

AGREEMENT BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF LIBERIA AND  
THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES  
FOR THE VOLUNTARY REPATRIATION AND REINTEGRATION  
OF LIBERIAN RETURNEES FROM ASYLUM COUNTRIES

The Government of the Republic of Liberia represented by the Liberia Refugee Repatriation and Resettlement Commission (hereinafter referred to as "the Government" or "the Commission") and the United Nations High Commissioner for Refugees (hereinafter referred to as "the High Commissioner" or "UNHCR"),

Recognizing that the right to leave and to return to one's country is enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other international legal instruments,

Considering that voluntary repatriation, where feasible, constitutes the best durable solution for refugee problems and that the attainment of this solution requires that refugees be repatriated under conditions of safety and dignity,

Recalling that the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa sets out in Article V the generally accepted principles governing voluntary repatriation,

Noting that the Agreement signed at Abuja in the Federal Republic of Nigeria on 19 August, 1995 between the National Patriotic Front of Liberia (NPFL), the United Liberation Movement of Liberia for Democracy (ULIMO), Liberia Peace Council (LPC), Armed Forces of Liberia (AFL), United Liberation Movement of Liberia for Democracy - J (ULIMO-J), Lofa Defense Force (LDF), National Patriotic Front of Liberia - Central Revolutionary Council (NPFL-CRC), and the Liberian national Conference (LNC), has laid the foundation for lasting peace, stability, democracy, social and economic development in Liberia,

Noting further that in the said Agreement and antecedent Agreements the Parties thereto undertake to end any further external or internal displacement of Liberians and to create conditions for the voluntary repatriation and reintegration of Liberian refugees and further agree that all Liberian refugees have the right to return to their places of origin or habitual residence under conditions of safety and dignity,

Recognizing that special measures and legal arrangements are necessary within Liberia for the safe and orderly repatriation and reintegration of the refugees.

DO HEREBY AGREE as follows:

ARTICLE 1  
DEFINITIONS

For the purpose of this Agreement;

- (i) the term "Government" shall mean the Government of the Republic of Liberia represented by and through the Liberia Refugee Repatriation Resettlement Commission (LRRRC) (hereinafter referred to as the "Commission") pursuant to the 1993 Refugee Act.
- (ii) the term "refugee" shall mean a Liberian citizen who is living outside Liberia as a refugee as defined in Article 1 of the 1951 United Nations Convention relating to the Status of Refugees, 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and under the 1950 United Nations High Commissioner for Refugees Statute.
- (iii) the term "returnee" shall mean any refugee, as defined in sub-section (i) of this Article, who has voluntarily returned to Liberia pursuant to this Agreement or at own initiative or with assistance from any source.

ARTICLE 2  
PURPOSE OF THIS AGREEMENT

1. This Agreement shall provide for such measures, arrangements and matters as shall be necessary to promote and facilitate the voluntary and orderly return and reintegration of the refugees under conditions of safety and dignity.

2. This Agreement shall not be construed as derogating from or replacing any present agreements between the Government and UNHCR relating to the refugees.

ARTICLE 3  
ROLE OF THE COMMISSION

1. The Commission shall support and facilitate the activities of the High Commissioner and other relevant agencies pursuant to this Agreement. In particular, the Commission shall, in close coordination with UNHCR, undertake such confidence-building measures or activities as may be necessary to encourage the refugees to return to Liberia.

2. The Commission in consultation with UNHCR shall work out arrangements necessary to facilitate expeditious transit, return and reintegration of the returnees.

GOVERNMENT OF THE REPUBLIC OF LIBERIA  
DECLARATION ON THE RIGHTS AND SECURITY OF RETURNEES

PREAMBLE

The Liberian National Transitional Government:

Convinced that the Abuja Peace Agreement of August, 1995 and the setting up of the Council of State have created conditions for a lasting peace, stability, social and economic progress in Liberia,

Recalling that as a result of the civil war in Liberia upwards of 750,000 Liberian nationals sought refuge in various countries, particularly within the sub-region,

Cognizant of the 1948 Universal Declaration of Human Rights, 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and relevant international human rights instruments guaranteeing every person the right to leave and to return to their country of origin,

Aware that a number of refugees have spontaneously returned to Liberia on their own,

Cognizant of the scope of the amnesty guaranteed under the 1993 Cotonou Agreement,

Recognizing the need to create an atmosphere of peace, national reconciliation, stability, respect for human rights and fundamental freedom,

Underlining the rights and freedom of all Liberians living outside Liberia as refugees to return home to their place of habitual residence or to establish residence in any part of the country, and to participate, along with all other Liberians, in the process of national reconciliation and consolidation of peace, democracy and social development,

Desirous to take further confidence building measures to promote the expeditious voluntary return and reintegration of Liberian refugees in safety and dignity.

SECTION A  
HEREBY:

1. Declares its commitment to respect the right of all Liberians to return to their places of origin or habitual residence in safety and dignity.

2. Calls upon, invites and encourages all Liberian refugees to return to their country and to settle in their places of origin in any part of the country and to participate fully in the process of national reconciliation, rehabilitation, reconstruction, and consolidation of peace, democracy and socio-economic development.

3. Affirms its commitment to the observance and respect of all national and international legal instruments and covenants which guarantee the basic human rights of all persons without distinction as to race, ethnic origin, religion, political beliefs or gender.

SECTION B  
SOLEMNLY DECLARES:

1. Commitment to immediately and permanently bring to an end any further external or internal displacement of Liberians and to create the conditions that will allow all refugees and displaced persons to, respectively, voluntarily repatriate and return to Liberia to their places of origin or habitual residence under conditions of safety and dignity.

2. The voluntary repatriation and reintegration shall take place in safety and dignity, as established in internationally recognized principles and as embodied in relevant provisions of the 1993 Cotonou Agreement.

3. No returnee shall suffer any form of harassment, intimidation, discrimination, persecution or any form of punitive action on account of having fled Liberia and having sought and found refuge abroad.

4. No returnee shall be subject to harassment, intimidation, discrimination, or persecution for reasons of membership in a particular social group, ethnic, gender, religious, political opinion, regional or geographical considerations.

5. All returnees, irrespective of their ethnic, regional, religious or political affiliations, shall be exempt from prosecution for all political offenses committed for whatever reason prior to, or in exile.

SECTION C  
Respect for Human Rights:

1. The basic human rights and fundamental freedoms of returnees will be fully respected and guaranteed.

2. All Liberian citizens are under obligation to respect all national and international instruments relevant to the protection of basic human rights.

SECTION D  
Returnee Monitoring:

The United Nations, and in particular UNHCR will be allowed and will receive full cooperation and access to monitor the treatment of returnees in accordance with humanitarian and human right standards, including the implementation of commitments contained herein.

SECTION E  
Access to Land:

Returnees shall have their rights to their original land restored upon return. In addition, returnees will have access to land for settlement and agricultural use in accordance with Liberian laws.

SECTION F  
Property:

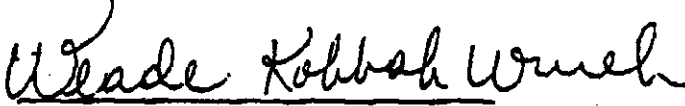
All measures will be taken to facilitate, to the extent possible the recovery and restitution to the returnees of their land or immovable and to the extent possible movable property which they may have lost or left behind.

ATTESTATION

Done at MONROVIA this 3RD day of JANUARY 1996 in two originals, in the English language, both texts being equally authentic.

for the GOVERNMENT OF THE REPUBLIC OF LIBERIA

  
Name: J. Nahnjohn Suah  
TITLE: CHAIRPERSON, LRRRC  
MINISTER OF INTERNAL AFFAIRS

  
Name: Weade Kobbah-Wureh  
TITLE: EXECUTIVE DIRECTOR,  
LRRRC

ARTICLE 4  
VISITS BY REFUGEE REPRESENTATIVES

To further encourage voluntary repatriation, the Government and UNHCR shall facilitate visits by refugee representatives to Liberia to gather information on conditions prevailing in their intended areas of return.

ARTICLE 5  
SIMPLIFICATION OF IMMIGRATION, CUSTOMS AND HEALTH FORMALITIES

1. In order to facilitate the expeditious return of the refugees, the Government shall simplify its immigration, customs and health formalities in respect of the refugees, as well as duties and taxes on their personal effects.

2. The Government shall recognize duly completed Voluntary Repatriation Forms as valid travel and temporary identity documents for refugees who repatriate in an organized manner under UNHCR auspices.

3. The Government shall exempt the personal effects of the refugees from customs duties and levies. Notwithstanding this provision where customs officials have good reasons to suspect that the personal effects of a refugee contain goods whose importation, possession or use is prohibited by law, the person and/or personal effects of such returnee may be subject to search and/or inspection in accordance with the law and in the presence of a representative of UNHCR.

4. Nothing contained in sub-paragraph (1), (2) or (3) of this Article shall be construed so as to prevent, hinder or in any manner whatever interfere with the return of refugees who repatriate on their own or spontaneously, or with their travel to their places of origin or habitual residence in Liberia.

5. Any problem arising in relation to any such spontaneous returnee shall immediately be brought to the attention of UNHCR.

6. The Government shall, in consultation with neighboring countries of asylum, designate border-crossing points, as well as any other measures that may be necessary to facilitate expeditious crossing of the border.

ARTICLE 6  
TREATMENT OF THE RETURNEES

1. Pursuant to the Cotonou Agreement of 25 July 1993 in general, and Article 18(2) in particular, no returnee whether he or she returned in an organized manner or spontaneously shall be subjected to any form of legal process, punishment, persecution or discrimination for reasons of ethnic origin, political opinion, religious affiliation or on account of region or geography.

2. The returnees shall also benefit from the provisions of Article 19 of the Cotonou Agreement of 25 July 1993 or from any other relevant law in force in Liberia and any such law subsequent thereto as may be enacted.

#### ARTICLE 7

#### ACCESS TO THE RETURNEES OR RETURNEE AREAS

In order to carry out its international protection and assistance functions in respect of the returnees, UNHCR, as well as all agencies collaborating with the High Commissioner in the repatriation and reintegration operation, shall be granted free access to the returnees wherever they settle in Liberia.

#### ARTICLE 8

#### LEGAL STATUS OF RETURNEES

1. The Government shall ensure that the juridical status of Liberian returnees (births, marriages, divorces, deaths, etc.) which occurred in the countries of asylum shall be recognized in Liberia, and shall issue such legal documents as are necessary to certify such status and legalize the same where necessary.

2. The Government shall, as appropriate, issue requisite certificates to repatriants to assist the latter to seek recognition of the equivalency of educational certificates.

#### ARTICLE 9

#### TRACING AND REUNION OF FAMILY MEMBERS

1. The Government shall cooperate with UNHCR or other relevant organizations in tracing the relatives or families of those returnees who might need such assistance, as well as facilitating their reunion.

#### ARTICLE 10

#### VULNERABLE GROUPS

The Government shall, in cooperation with UNHCR and interested non-governmental organizations, identify vulnerable individuals, in particular unaccompanied minors, single females in need of protection and special attention to assure their fundamental rights.

#### ARTICLE 11

#### NON-LIBERIAN SPOUSES AND CHILDREN

1. In order to preserve the unity of the family, the Government shall allow the spouses of returnees and/or children who themselves may not be citizens of Liberia to enter and reside in Liberia as part of the families of such returnees in accordance with the laws of Liberia relating to residence of non-citizens.

2. The provision of sub-paragraph (1) of this Article shall also apply to non-Liberian spouses and/or children of deceased Liberian refugees who may wish to enter and reside in Liberia in order to preserve family links in accordance with the laws of Liberia.

ARTICLE 12  
UNHCR OFFICES

1. To ensure the effective discharge of its responsibilities under this Agreement and under the universal mandate of the High Commissioner, UNHCR may, whenever necessary, establish Field Offices at or near entry points or places of final destination.

2. UNHCR, its staff and property shall enjoy the same inviolability and immunity from jurisdiction generally granted to persons having diplomatic status in Liberia.

ARTICLE 13  
ROLE OF UNHCR IN INTEGRATION AND HUMANITARIAN ASSISTANCE

UNHCR shall, consistent with its Mandate and in co-ordination with the relevant United Nations agencies and non-governmental organizations, undertake such activities as may be necessary to ensue reintegration to the returnees or effective delivery of humanitarian assistance to returnee areas.

ARTICLE 14  
RELIEF GOODS, MATERIALS AND EQUIPMENT

1. The Government shall exempt UNHCR or implementing partners from payment of taxes and duties on all relief goods, items of equipment and means of transport imported for use in the repatriation and reintegration operation. The Government shall expedite the clearance and handling of such goods, equipment and means of transport.

2. The Government shall permit UNHCR, as well as its implementing partners to use United Nations radio equipment and frequencies for the repatriation and reintegration operation inside Liberia.

ARTICLE 15  
COOPERATION

1. UNHCR will endeavour to mobilize resources aimed at enhancing the operational capacity of LRRRC. In this regard, UNHCR will also provide needed training for LRRRC staff.

2. The lead agency role of UNHCR in major returnee areas shall be respected.

ARTICLE 16  
SETTLEMENT OF DISPUTES

Any question arising with the interpretation or application of any provision of this Agreement, or for which no provision is made herein shall be resolved amicably between the parties through consultation.



ARTICLE 17  
ENTRY INTO FORCE


1. This Agreement shall enter into force upon signature.
2. This Agreement shall remain in force until it is terminated by mutual agreement between the Government and the High Commissioner.

ATTESTATION

DONE at MONROVIA this 3RD day of JANUARY 1996 in three originals, in the English language, all texts being equal and authentic.




For the Government of  
the Republic of Liberia

  
For the United Nations High  
Commissioner for Refugees

Name: Weade Kobbah-Wureh  
TITLE: EXECUTIVE DIRECTOR

NAME: Kallu C. Kalumiya  
TITLE: REPRESENTATIVE  
U N H C R

  
NAME: J. Nannjoh Suh  
TITLE: CHAIRPERSON  
LRRC & MINISTER OF  
INTERNAL AFFAIRS