatriated.

2. The Voluntary Repatriation Form (VRF) duly filled in shall be acknowledged recognized by the signatory Governments of this Agreement as a valid identification document in both countries, and as a travel document for the purposes of returning refugees to their final destination in Central African Republic. The format of the form shall be agreed upon through the joint consent of the Parties.



**Article 33**

**Handling of Residual Cases**

The UNHCR shall ensure that refugees from the Central African Republic who do not opt for repatriation continue to be granted refugee status in accordance with 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. The UNHCR shall also ensure that in this case the principle of seeking for lasting solutions to refugee problems is implemented.

**ADDITIONAL PROVISIONS**

**Article 34**

**Transfer of Detainees**

1. The Government of the Republic of Cameroon and the Government of the Central African Republic shall agree that Central African refugees who committed crimes under common law in Cameroon and who have been tried and sentenced should be transferred to the Central African Republic where they so wish, in accordance with the Judicial Cooperation Agreement signed amongst the CEMAC member states. The Parties shall undertake to cooperate to ensure that the appropriate modalities be put in place for them to serve the remainder of their sentence in compliance with the principles of International Law.

2. Persons referred to in paragraph 1 above shall serve in Central African Republic the sentences handed down by the courts of Cameroon.

**Article 35**

**Approved Border Crossing Points**

The Parties shall agree on entry and exit points by land, river and air for the organization of voluntary repatriation movements. The crossing points may be modified according to the operational requirements of the repatriation exercise.

**Article 36**

**Supervisory Role of the UNHCR**

1. The Government of the Republic of Cameroon and the Government of the Central African Republic shall undertake to fully respect the role of supervision and coordination of the voluntary repatriation of refugees as played by the UNHCR in order to ensure that the return is freely consented to and carried out under conditions guaranteeing safety and dignity.

2. The UNHCR shall undertake to cooperate with all relevant governmental structures, other agencies of the United Nations system as well as national and International NGOs involved in assisting Central African refugees and in the voluntary repatriation operation.



**Article 37**

**Supplementary Offices of the UNHCR**

The UNHCR may open supplementary offices in premises still to be determined with the Government concerned whenever it shall be deemed necessary in order to fulfil more efficiently its responsibilities under this Agreement.

**Article 38**

**Funding of the Activities of Repatriation and Reintegration**

The Parties shall reaffirm their intention to advocate and source for the necessary funding from the International Community in order to conduct the repatriation operation and reintegration activities in the Central African Republic. Furthermore, the Government of the Central African Republic shall be committed to taking appropriate measures to include the needs of returnees in the reconstruction and development plans.

**THE TRIPARTITE COMMISSION**


**Article 39**

**Setting up of a Tripartite Commission**

1. Pursuant to this Agreement, a Tripartite Commission shall be set up and charged with dealing with matters related to the voluntary repatriation of Central African refugees living in Cameroon and their subsequent reintegration in the Central African Republic.
2. The Commission shall be established within a maximum period of 3 (three) months from the date of signature of this Agreement.
3. The Parties shall cooperate with the members of the Commission in all the stages of voluntary repatriation.

**Article 40**

**Composition of the Commission**

1. The Tripartite Commission shall comprise six (6) members and their alternates. The Government of Cameroon and the Government of the Central African Republic shall each appoint two (2) members and their alternates. UNHCR shall appoint two (2) members, one chosen in its office in Cameroon and the other from its office in the Central African Republic.  
The Commission shall have a President, a Vice-President, a general Rapporteur and his assistant.
  2. Where a member of the Commission is unable to attend any activity of the Commission, he shall be represented by his alternate.
  3. Each member of the Commission shall be accompanied to meetings of the Commission by advisers.
  4. The Commission shall where appropriate invite any person including refugee representatives to take part in its deliberations as an observer owing to his expertise.
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#### **Article 41**

##### **Role and function of the Commission**

1. The Commission shall be in charge of developing and supervising the implementation of measures whose purpose is to facilitate the voluntary repatriation of Central African refugees living in Cameroon and their reintegration into their communities of origin. It shall ensure compliance with the provisions of this Agreement particularly those relating to the security and assistance to returnees.
2. The Commission shall keep the Parties to this Agreement informed of progress made and difficulties encountered. It shall suggest solutions to the problems identified.
3. In order to carry out its activities, the Commission shall carry out missions to refugee areas of return in the Central African Republic, in refugee camps and refugee sites in the Republic of Cameroon. The Parties shall be notified of the dates of these missions during which the Governments concerned will facilitate free access into their respective territories for the proper conduct of the missions.


#### **Article 42**

##### **Meetings of the Commission**

1. The Commission during its first meeting shall adopt its own internal rules and regulations.
2. Subsequently, meetings of the Commission shall be convened whenever necessary and at any location as agreed upon by its members.
3. Each meeting of the Commission shall be chaired alternatively by the representative of the Government in whose territory the meeting is being held.
4. The deliberations of the Commission shall be recorded in reports prepared by the general Rapporteur and sent to the Parties.

#### **Article 43**

##### **Setting up a Technical Working Group**

1. The Commission shall set up a Technical Working Group on voluntary repatriation in order to assist it in carrying out its duties.
  2. The Technical Working Group shall be set up within a maximum of three (03) months of signing this Agreement.
  3. The Technical Working Group, which shall meet alternatively in Cameroon and in the Central African Republic and whenever necessary, shall draw up a working plan and timetable to guide the implementation of the Voluntary repatriation exercise.
  4. In addition to the Technical Working Group, other sub-working groups shall be established as necessary.
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**Article 44**

**Composition of Technical Working Group**

1. The Technical Working Group shall comprise experts responsible for the management of refugees and the returnees representing the Parties. The persons selected may or may not be members of the Commission.
2. Each meeting of the Technical Working Group shall be chaired alternatively by the representative of the Government in whose territory the meeting is held.
3. 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 UNHCR assisted by representatives of the other Parties.

**Article 45**

**Liaison Officers**

The Governments Parties to this Agreement shall designate liaison officers in their respective Embassies in Yaounde and Bangui, empowered to handle unforeseen operational aspects and/or respond to occasional requests for assistance made by the Commission.

**FINAL PROVISIONS**

**Article 46**

**Validity of Other Agreements**

This Agreement shall not conflict with the validity of any other agreement, arrangement or mechanism of cooperation existing between both Governments and UNHCR, including any Headquarters agreement. Where appropriate, these agreements, arrangements or mechanisms could be invoked or applied in order to facilitate the implementation of the objectives set out in this Agreement, which relates to the voluntary repatriation and reintegration of Central African Refugees.

**Article 47**

**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 recognised standards.

**Article 48**

**Privileges and Immunities**

No part of this Agreement or that which refers to it shall be considered as a waiver, explicit or implied, to the privileges and immunities whatsoever which may be enjoyed by UNHCR pursuant to relevant legal instruments.

**Article 49**

**Entry into Force, Amendments and Termination**

1. This Agreement shall enter into force upon the signature by all the Parties.
2. This 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.
3. This Agreement shall remain in force until it is terminated by written mutual consent of the Parties or upon the issuance of a 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 reception by the Party receiving it a last resort.

**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 Central African Republic and UNHCR in three (03) original copies in French and English. The French version shall prevail in case of any disagreements.

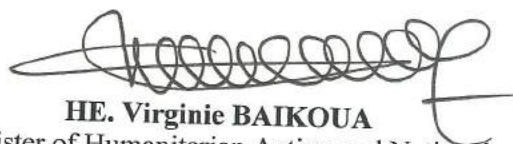
Done at Yaounde on this 29<sup>th</sup> June 2019

**For the Government of the Republic of  
Cameroon**



**M. ATANGA NJI Paul**  
Minister of Territorial Administration

**For the Government of the Central African  
Republic**



**HE. Virginie BAIKOUA**  
Minister of Humanitarian Action and National  
Reconciliation

**For the United Nations High Commissioner  
for Refugees**



**Buti KALE**  
Representative of UNHCR to the Central African Republic

