

THE PROTECTION BY HOST STATES OF THE RIGHT TO ADEQUATE HOUSING FOR REFUGEES: A CAMEROONIAN PERSPECTIVE.

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ABSTRACT

Wars and crises have led to an increase in the number of refugees around the globe. Reports from the United Nations High Commission for Refugees show that there are about sixty five million refugees around the world as a result of crises. The first thing that comes to the mind of a refugee after displacement is where to lay his or her head. The right to adequate housing for refugees remains a very important right in the life of a refugee. Housing must be habitable, accessible and secured. The state has the responsibility to ensure that the rights of all persons are protected and this includes refugees. The Universal Declaration of Human Rights makes mention of the right to adequate housing in its Article 25. The aim of this research is to show that refugees have a right to adequate housing which must be protected. The research exposes the housing conditions of refugees and how these housing conditions can be improved upon. The methodology used in this research is the qualitative and quantitative methods of research. Laws, Conventions and statutes protecting the rights of refugees were consulted including other documents which helped in unravelling the rights of refugees both in international and national law. States on their part have an obligation to protect the right to adequate housing. Questionnaires were given out to refugees so that they could give their own opinion on their housing conditions. They provided answers to the various questions and these answers enabled the researcher to come up with a number of findings. The findings showed that refugees live under very deplorable housing conditions. Their right to adequate housing is not entirely protected as provided for in international legal instruments. It is recommended that, government and international organizations like the UNHCR should put in more measures to ensure that the right to adequate housing for refugees is protected. It was realized that, a lot still has to be done with regard to the right to adequate housing for refugees as provided for in international legal instruments.

Keywords : Refugees, Human Rights, Adequate Housing, UNHCR, 1951 Convention.

INTRODUCTION

According to reports from the United Nations Agency (UNHCR), over 65.5 million people are currently living as refugees¹ across the world (UNHCR, 2019). This is the highest number which has been recorded by the United Nations since the Second World War. The refugee situation continues to occupy a centre stage in many parts of the world (Cantor et al., 2014). Sub-Saharan Africa hosts more than 26 percent of the world's refugee population. The number of refugees in Africa has soared in recent years partly due to the ongoing crises in the Central African Republic (CAR), Nigeria and South Sudan. These staggering figures are a call for concern.

After displacement, the first thing which comes into the mind of a refugee is a place to shelter. They are forced to sleep under the scorching sun because they lack housing. It is

therefore the duty of every state to ensure that these persons are adequately protected². It is at this point that the international community (Bratt, 2006) has the responsibility to step in to ensure that these people receive effective protection and that their human rights are respected³.

Every year people are forced out of their homes due to conflict, discrimination and violence⁴. (Betts et al., 2014) The main instrument which protects these groups of persons is the 1951 Convention Relating to the Status of Refugees and the 1969 OAU Convention governing the Specific Aspects of Refugees⁵. Out of approximately twenty million refugees⁶ six million are found in Africa. To put the African figures into perspective, in 1969, the number of African refugees rose to a total of 700,000 (Bodewes, & Kwinga, N., 2003). At the time, even this relatively low figure was considered alarming and prompted action on the part of African nations to address problems resulting from the ever increasing number of refugees (Betts et al., 2014). The legal regime governing refugee law in Africa is comprised of three main legal instruments; the 1951 United Nations Geneva Convention Relating to the Status of Refugees and the 1967 Protocol⁷, the 1969 OAU Convention governing specific aspects of Refugees⁸ problems in Africa and the African Charter on Human and People's Rights⁹.

It is easy to wonder at first sight why one will be interested in an aspect such as housing as a human right. However, when one looks keenly into international law, it cannot be denied that housing is important for human dignity, as well as for one's general health and well being. This shows the extent to which the human right to adequate housing is important. Adequate housing is regarded as one of the basic human needs. Refugees also have a right to adequate housing (Fitzpatrick et al., 2010). Although it is necessary for everyone, the United Nations Centre for Human Settlements estimates that so many people are still living in places short of housing and this renders them homeless¹⁰. This also includes refugees. However, many refugees do not benefit from this right.

Indeed, about 100 million people live with no shelter. Women constitute seventy per cent of those who live in absolute poverty¹¹. From these statistics, it is not very obvious to decipher the inadequacy in which people are forced to live in. However, a look at some of the conditions of living will help one realize that this area of research is a matter of concern. Adequate housing as a human right remains a major problem for a majority of those who live in Cameroon. It is difficult for states to provide adequate housing for its citizens. It will therefore be more difficult for refugees to obtain adequate housing. Refugees live in slums and uncompleted buildings (Davis, 2006). To address this situation, only the enforcement of the right to adequate housing can improve the standard of living of these persons and create some changes (Querton, 2014).

The research seeks to answer the following research questions. That is, looking at the extent to which the right to adequate housing for refugees is protected by Cameroon as a host state in application of international law. Also, do Refugees have a right to adequate housing? How is the housing situation of refugees in Cameroon? What can be done to improve on the right to adequate housing for refugees in Cameroon?

The purpose of this study is to show that refugees have a right to adequate housing which must be protected. The researcher actually carried out field work on this study to get a clear glimpse of the housing situation of refugees in the camps. One was able to notice that their housing conditions were very poor. The researcher intends that this work creates some level of awareness to the refugees themselves. They should understand that they have a right to adequate housing as provided by the law. Also, government officials should understand that they have an obligation to protect and ensure the right to adequate housing for refugees. This research is aimed at creating a general awareness to the public who must respect the fact that refugees are not different from them. They should treat them as any other human being and

without discrimination. The rationale of this research is that, irrespective of the level of development of a country, refugees should have access to adequate housing. Also, there is the need to reorient public policy to ensure that the best interest of refugees is of primary consideration (Giuffré, 2015). Adequate housing remains a luxury that is unrealizable for the majority of the population in Cameroon. The article briefly examines the following hypotheses;

- The rising number of refugees in the camps makes it difficult to provide adequate housing for all refugees in Cameroon
- Measures and policies have been put in place to guarantee equal access to female-headed households in Cameroon
- The houses in Cameroon are not habitable and accessible
- A lot still has to be done with regard to adequate housing for refugees in Cameroon.

The methodology used in carrying out this research involved both primary and secondary sources. With regard to primary sources, Laws, Conventions and Statutes were consulted. Secondary sources of law are background sources. They are a good way to start research. They explain, interpret and analyze. They include the use of encyclopedias, laws, reviews, treaties, restatements, text books, articles, journals, commentaries and other materials from the library (Castro-Magluff, 2001). Some institutions involved in the protection of refugees were also visited. Information was as well gotten from institutions such as the UNHCR (Castro-Magluff, 2004). There was also a visit to some refugee camps where quantitative data was collected by way of questionnaires. In this research, a mixed methodology was used. This combines both the qualitative and the quantitative method of research. This is the mixed method of research.

The justification of this research is based on the idea that, housing occupies a central place in the life of an individual. When one is adequately housed, he or she is spared from many things. First, one is protected from bad weather which can lead to diseases. Also, there is privacy and one is able to live in peace with his or her family (Darling, 2015). Some people go as far as carrying out commercial activities which in turn benefits the family. The focus of this research is on the major difficulties faced by refugees with regard to adequate housing. This work looks at whether they have a right to adequate housing. In most countries, the local population faces difficulties securing adequate housing. If the local population finds it difficult securing adequate housing, then what becomes of refugees? These are some of the core issues which the research seeks to examine. Refugees as human beings like any other person have a right to adequate housing.

The findings of this study are of benefit to the society considering that housing plays an important role in the society today. The greater demand for housing justifies the needs for more effective and life-changing approaches. Thus, states and non-governmental organizations that apply the recommended approaches derived from the results of this study will be able to provide adequate housing for those refugees found in their countries. States are guided on what has to be done so as to provide adequate housing for refugees. The researcher has also been able to uncover critical areas in the provision of adequate housing for refugees that other researchers have not been able to explore. Therefore, new solutions and recommendations on the protection of adequate housing for refugees have been arrived at (Tsourdi, 2015).

This research is limited to the rights of refugees in general and in particular their right to adequate housing. The research was carried out on the adequate housing situation of refugees in Cameroon. This right to adequate housing for refugees is the main focus of this work. The main areas where this research was carried out were in refugee camps in Gado-Badezere, Lolo and Mbile in the East Region and the Minawao camp in the Far North

Region. The research period covered data and information gotten from other sources from the year 2005 to 2021.

LITERATURE REVIEW

Feller et al., 2003¹² (Erika et al., 2003) look into the refugee situation by laying emphasis on the core instruments which are used in protecting refugees. They pay particular attention to the principle of non-refoulement and the proper application of the elements of the refugee definition¹³. They also examine issues like the internal flight relocation or protection alternatives, exclusion, cessation, family unit and reunification, and the UNHCR's supervisory body. This research focuses on the right to adequate housing for refugees. This book gives a general knowledge on refugee protection. It does not look into the right to housing for refugees. However, this is what this research will be based on.

Diane Kayongo-Male¹⁴ (Diane, 1998) pays particular attention to the problems of the refugee crises in Africa. According to the author, the heavy concentration of refugees in nations like Sudan and Somalia poses a problem to the host countries. She notes that added to the tremendous burden of development processes, almost half of the African countries are also saddled with refugee problems. The author looks at the movements of refugees from ecological factors, economic factors, and political factors. She looks at the refugee problems generally but does not pay particular attention on the right to adequate housing which is what this research seeks to achieve.

Vincent Chetail¹⁵ (Vincent, 2014) wrote on how refugees were protected by host countries. According to the author, states must admit aliens into their territories and expel them from it. But this must be done in conformity with International law standards. He looks at refugees and workers in particular. To the author, the legal status of refugees is regulated by treaties. He assesses the applicable principles and rules governing migrations (Di Pascale, 2014). Though the author pays attention to refugee protection, he lays more emphasis on migration. But this research looks at the refugee's right to adequate housing and it goes further to examine their conditions of living, especially in camps.

Robert W. Ditchburn¹⁶ (Robert, 1939) examines the refugee problem from an economic angle. To him, if the economic state of the world had been healthy in the post-war period, there would have been fewer refugees, and they could have been easily absorbed into other countries. He looks at the essential feature which distinguishes a refugee from an ordinary alien or immigrant. He thinks that a refugee is on bad terms with the government of the country where he used to reside before he became a refugee. The refugee must be against the government –or rather the government must be against him-to such an extent that life in his former territory is impossible or intolerable. He looks at the refugee problem generally. But this research looks at a particular issue which concerns refugees which is their right to adequate housing.

Gil Loescher¹⁷ writes on refugees in his book and what the office of the United Nations High Commissioner for Refugees (UNHCR) is doing to protect refugees around the world. He examines the foundation of the UNHCR and how the UNHCR has evolved, as well as identifying a good number of challenges faced by the organization in the coming years. In each chapter, the author looks at what different high commissioners have done as their own contribution towards the development of the office of the UNHCR. According to the book, the UNHCR has gone an extra mile in the last decades and recently in order to meet the needs

of refugees. It does not only focus on protection. Refugee protection remains a heinous challenge for the international community to protect human rights and maintain its values. He also provides some suggestions which will help to improve the mandate of the agency in advocating for the rights of millions of refugees across the globe. The book lays more emphasis on what the UNHCR is doing in protecting refugees. This has a huge impact to this study because the UNHCR remains the mother organization in-charge-of refugees.

Guy S. Goodwin-Gill and Jane Mac Adam¹⁸, write on refugee law. They examine the refugee law in general and also the challenges faced in the international protection systems. The author has paid more attention to human rights issues in this 3rd edition. He also analyzed the recent development in the interpretation of the refugee definition. The book examines the conditions of living of refugee women and children. The books looks at how camps and settlement areas are managed. It looks at some of the fundamental principles in international law like non-refoulement and asylum; and the extent of protection possibilities in human rights treaties, particularly the European Convention on Human Rights. They do not pay so much attention to the rights of refugees to adequate housing and that is what this research will be based on.

James C. Hathaway¹⁹ presents the first comprehensive analysis of the human rights of refugees as set out by the United Nations Refugee Convention. In an era where states are increasingly challenging the logic of simply assimilating refugees to their own citizens, questions are now being raised about whether refugees should be allowed to enjoy freedom of movement, to work, to access public welfare programs, or to be reunited with family members. Hathaway links the standards of the United Nations Refugee Convention to other key instruments in international human rights law and applies his analysis to the world and the difficulties faced in protection challenges. This research lays more emphasis on adequate housing conditions for refugees.

Michelle Foster²⁰ looks at the traditional distinction between ‘economic migrants’ and ‘political refugees’. This book identifies the conceptual and analytical challenges faced by refugees and their deprivations of basic necessities due to their refugee status and how these challenges may be overcome by a creative interpretation of the Convention Relating to the Status of Refugees. This must be consistent with correct principles of international treaty interpretation. She argues that, notwithstanding the dichotomy between ‘economic migrants’ and ‘political refugees’ the Convention is capable of accommodating a more complex analysis which recognizes that many claims based on socio-economic deprivation are indeed considered within the Refugee Convention. However, this research focuses on refugee protection and their right to adequate housing (Scheinin, 2003).

Rachel Bratt, Michael Stone, and Chester Hartman²¹, takes into account the broader notion of housing. They however remain focused on those in poverty or with disabilities, who are in dire need of affordable, adequate housing. The book gives an elaborate analysis on issues concerning the right to housing. It looks at the notion of housing, secure housing or affordable housing (Hartman,2003). It is a treasure trove of statistics, policy (Carrera, 2014) history and a policy proposal for a more progressive housing model in America. It analyzes a range of dimensions of housing mostly in the United States and particularly it also helps those who have never delved into the housing field before (Stone, 2006).

Scott Leckie²², makes a critical analysis of the right to housing. To him, many people suffer from lack of adequate housing. There are still people without adequate housing. He looks at how Human Rights has come to solve this crisis. He also looks at how Human Rights is implemented in the housing sector (Leckie, 2003). The book tends to answer questions on what challenges housing rights face in its implementation at both the regional and national level. There are countries which have recognized the right to housing like South Africa, the

United States, Canada, Brazil and India etc (Júnior & Rodriguez., 2003). These countries have provided interpretation of the right to housing in International law. The book looks at the role of housing rights in the human field (Porter, 2003).

Micheal Kolocek²³ also writes on adequate housing. In this book, the author supports the idea that housing remains a human right. He presents reports on how states have responded to the practice of housing under the United Nations. He interprets housing as a social policy. To him, there is no perfect form of housing tenure. This affects policies on land use, in particular, providing land titles and the registration of land. The author thinks that these measures can provide some solutions for inadequate housing. The book supports the right to adequate housing.

The book comes at the right time and contributes positively to housing rights. It was written after the HABITAT Conference III raised awareness on housing rights issues around the world. The book also examines the United Nations ICESCR, which looks at housing rights in international law (Russell, 2003). He thinks that these Laws should be effectively implemented. He gives details on what “housing right” means in different countries. The book goes a long way to enlighten policy makers and researchers. The book ends by concluding that it will be very difficult for policy makers to fulfill the human right to housing. Due to this, the author provides a theory on how land can be used and explains the meaning of land use so as to help those affected by adequate housing. In this book, the author looks at housing generally. However, this research will focus on the right to adequate housing for refugees.

Danie Brand, Christof H. Heyns²⁴, focused on social and economic rights in South Africa. In Chapter three Pierre De Vos writes on the right to adequate housing while focusing on South Africa. To him, South Africa faces an acute housing shortage. Millions of South Africans in need of housing occupy informal settlements which provide only minimum shelter. This was as a result of Apartheid which sought to limit African occupation of urban areas. The South African Constitution however guarantees the right to housing. This can be seen in the case of Grootboom. The case helped in building the legal framework on the scope and content of housing and shelter and the legal consequences can be evaluated. The book goes further to look at the role international law plays in interpreting the right to housing. The authors also look at the negative obligation on the state and other players in respecting the right to housing. The state must respect every person when exercising the right to housing.

The book also looks at evictions and South African Law. It does not leave out the positive obligations of states as in Section 26 of the Constitution to protect, promote and fulfill the right to housing. The state must take necessary steps to enact legislation – to ensure that individuals can acquire access to housing with interference from private actors. The state does not have a duty to provide every South African the best possible housing that money can buy, but to implement a plan that will achieve the goal overtime (Budlender, 2003). Those who can pay for housing should do so, but where people do not have money to pay, the state has an obligation to provide legislation through which they can obtain housing.

The book looks at those components which constitute adequate housing. This includes, affordable housing, housing accessibility, location, cultural adequacy, habitable housing. It also looks at the rights of children to adequate housing as found in Section 28(1) (c) of the South African Constitution. Also, the book looks at prisoner’s rights to adequate accommodation.

The book concludes by stating that, the right to housing does not provide the individual with a right to demand that the government provide him with access to a house. It simply explains the duty of the state in realizing progressively the right of access to housing. Each

case however, will be judged on individual merits to determine the exact duties of the state to respect the right to housing (Pynoos et al., 2006). The book therefore looks at the right to adequate housing for people in South Africa. This research looks at the right to adequate housing for refugees from a Cameroonian perspective.

Historical Perspective on the Right to Adequate Housing for Refugees

The rise of modern dictatorships in Germany and Russia produced an acute problem as thousands of men and women sought to flee from the oppression of Hitler and the tyrants in the Kremlin²⁵. The problem of displaced persons has been with us since World War II and the problem is far from being solved. World War II and post-war political crises in Europe, the Middle East and the Far East have created millions of refugees²⁶. Although marked success has been achieved by public and private agencies during the past decade in terminating or ameliorating the condition of thousands of refugees, especially in Western Europe, such a political crisis as the revolt in Hungary in the fall of 1956 not only creates many more thousands of refugees but also sharply focuses attention on the variety of problems inherent in refugees.

During the 1960s and 1970s major refugee problems emerged in Africa, focusing much of the attention of the international refugee system on that continent²⁷. Initially these problems stemmed from independence struggle and from efforts to establish national governments. By the end of 1963, there were some 40,000 African Refugees, principally Angolans and Rwandese. By the end of 1966, the number increased to more than 700,000 African Refugees, including individuals from Sudan, the Congo and Portuguese Guinea. By the end of 1972, the number increased again to more than one million, due mostly to new influxes from Ethiopia, Burundi and Equatorial Guinea²⁸.

Throughout her History as a sovereign state, Cameroon has experienced three major waves of refugee influxes. Her initial experience with refugees was during the Nigerian Civil War from 1966-1970 when a number of refugees, mainly people of Ibo ethnic origin, crossed the border into the South Western part of the country²⁹. Being her first experience with such a situation and given the relatively low numbers that were involved, little or no permanent institutional machinery of a national character was put in place to accommodate refugees. Rather, the greater concern for the government was the protection of national security (Arbel, 2014).

The next wave of refugees to enter Cameroon were Equato-Guineans, mostly from the Fang Ethnic group who were fleeing from the regime of Francisco Macias Nguema, whose policies they felt subjected them to imminent danger. By the end of the 1970s, their number was estimated at 30,000. Given the geographical proximity of Equatorial Guinea to Cameroon and the ethnic affinity between the Fangs both in Cameroon and Equatorial Guinea, much of the refugee population settled spontaneously among the local Cameroonian population along the border towns of Olamze, Ambam, Maam which were located in the Fang territory of Cameroon³⁰. The authorities of Cameroon settled these refugees in safer sites in the interior near Mbandjock and Akonolinga but still in the South³¹.

The final wave of refugees to enter Cameroon and the most demanding of all the waves, were Chadians fleeing from war (Wood, 2014) in their country. In 1980 when the first influx occurred, the estimated numbers were only 10,000. But by the end of 1981, the numbers had swelled to 266,000 as a result of the second influx. Since then, however, with the massive voluntary repatriation exercise that have taken place, the number of Chadian refugees in Cameroon has dropped to 6,000. To the 6,000 currently recognized as refugees

are also 53.000 other Chadian refugees who have chosen to stay in Cameroon not as refugees but as immigrants even though they initially entered Cameroon as refugees³².

With the coming of the Chadian refugees to Cameroon, there was the recognition for an institutional mechanism to deal with the situation. The Cameroonian authorities set up settlement camps for Chadian refugees along the border of Kousseri. Also, an institutional structure in the form of National Committee for managing Emergency Aid to the refugees was set up for the first time in the history of the country's refugee policy³³. Also, an organized structure for the planning and implementation of the country's refugee policy, however ad hoc or semi-permanent such organized structure may be (Craven, 2003).

It is evident that, Cameroon has been a refugee affected state since the mid 1990s, however marginal the numbers have been relative to other African countries. In spite of such early experience with refugee, Cameroon did not adopt an institutional policy mechanism to manage the situation until 1980 with the massive wave of Chadian refugees.

Refugees coming from various countries have rights which must be protected. These rights include the right to adequate housing. Various international Conventions came into force to protect the rights of these refugees. While the provision of material assistance- food, shelter, medical care is a critically important function of the international refugee regime, the notion of adequate housing has a very particular focus. Protection in this sense means using the legal tools, including treaties and national laws, which prescribe or implement the obligations of states and which are intended to ensure that no refugee in search of adequate housing is penalized, expelled or refouled, that every refugee enjoys the right to adequate housing.

LEGAL FRAMEWORK FOR THE PROTECTION OF THE RIGHT TO ADEQUATE HOUSING FOR REFUGEES

The right to adequate housing is enshrined in many international human rights instruments. In fact, the right is not new in human rights law. The right to adequate housing is essential to ensuring the well being and dignity of the human person. Housing rights are important to the whole of human rights in general, and have been included in the most authoritative international instruments regarding human rights. There are also regional and national instruments protecting the right to adequate housing for refugees. Refugees like any other person have a right to adequate housing. Refugees have a right to adequate housing, yet this right is not protected.

These are Conventions and other instruments which protect refugees' rights to adequate housing. In this research, focus is on those instruments which cover the right to adequate housing. It can clearly be seen in some sections and articles in these instruments how a refugee's right to adequate housing is protected under the law. The need to look into these instruments cannot be overemphasized (Bauloz, 2014).

The Universal Declaration of Human Rights is often considered as one of the first human rights instruments. The Declaration was adopted in 1948. Some provisions of the UDHR have been adopted into national laws. This is to ensure that everyone understands how it applies in a particular region³⁴. The Declaration was conceived so as to meet the needs of all peoples and all nations. This instrument protects the human rights of all human beings. The protection of the right to adequate housing for everyone is provided in its Article 25.³⁵

It follows that the Universal Declaration of Human Rights makes provisions for the protection of the right to housing for all persons including refugees. Everyone regardless of income or economic resources (Bratt, 2006), is entitled to the enjoyment of the right, without distinction, exclusion or restriction on the basis of any specific characteristics such as race,

age or religion. Refugees like any human being have a right to housing which must be protected (Tilly, 2006).

Another instrument which deals more elaborately with the protection of the right to adequate housing is the International Covenant on Economic, Social and Cultural Rights. The modern conception and framework for the protection of the right to adequate housing in international law can be found in Article 11(1)³⁶ of the ICESCR.

It can be seen that the rights of individuals in general and refugees in particular are protected under this Convention. The right to adequate housing applies to everyone, without discrimination. There is no limitation in the application of the right. Thus, it applies to all members of a family as a whole. Furthermore, individuals, as well as their family members are also entitled to adequate housing regardless of age, economic status, groups or other affiliation or status and other such factors. There must be no discrimination in the application of the right to housing.

The right to housing should not be interpreted shallowly. In applying the right, persons should have the right to live somewhere in security, peace and dignity. Those responsible for enforcing the right should endeavour that all persons irrespective of income or access to economic resources, benefit from housing. Article 11 (1) must be read not only as referring to housing, but also to adequate housing.

The 1951 Convention Relating to the Status of Refugees and the 1967 Protocol to the Convention are the modern legal instruments which comprise of ancient and universal tradition and it provides a safe haven to those at risk and in danger³⁷. Both instruments are a fundamental human value on which states have agreed globally (Orchard, 2014) and they are the first only instruments at the global level which specifically regulate the treatment of those who have been forced to leave their homes because of war in their country of origin³⁸.

Adequate housing is enshrined as a fundamental element of the right to an adequate standard of living and as a basic human right in several international instruments. The refugee's right to housing is recognized and respected at the international level as in Article 21³⁹ of the International Convention Relating to the Status of Refugees. This Convention makes provisions for adequate housing. This recognition is implied because the Refugee Convention is one of the most important legal instruments which protect refugees and therefore a refugee's right to adequate housing.

Adequate housing is essential to one's sense of dignity, safety, inclusion and ability to contribute to the fabric of our neighbourhoods and societies. Without appropriate housing, it is often not possible to integrate into the community.

The Istanbul Declaration and the Habitat Agenda are the main framework where human settlements development is linked with the realization of human rights in general and housing rights in particular. Subsequently the commission on Human Settlements (today the Governing Council of UN-HABITAT) adopted resolution 16/7 which talks about the realization of the human right to adequate housing in May 1997⁴⁰.

The United Nations Human Settlements Programme (UN-HABITAT) promotes programmes which are socially and environmentally friendly for sustainable human settlements. This is geared towards achieving development and adequate shelter for all. It is the first agency within the United Nations system which coordinates activities in the field of cities and other human settlements. Town and cities keep growing at a rapid rate. Therefore, the social, political, cultural and environmental trends of the world especially on sustainable urbanization is one of the most pressing challenges facing the global community in the 21st century. In many cities, especially in developing countries, slum dwellers account for half of the population and have little or no access to shelter, water and sanitation (Goodwin-Gill, 2015).

The UN-Habitat is fundamental in fulfilling the mandate of monitoring the global conditions in the shelter sector and the assessment of progress in implementing the Habitat Agenda. The agency monitors statistics programmes in the urban sector Programme and Best Practices programmes. These programmes regularly document the housing situation in international, regional, national and local levels. Governments assist in this process by submitting reports every two years to the United Nations Commission on Human Settlements based on indicators developed by habitat.

The Habitat Agenda further recommends that there should be effective and regular monitoring by all actors in the shelter process. An evaluation should be carried out on their own performances in the implementation of the Habitat Agenda. This applies to local authorities, the private sector and communities. The Habitat Agenda proposes that they do this through comparable human settlements, shelter indicators and documented best practices. Indeed, ever since the Habitat Agenda was adopted, efforts have been made to document these initiatives and innovations, providing a wealth of knowledge, experience and lessons for further reflection, action and consolidation⁴¹. By regularly monitoring the shelter process, refugees will be able to have access to adequate housing. This is because; the Habitat Agenda seeks to ensure that the right to adequate housing is protected.

The United Nations Housing Rights Programme (UNHRP) was launched in 2001. It was a giant initiative by UN-Habitat and the Office of the United Nations High Commissioner for Refugees (OHCHR). The United Nations Housing Rights Programme works to help states to follow their commitments made in the Habitat Agenda to guarantee the realization of the right to adequate housing. The UNHRP has five focus areas. All these areas aim to promote understanding and awareness of housing rights and build on the ongoing activities in the area of housing rights of its two founding United Nations Agencies. These focus areas are: 1. Advocacy, reaching out and learning from partners; The second is on Support for United Nations human rights mechanisms on housing rights. The third is on monitoring and evaluation of the progress of the realization of housing rights; the fourth is, there should be research and analysis on housing rights; and the fifth is on capacity building and technical cooperation⁴². The UNHRP protects the rights of refugees to adequate housing by creating awareness on housing rights and carrying out evaluation on the progressive realization of housing rights.

All Governments must without exception have a responsibility in the shelter sector. This has been exemplified by the creation of ministries of housing or agencies. Funds have also been allocated to the housing sector and for their policy programmes and projects⁴³. The provision of adequate housing for everyone requires that, actions should be taken not only by Governments, but also by all sectors of society. These sectors should include the private sector, non-governmental organizations, communities and local authorities, as well as by partner organizations and entities of the international community.

The OAU Convention governing the specific aspects of refugee problems in Africa 1969 is a regional instrument which applies to refugee problems in Africa. The Convention defines who a refugee is in its Article 1⁴⁴. Article 4 of the Convention goes further to state that the provisions of the law shall be applied with non-discrimination as to race, religion and nationality. The Convention also prohibits refugees from participating in any subversive activities against any member state. It also entirely prohibits the refoulement of a refugee whereas this was not the case with the 1951 Convention. The 1951 Convention allowed the return of a refugee if he or she was a threat to national security. The Convention does not expressly make provision for the protection of the right to adequate housing for refugees. It however protects refugees in different ways and this remains an important regional instrument for the protection of refugees in Africa.

In Cameroon, the Preamble of the Cameroon Constitution provides that all treaties which have been duly ratified and approved and which are published thereafter shall override national Laws. This shall only happen when the other party implements the treaty or the agreement. The government of Cameroon has ratified the main international laws on refugee protection and this places an obligation on the government to protect refugees in Cameroon⁴⁵.

In addition, Cameroon has ratified other international human rights instruments, which in one way or the other affects the rights of refugees within the country. This adds to the already available laws on the basic rights of refugees. Cameroon has ratified some International Conventions like the Convention on Economic Social and Cultural Rights⁴⁶, the Convention on the Rights of the Child and the International Convention on Civil and Political Rights⁴⁷. These Conventions are the main International and Regional instruments which set out standards of protection for refugees at both the international and regional levels. They are not enforceable if they have not been domesticated by the Cameroonian parliament which is the main institution which enables laws in Cameroon⁴⁸.

Also, a law relating to the Status of Refugees has been put in place to protect refugees⁴⁹. This law is in accordance with the Geneva Convention Relating to the Status of Refugees that was adopted on the 28 July 1951 and amended by the New York Protocol of 31 January 1967 and with the 10 September 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa.

The 2005 Law in Chapter II: The Rights and Obligations of Refugees, states that refugees should be treated equally with nationals. The various rights of refugees residing in Cameroon are stated in Article 9⁵⁰. These rights include; non-discrimination; freedom to practice 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 naturalization⁵¹. Law no. 2005/006 of 27 July 2005 relating to the status of refugees in Cameroon operates alongside Law no. 97/12 of 10 January 1997 to lay down the conditions of entry, stay and exit of Aliens (Labman et al., 2014). It regulates the manner in which refugees enter the country and how humanitarian assistance can be given to them. The 2005 law contains certain provisions of previous international instruments relating to refugees and remains to this day the primary Law dealing with the rights of refugees in Cameroon.

Refugee Status Determination (RSD) is done by the United Nations High Commission for Refugees (UNHCR) in most countries⁵². Cameroon has put in place a law for the management of refugee status (Nah, 2014). Article 7 of Decree No. 2011/389 of 28 November 2011 on The Organisation and Functioning of Refugee status Management Organs in Cameroon provides that a technical secretariat with the ministry in charge of external relations will be in charge of receiving applications from asylum-seekers in view of forwarding them to the commission in charge of examining them. If asylum-seekers apply to the UNHCR, their applications will be transferred to the technical secretariat⁵³.

Article 9(2) of the Decree states that, once the application is registered, the Technical secretariat might summon the asylum-seeker for discussion, with an agent in charge of carrying out investigations and collecting complementary information which might be useful for Refugee Status Determination. Article 9(7) further provides that the technical secretariat will draft a report containing facts, legal analyses based on the legal instrument in force and the sociological situation of the asylum-seeker. Article 13(1) of the 2011 Decree gives petitioners the possibility to contest any decision rendered by the Eligibility Commission if the decision does not favour them. Article 6(2) of the 2005 Refugee Law gives priority to children. It provides that all unaccompanied Children, subject to necessary verifications, shall

benefit from the status of refugees. The 2011 Decree further emphasises in its Article 9 (5) that should an unaccompanied child be auditioned, the presence of a social worker shall be imperative.

This law therefore comes in to protect the rights of refugees. Refugees are recognised in Cameroon that is why the government is protecting them by putting laws in place.

The 2011 November presidential decree was passed to carry out identification of refugees which is initially carried out by the UNHCR. However, this has not taken place. An eligibility commission and an appeal's commission have been formally established by the Cameroonian government. These commissions are not yet functioning and their support staff have not been appointed. Therefore, UNHCR still registers refugees, does refugee status determination and issues documents for refugees in Yaounde and Douala.

The Concept of Adequate Housing for Refugees

The Committee on Economic Social and Cultural Rights (CESCR) has made an attempt to provide some guidelines for adequate housing for refugees. It has proved descriptive rather than explanatory and its contribution is most summarized in that the right to housing does not only mean that one should have a roof over his head. Despite the fact that the CESCR sets a high threshold by dissociating adequate housing from shelter, it confines its analysis on adequacy (Galloway, 2014), hindering the promotion of the right's clear formulation. States have to ensure that all persons including refugees enjoy housing conditions which have legal security of tenure, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility,

With regard to habitability, there are certain jurisprudential considerations under the European Convention on Human Rights and the European Social Charter with regard to the right to habitable housing (Stevens, 2014). On this right, General Comment No.4 states that: housing must be habitable. It must be free from cold, damp, rain and heat⁵⁴.

Housing affordability means that, housing must be made affordable so that a vast majority of people can have access to it. Housing is only adequate if it is affordable; accessible to all, including in particular the disadvantaged, and located in a place that is not impractically remote and which affords reasonable access to services, material facilities and infrastructure⁵⁵.

Legal security of tenure is one of the most important elements under the right to adequate housing. Security of tenure means the right to feel safe in one's own house, to control one's own housing environment and to be legally protected against arbitrary forced eviction. Security of tenure is considered as the foundation of the right to adequate housing (Romero, 2006). The main objective for the exercise of the right to adequate housing is that an individual can legally claim a right which is recognized over land or property (Achtenberg, 2006). Meaning that he can either own the land or dispose of it at his discretion. Security of tenure is aimed at protecting individuals against arbitrary forced evictions, brutality and other things which threaten their right to housing. Those laws which prevent some groups of persons from owning housing should be read as laws which infringe upon the basic human right to adequate housing⁵⁶.

It is however difficult for a refugee to exercise this right because a refugee cannot have security of tenure while at a camp. It is almost impossible for a refugee to own a house at a camp because he/she is just transient. Therefore, the right to security of tenure can only be exercised by land and house owners.

For housing to be adequate there must be availability of services, material facilities and infrastructures. The right to adequate housing means that refugees must be able to have

access to potable drinking water and lighting system; sanitation and emergency services. When one or more of these are not available, housing cannot be considered fully in line with human rights law standards⁵⁷.

For housing to be accessible the special needs of everyone including refugees must be taken into consideration and this includes even those who are marginalized. These people include those who are poor, people who face discrimination like refugees, persons with disabilities and those who are victims of natural disasters. Old people cannot be left out, people who are mentally deranged, those infected with HIV and children in particular. These groups of persons should be given some preferential treatment when it comes to housing. In addition, adequate housing should not be far from one's job site, it must be near health services like hospitals. Also, one should be able to attend a school which is not far from home as well as child centers and social services.

Adequate housing should take into consideration the cultural identity of the people and how the people live⁵⁸. These requirements reveal some of the complex issues associated with the right to adequate housing. They also show the different things states must take into consideration so that the local population would be satisfied that their housing rights have been met. When these conditions have not been met, any person, or member of a family or a community can claim that the enjoyment of their right to adequate housing has been breached as provided by international human rights law (Mendoza, 2003).

Area of Research Study

In order to know whether refugees' right to adequate housing is actually protected in Cameroon, it was important to carry out a study on their housing situation. Various camps in the East and Far North Regions of Cameroon were visited. The Gado-Badzere Camp in the East Region was used for the study, the Lolo camp, the Mbile Camp and the Minawao Camp in the Far North Region. Questionnaires were distributed in the various camps. These questionnaires were filled by refugees in these camps. There was the need for an interpreter to help in the filling of questionnaires since a good number of them could not understand English. The answers gotten from these questionnaires were used to analyze the housing situation of refugees in Cameroon.

The study was carried out in the Eastern and Northern Regions of Cameroon particularly in the Gado-Badzere, the Mbile, the Lolo and the Minawao Refugee camps. Due to the violent conflicts in the Central African Republic (CAR) and increasing animosity between armed groups in northern Nigeria, Cameroon has become a country of refuge for thousands of refugees from CAR and Nigeria (Chetail, 2014). Refugees from CAR are hosted in several sites across the East (Mbile, Lolo, Timangolo, Ngarisingo and Gado-Badzere). The Minawao refugee camps welcomes refugees from Nigeria especially those who are fleeing from the Boko Haram insurgencies and crossing the borders into the Extreme North Region of Cameroon. Only a few refugees were given questionnaires.

Questionnaires for Refugees

This method was preferred because it gave the respondents the opportunity to express their feelings, opinions and beliefs about their housing conditions in refugee camps. The 245 questionnaires were for refugees in their various camps. 154 female refugees responded and 91 males responded making a percentage of 65% for females and 35% for males. Amongst the 245, 60 questionnaires were administered in the Gado-Badzere camp, 65 questionnaires for Mbile, 80 questionnaires were administered in the Minawao camp, meanwhile, in Lolo camp, there were 40 questionnaires administered. Here they had to provide answers as per their housing conditions in camps. The respondents had to answer the question using "yes" or

“No” and in some cases stating whether they had an idea about their rights. The respondents also needed to state the reasons for their answers in some questions.

RESEARCH FINDINGS

Analysis of Responses obtained from Questionnaires related to Hypothesis 1

Hypothesis 1 relates to the research question 1 and 2. It states that the rising number of refugees makes it difficult to provide adequate housing for all. Following a number of previous studies⁵⁹, the current investigation measures the protection of refugees' right to adequate housing. The first hypothesis 1; the rising number of refugees in camps which makes it difficult to provide adequate shelter for all. This hypothesis covers questions 1 to 4 of the questionnaire (Rosenthal et al.,2006).

Under this hypothesis, it was important to look at issues like; those who came to the camp voluntarily. 194 answered “Yes”, that they came voluntarily and 51 answered “No”, that they did not come voluntarily. Out of the 86 males who answered the question, 28% said “Yes” and 7% said “No”. Out of the 159 females who answered the question, 51% said “Yes” and 14% said “No”. The researcher also wanted to know whether houses were provided in the camps. 184 answered “Yes” and 61 answered “No” making a percentage of 75% and 25% respectively. Out of the 86 males who answered the question 25% answered “Yes” and 9% answered “No”. Out of the 159 females who answered the question, 50% said “Yes” and 16% said “No”. The question on the provision of housing to prevent overcrowding; 150 said “Yes” and 95 said “No” making a percentage of 61.4% and 38.6% respectively. Out of the 86 males who answered the question, 21% answered “Yes” and 13% answered “No”. Out of the 159 females who answered the question, 40% answered “Yes” and 25% answered “No”. With relation to the question on adequate distribution in camps, 86 answered “Yes” and 159 answered “No”, making a percentage of 35% and 65% respectively. Out of the 86 males who answered the question, 12% said “Yes” and 26% said “No”. Out of the 159 females who answered the question, 23% said “Yes” and 39% said “No”.

The responses obtained from hypothesis 1 indicate that there are many refugees who came into the refugee camps on a daily basis. Most of them came in voluntarily simply because they did not have a choice on where to settle. The analysis shows that most of the participants who took their time to answer the survey were women, approximately 159, whereas men who responded during the survey were just 86, giving a total of 245 participants across all the camps. According to the survey, 79% of the refugees actually answered that they came to the camps voluntarily; meanwhile, 21% of the refugees answered “NO”. Most of them came into the camps because they were fleeing from wars and unrest in their countries and areas. 61.4% of the refugees gave a positive answer with regard to immediate provision of housing; but, 38.6% affirmed negatively that they did not have access to housing at the camps. Most of the refugees did not get housing at the camps because they either had to wait for more tents to be put up.

Furthermore, the elaboration from the survey was consistent with the analysis as 65% of the refugees answered negatively that their housing conditions were not the best as opposed to 35% of the surveyed population who believed that they were fine. This was due to insufficient housing at the refugee camps. Some of them came and they were forced to stay under the scorching sun and rain. The responses showed that, the housing facilities in camps were very limited. Considering that, the number of refugees kept increasing on a daily basis.

Analysis of Responses obtained from Questionnaires related to Hypothesis 2

Hypothesis 2 relates to research question 7. It states the measures and policies put in place to guarantee equal access to adequate housing for female-headed households. Data collected directly from the questionnaires was based on whether women were discriminated upon positively when it came to adequate housing and related measures and policies adopted by the Cameroonian government to guarantee equal access to adequate housing for women and female-headed households for refugees. The hypothesis 2 entails; measures and policies put in place to guarantee equal access to adequate housing for female-headed households. This hypothesis covers questions 7 to 10 of the questionnaire.

Following the construction of Hypothesis 2, it was important to know whether women and children were discriminated upon positively when it came to housing. The first question was on whether women were discriminated upon positively when it comes to adequate housing. Some responses were gotten from the participants. 127 women participated in the survey and answered in the affirmative making a total percentage of 80%. 32 women gave a negative answer making a percentage of 20%. This response was consistent with the findings gotten during field work. This led to the conclusion that, women were discriminated upon positively when it came to adequate housing. Women were given priority. This part of the study is very important because it illustrates how discrimination affects adequate housing. This is because, when there is discrimination, it prevents fair practices and as a result, it affects fair allocation of houses. According to the UNHCR, discrimination represents a major issue which should not be taken lightly when it comes to allocating houses for refugees in camps. It stipulates that equal treatment must be given to all refugees. This is so because, when refugees are discriminated upon, it prevents them from enjoying certain rights and privileges. However, in this study, women were positively discriminated upon.

The next question was to look at whether measures were being put in place to guarantee equality of access to housing for women-headed households. 111 women answered that women are given priority and 48 men answered that women are not given priority. This gave a percentage for 70% for women and 30% for men. The conclusion was that most refugee homes were headed by women. Most of them lost their spouses during the wars and social unrest. This made most of them to flee from war torn zones with their children. In the event of hostilities, men die, their houses and other valuable properties are seized from them and women tend to fend for themselves. Their rights are violated which then causes them to run away and seek for better housing conditions for themselves and their children (Ambrosini, 2014). In sum, the findings from the multiple logistic regression model supports the evidence that women ought to be given priority when it comes to adequate housing because during social unrest they remain the sole provider for their children and most often their rights are violated.

Analysis of Responses obtained from Questionnaires related to Hypothesis 3

Hypothesis 3 relates to the research question 3 and 4. It provides evidence on whether or not the shelters provided in these refugee camps take into consideration the special needs of refugees. Participants of the survey were asked if shelters were accessible and habitable. Accessibility seeks to explain if roads to the hospital, schools and portable drinking water are easy for refugees to move freely without risking their lives.

In Hypothesis 3, more emphasis was laid as to whether consideration was given to refugees with special needs; whether or not houses were accessible and habitable; and whether refugees were forcibly evicted from camps. The protection of refugees' right to adequate housing implies that the properly-laid-out camp should be built to ensure that refugees do not have to walk too far to get food, water or even medical care. Water points and latrines should be well-lit and close to homes so that girls and women especially should not

be exposed to danger. This means that camps should be accessible and habitable. Thus, any deviation from this framework will deprive refugees of this right. They will be deprived of enjoying these amenities, thereby, violating the right to adequate housing. If refugees in camps will have to walk for long distances to get medical care, water and food of which such facilities according to the UNHCR ought to have been made accessible to them, then it is obvious that their rights to adequate housing is not protected.

159 participants answered the question. 32 males responded positively, making a percentage of 20% and 155 females responded negatively making a percentage of 80%. The results gotten from here shows that most of the shelters are not habitable. Some people were forced to sleep on bare floors because mattresses were not enough. Others slept without bed covers. In some areas they were no toilets. They had to go to the bushes to answer nature's call. Some camps did not have basic necessities like drinking water. It made their living conditions very difficult. This caused most of them to suffer from diseases like cholera and malaria. The situation was worst with children who were very fragile. Some of them could not support the harsh conditions and they tend to lose their lives. For housing to be adequate, it must be habitable. Habitability is one of the characteristics of adequate housing.

The next question was to know whether the houses were accessible. 48 males answered in the affirmative, making a percentage of 30% and 111 females answered in the negative, making a percentage of 70%. The statistics gotten from here show that, the houses are not accessible. Accessibility means the shelter should be near a hospital, a school, a market etc. This makes the housing not to fall under the category of adequate housing. Once this is absent, the house is not accessible. Most of the refugees had to trek for long distances before they could get to these areas.

The next question was on forced eviction. It was important to know whether refugees were forcibly evicted from their homes. There were 16 males who gave a positive answer, making a percentage of 10% and 143 females who gave a negative answer, making a percentage of 90%. Statistics showed that refugees were not forcibly evicted from settlement areas. To respect the right to adequate housing, persons must not be forcibly evicted. These findings were consistent.

Analysis of Responses obtained from Questionnaires related to Hypothesis 4

Hypothesis 4 relates to the research question 9 and 10. It seeks to provide evidence on whether or not the host country and organizations are doing enough to protect refugees. Refugees were asked whether host countries effectively safeguarded the right of refugees of not being subjected to arbitrary interferences of household. It also considered refugees' opinion on what still has to be done to improve on the right to adequate housing.

Hypothesis 4 seeks to know whether Host countries and UNHCR are doing enough to protect refugees. It was important to know whether host countries safeguarded the right not to be subjected to arbitrary interference of privacy and household. 48 males said they did, making a percentage of 30%. 111 females said they did not, making a percentage of 70%. The responses gotten from this question showed that hosts countries do not safeguard the right not to be subjected to arbitrary interference of privacy and household. This is not very good because hosts countries must make sure that there are no arbitrary interference.

Another question asked was what they thought in their opinion could be done to improve on the right to adequate housing for refugees (Jaquemet, 2014). Almost everyone was of the opinion that a lot still had to be done to improve on the right to adequate housing (Dreier, 2006). 100% of those who answered this question affirmed that more still had to be done to meet the requirement for adequate housing. They proposed that more tents and houses could be built to cater for their needs during emergency situations. They also

proposed that, more water points should be built around the camps so that they do not have to move for long distances in search of water. Some said that, basic necessities like soap, toothpaste, mattresses, blankets etc should be provided to meet up with their needs.

When one looks at the refugees' right to adequate housing, it is noticed that there is still so much to be done with respect to the protection of the rights of refugees. They live in very deplorable conditions. Life remains unbearable (Yates, 2006).

Summary of findings obtained from the analysis

Data collected and analyzed on hypothesis 1 shows that: (1) most of the refugees voluntarily come to the camps and they are not forced to do so; (2) houses are not available for all refugees; (3) refugees are provided with houses at the camps; (4) due to the limited number of houses available, most of them are inadequately distributed in the camps. Sometimes, males and females find themselves in the same tent.

Firstly, one could easily notice the large number of refugees irrespective of their gender coming into the camps. More children are being born in the camps and there has been limited housing to meet the needs of the rising population. Refugees end up in overcrowded houses which violate the UNHCR shelter solutions. This results to a violation of the housing rights of these refugees as they should be provided with adequate housing despite their rising number in camps.

Secondly, data collected and analyzed based on hypothesis 2 shows that: (1) women are discriminated upon positively when it comes to adequate housing; (2) measures and policies have been put in place to guarantee equality of access to adequate housing for women and female headed-households of refugees. However these measures are insufficient to guarantee equality of access to adequate housing for women.

According to the UNHCR shelter solution, discrimination has a positive effect on the provision of shelter for refugees in camps. Women refugees were given priority as was the case in this study. Therefore, all government authorities and organizations should adopt measures to prevent women from being discriminated upon.

Thirdly, data collected and analyzed on hypothesis 3 shows that: (1) most of the houses are not habitable; (2) the houses are not accessible; and (3) refugees are not forcibly evicted from camps. The results related to the protection of refugees' right to adequate housing can be seen from the fact that properly-laid-out camp should ensure that refugees do not have to walk too far to get food, water or even medical care.

Water points and latrines should be well-lit and close to homes so that girls and women especially should not be exposed to danger. This means that camps should be accessible and habitable. Thus, any deviation from these requirements will make it difficult for refugees to enjoy these amenities, thereby, violating the right to adequate housing. If refugees in camps will have to walk for a long kilometers to get medical care, water and food, then it is clear that their right to adequate housing is not protected.

Fourthly, data collected and analyzed on hypothesis 4 shows that: (1) most countries do not effectively safeguard the right not to be subjected to arbitrary interference of privacy and household; (2) a lot still has to be done when it comes to protecting the right to adequate housing for refugees in Cameroon.

Findings from the various Refugee Camps visited

In this part of the study, there were some findings from the refugee camps visited. In the previous section the results were tested and analyzed based on the total sample of 245 participants, consisting of 85 from the Gado-Badzere camp; 65 from Lolo camp; 45 from the Mbile refugee camp, 60 from the Minawao camp respectively. Full attention was given to the

various camps. Camp peculiarities were identified. One was more interested in the camp specification of refugees with respect to adequate housing (Wiener, 2006). This is important because certain camps possess certain characteristics such as size, culture, behaviour, living standards as per camp, year of creation, capacity and others; which make it differ from others. Therefore, identifying each camp was necessary. As already illustrated earlier above, in this section, there is a combination of all the hypotheses and test on the protection of the rights of refugees to adequate housing.

In essence, a refugee who reaches a camp is already a person who has suffered a series of serious human rights violations. In many cases, the fact of being obliged to leave one's home itself entails violation of certain rights, such as the right to security of persons, and the freedom to choose one's residence. Very often, the factors which led to displacement – discrimination, armed conflict, other forms of generalized violence, etc. – themselves involve violations of human rights.

The arrival and establishment of refugees in camps should thus, ideally, represent an improvement upon the situation which they have fled. Camps should offer some sort of security against the threat of further human rights violations. They should also offer an environment in which the most basic requirements of life – food, shelter, water, care and affection (particularly for children) – can be provided. A few paragraphs can only do very little to convey the physical, emotional and psychological pressure which are lived by refugees in camps.

The high population density of refugees in Cameroon can be seen in the Gado-Badzere camp which has the highest registered number of refugees from the early 2000s. Gado-Badzere hosts approximately 67% of the entire population of refugees in the East Region. Gado-Badzere is a home to nearly 260,000 refugees and due to the sectarian violence which erupted in 2013 across Central African Republic. Followed by Lolo, which is second on the list with significant proportion of approximately 23% of refugees. 4% of the refugees in Cameroon are camped in the Mbile camp even though recently, the numbers of refugees have increased.

At the Gado-Badzere camp, there were about 8000 refugees in the camp in 2013. This number moved up to about 15000 in 2014. In 2015, there were 20000 refugees. The number increased to 21000 in 2016. In 2017, there was an increase in the number of refugees who came to the camp. There were about 23000 refugees. In 2018, the Gado-Badzere camp was host to 24,678 refugees. It was noticed that, the housing facilities were not enough to cater for the needs of these number of refugees.

Next, the study examined the evolution of refugees in Camps and the improvement of houses in the various camps across periods. This is very important because most of these houses were temporary (Ineli-Ciger, 2015). But it was noticed that, as time evolved the refugees increased in number. These houses therefore became permanent houses for most of the refugees. Therefore it was important to know what measures and policies were adopted to improve on these houses to meet the needs of the rising population. Where such needs are not met, the result will obviously lead to a violation of their right to adequate housing across the Gado-Badzere camp visited. As year goes by, more refugees flood the camp and the proportion of housing remains constant. There are about 240,000 refugees at the Gado-Badzere camp. Most of these refugees are from the Central African Republic. Even though measures have been taken to meet this increase in number, more efforts still have to be made to improve on the living conditions of refugees. One can see what has to be done by the Cameroonian authorities, national and international bodies to meet the need of adequate housing for refugees. Houses which were created for temporary purposes have become some

sort of permanent housing without taking into consideration the number of refugees and the standards which have to be met to ensure that these houses are adequate.

In 2013, there were 2000 refugees in the Lolo Camp. This number moved up to 4500 in 2014. By the year 2015, about 6000 refugees were found in the camp. The year 2016 witnessed an increase in the number of refugees. This number went up to 8000 refugees. There were about 10000 refugees in the camp in 2017. By the year 2018, the number of refugees moved up to about 12000. It could be noticed that, the number of refugees kept increasing as the years went by. Although housing facilities were provided, they were however insufficient to meet to housing needs of all the refugees in the camp (Bratt et al., 2006).

Like the Gado-Badzere camp, a similar situation was encountered in the Lolo camp. The status quo year was 2013 because it was during this period that the youngest camp was created. It was important to see the changes in the camps and what improvements were made from this period, to improve on refugees' right to adequate housing. At the Lolo camp, approximately 2000 refugees were registered on a weekly basis in 2013. The influx of refugees led to drastic changes which caused the already existing facilities such as health centers, schools, water points and other resources to be overstretched. There is a wide gap between the influx of refugees and the currently available housing.

At the Mbile camp, there were about 500 refugees in the camp in 2013. In 2014, there were 2000 refugees. This number moved up to 2500 in 2015. By the year 2016, the number of refugees had increased to about 3000. In 2017, this number increased to 4500 and by the year 2018, the Mbile Camp was host to about 5000 refugees. Housing facilities were available but they could not meet the needs of the refugees.

Furthermore, in the Mbile camp, there were over 121 refugees living in a single tent which violates the requirement of adequate housing in international Law. In some case, there were no provisions made to meet the needs of refugees. Some had to sleep on their mats which were even borrowed from friends. The situation was worst when heavy rains fell. The camps were simply inhabitable, thus violating the housing rights of refugees. Some of the refugees who were questioned said that they did not have housing at the camps. This had a negative impact on their health. This shows the proportion of housing which had to be made available to meet the housing needs of the large population in the Mbile camp.

The Minawao camp had about 10000 refugees by the year 2013. The number of refugees increased to 40000 in 2014. The year 2015 also witnessed an increase in the number of refugees. They moved up to about 45000. In 2016, there were about 50000 refugees. This number went up to 55000 in 2017. By the year 2018, there were about 60000 refugees at the Minawao camp. They were provided with housing facilities. These facilities were however insufficient to meet the housing needs of refugees in the camp.

Lastly, Minawao was the reason why data was collected from 2013 for all the other camps. This is because it was created in July 2013 in the Far North Region in the Mayo Tsanga department. As already noted above, it accounts for 18000 refugees and a weekly increase of approximately 150 persons. As time evolved, it was noticed that over 41% of the population suffered from severe food crisis. A call was made on both the government of Cameroon and the international community to see how this problem could be resolved. There is a wide gap between the influxes of refugees with the available houses in the Minawao Camp.

IMPLEMENTATION OF THE RIGHT TO ADEQUATE HOUSING FOR REFUGEES IN CAMEROON

The United Nations High Commissioner for Refugees and its Role in Providing Adequate Housing for Refugees in Cameroon

The UNHCR is a non-political, humanitarian agency devoted to practicing and assisting the world's refugees. Currently, the UNHCR is helping over 27 million people who have sought refuge from persecution or armed conflict, or who are trying to return home. The first priority of the UNHCR is to protect these people. Today, xenophobic tendencies are common in some countries. As a result, protecting refugees also involves explaining to the public exactly who refugees are and what they have been through. It is essential that people understand that refugees are not a threat to them, but are themselves threatened.

This was one of the main international organizations present at the refugee camps which were visited. The UNHCR protects the rights of refugees (Westra,2016). They provide housing for refugees so that they are not forced to live under the scorching sun. They were present at the Gado-Badzere camp, the Mbile, Lolo and Minawao camps.

The UNHCR provides both protection and material help. UNHCR provides basic needs for refugees – shelter, food, water, sanitation and medical care are also met. The agency therefore coordinates the provisions and delivery of such items, manages – or helps manage individual camps or camp systems, and has designed specific projects for vulnerable women, children and older people who comprise 80% of a 'normal' refugee population. They provided basic needs to refugees in the East and Far North Regions of Cameroon.

The Role of UN-HABITAT in the Protection of the Right to Adequate Housing for Refugees in Cameroon

UN-Habitat views adequate housing as a right which contains freedoms and entitlements and which enables all people to live in peace and security. This is in line with the adequate standard of living enshrined in the 1948 Declaration of Human Rights and the 1966 International Covenant on Economic Social and Cultural Rights⁶⁰. UN-habitat therefore looks at housing as more than "four walls and a roof"⁶¹. Refugees should have adequate housing regardless of where they are and what their status is.

UN-Habitat's⁶² shelter support includes developing detailed assessments of current shelter coping mechanisms in order to identify key vulnerabilities, then preparing with UNHCR and the shelter sector a range of corresponding support options in line with priorities identified. Methodologies applicable to private complete and incomplete buildings, host communities and informal and makeshift buildings and settlements have been developed and agreed amongst them. UN-Habitat works together with UNHCR to provide shelter for refugees in the East and Far North Regions of Cameroon.

International Emergency and Development Agency (IEDA) Relief Cameroon

Adequate housing is one of the most basic and prevalent needs for health, security and dignity in the wake of conflict. IEDA Relief assesses housing needs and provides families with temporary or semi-permanent solutions that gives residents a sense of security after fleeing their homes (Denton, 2006).

IEDA Relief arrived in Cameroon in July 2014 in response to multiple humanitarian challenges as displaced populations from Central African Republic, Nigeria and within Cameroon flooded into various regions of the country. Since 2014, IEDA Relief has supported over 70,000 Nigerian refugees, 233,000 Central African Refugees spread throughout camps, refugee sites and host communities. In addition, IEDA serves vulnerable Cameroonians affected by the unfolding crisis. IEDA Relief's national coordination office is located in Yaounde, with field offices in the East, Adamawa and Extreme North regions

IEDA meets the housing needs of refugees. They do this in partnership with the International NGO Shelter Box. Beneficiaries received a kit containing a temporary shelter as well as different non-food items (NFI) that vary according to their needs. The first installation phase of Shelter Boxes enabled them to relocate 224 households of PSN (People with Specific Needs) in the Minawao camp, for a total of 1065 people. The completion of the second phase resulted in the distribution of 1000 additional tents benefitting 1216 households and a total of 4103 people. During the second phase, the project focused particularly on vulnerable beneficiaries and those that had lived in the community shelters for more than six months.

In total, more than 1224 families have found comfort in the shelter of the camp thanks to this project. Some refugees said that the; “shelter boxes are very comfortable compared to the other shelters. We were given several practical kits that restored our joy of living. In addition to this, we don’t have any more problems with mosquitoes because the shelter contains a mosquito net⁶³.”

Better Shelter and its role in providing shelter for refugees

Better Shelter is a social enterprise. Its mission is to improve the lives of persons displaced by armed conflict and natural disasters. Their aim is to be the leader in emergency and temporary shelter innovation, and continuously develop their products together with their partners, customers and most importantly, the people who live in their shelters. They strive to create a safer, more dignified home away from home for millions of displaced persons across the world through innovation, with and for refugees.

The Better Shelter is a temporary 17.5m² lightweight, modular emergency shelter. It meets the basic needs for the activities of basic living, for privacy, security and familiarity. It is a safe base offering a sense of peace, identity and dignity. The shelter can easily be dismantled, moved and reassembled and adapted to different needs and areas of use. Though it may be humble, it is somewhere even the most vulnerable people on earth can call a home away from home, developed together with UNHCR and IKEA Foundation.

Better Shelter is designed to help millions of people worldwide who have fled armed conflicts, persecution or natural disasters, who have often been through traumatic experiences, and who face an uncertain and extremely vulnerable future. The Better Shelter becomes their home in temporary settlements, transitory sites and camps – a place where they can close the door and get a little privacy and calm. The shelter resembles a house, with semi-hard, non-transparent walls. It has four windows and a high ceiling, enabling residents to stand upright inside. The door, lockable both from the inside and the outside lets everyone – women and children especially- feel safer when they are at home. A solar powered lamp provides light during the hours of darkness. The shelter allows residents a higher level of safety, security and dignity than a tent.

The solar-powered Better Shelter is a weatherproof temporary shelter that can be assembled without tools in four hours. It is made of recyclable plastic, has an expected lifespan of three years, and can accommodate five people. It costs more than refugee tents, but offers important things that tents do not, such as privacy, security, electricity and durability – it lasts six times longer than a typical emergency tent.

In 2018, UNHCR implemented 480 Better Shelter units in Maroua at the Minawao camp in the Northern part of Cameroon. These shelters were to be used for temporary housing. Better shelter works in partnership with UNHCR and the IKEA foundation to provide housing for refugees in Cameroon.

REFUGEE WELFARE ASSOCIATION CAMEROON (REWAC)

REWAC advocates for, and promotes, protects and enforces the rights of refugees, as enshrined in international law to which Cameroon is a signatory⁶⁴. REWAC is a small indigenous non-governmental organization registered under Cameroon Law in March 2009. It is dedicated to actions, activities, projects and programmes that defend the rights of refugees.

The organization was started in Tiko, Cameroon by a group of legal minds concerned about the consistent and systematic violation of the rights of refugees⁶⁵. Contrary to expectations, the 2005 National law on refugees in Cameroon is not in tandem with the constitution of the country, let alone relevant international Conventions to which Cameroon is a signatory.

In order to address this urgent need they went on to set up a strong network for refugee lawyers in Cameroon to effectively protect the rights of refugees and asylum seekers who keep increasing on a daily basis. REWAC aims at rebuilding refugees lives for a brighter future to bring about the autonomy and sustainable livelihoods of refugees⁶⁶.

REWAC Cameroon launched its activities in December 2011 with a round table conference on the theme: Refugee Crisis in Africa: All Not Yet Lost. The occasion which took place in Mundemba, Bakassi area of Ndian Division of Cameroon, saw the attendance of over 100 persons from all walks of life, amongst them local administrative, judicial, security and religious officials. In March 2012, REWAC Cameroon assisted 5 asylum seekers, REWAC undertakes legal Aid and advocacy, psycho-social/ Assistance, supporting skills and small business development, poverty alleviation and sustainable livelihood initiatives, refugee children education program.

REWAC is working hard to see into it that children without a nationality, neither recognized by Cameroon nor Nigeria can have one. These children were in between Cameroon and Nigeria during the Bakassi crisis. Since Bakassi was handed to Cameroon in August 13, 2013, the nationality of these children were determined. REWAC Cameroon joins forces with all people of goodwill to effect meaningful change for this group of very fragile vulnerable persons⁶⁷. This non-governmental organization works to protect the rights of refugees like any other persons who have rights which must be protected.

THE ROLE OF THE CAMEROON GOVERNMENT

The Cameroon government has signed and ratified almost all major international instruments governing refugee issues. This constitutes a strong indication that it is committed in ameliorating the plight of refugees⁶⁸. The government signed Law no 2005/006 of 27 July 2005. This law defines the legal framework for Refugee Protection in Cameroon. A decree to bring this Law into application was signed in November 2011 and after the signing of this law, the Eligibility and Appeals Commission was put in place in July 2012. These commitments have been translated into a progressive legal framework allowing refugees to work, move freely and reside within the country. In principle, refugees have free access to primary health care and education, as well as a range of assistance from the UN High Commissioner for Refugees (UNHCR) and other agencies, including registration and documentation, food assistance, access to water and sanitation at refugee sites and (limited) livelihoods support.

Cameroon is a party to some international conventions. Cameroon has ratified the 1951 Refugee Convention. It became a party to it on the 23 October 1961⁶⁹. In addition to the Refugee Convention, Cameroon, like other African states has acceded to the OAU Convention on September 10, 1969⁷⁰. Furthermore, Cameroon has also ratified other human rights instruments, which have an impact on the rights of refugees within the country

(Chetail, 2016). This builds the basic framework on the rights of refugees⁷¹. The Convention Against Torture was ratified on December 19, 1986. According to Article 3, the Cameroonian state cannot return any person to a state where there are substantial grounds for believing that the person would be in danger of being subject to torture⁷².

Cameroon has ratified the ICESCR⁷³ and the ICCPR⁷⁴. These conventions are important for refugee protection. However, their provisions are not enforceable in local courts without first having been domesticated through the enactment of enabling legislation by the Cameroonian parliament. The 2005 Law contains previous legislations on international law relating to refugees. It is the main document dealing with the rights of refugees in Cameroon⁷⁵.

The Cameroon government has put in some efforts in protecting refugees. This can be seen by the presidential decree signed creating an Ad-Hoc Committee to handle refugee problems. The president of the Republic signed a presidential Order No. 269 on 13 March 2014 setting up an Inter-ministerial Committee to handle very urgent issues concerning refugees in Cameroon.

Cameroon has adopted a Cameroon's refugee policy with respect to Chadian refugees being recognized as refugees. There was the recognition for an institutional mechanism to deal with the situation. As a consequence of this realization on the part of Cameroonian authorities, organized settlement camps were set up for Chadian refugees along the border town of Kousseri⁷⁶.

Also, Cameroon developed an organized structure for the planning and implementation of the country's refugee policy. The government has taken up the moral responsibility of offering at least, temporary facilities of an emergency nature to serve refugees⁷⁷. The first structure was created since 1980 and it is the main institutional mechanism of assistance to refugees in the country. Created by presidential decree, it is headed by a president who is the secretary general of the presidency and has twelve other members representing the various government departments. The body is represented at the provincial level as well⁷⁸.

The Committee works closely with UNHCR to see into it that there is assistance offered to refugees. Lodging assistance is given, which is the provision of a piece of land and building material to enable refugees construct their own housing. Health care, food, education and training programs are also made available.

Cameroon is resolutely committed in ensuring the well being and protection of refugees as the country will continue to show hospitality and give assistance to those in need. An agreement for the transfer of activities related to refugees' Status Determination was signed. The Protocol Agreement marks a mile stone in the engagement of the Head of State in ensuring that Cameroon adheres to international instruments on refugees.

The ministries of Social Affairs (MINAS) and Women's Empowerment and the Family (MINPROFF) are the main operational partners of the UNHCR in protecting women refugees, their children and their families. MINPROFF incorporates refugee women into their national programme of the international women's day preparatory meetings (Kneebone, 2014). Refugees join the rest of their national and international counterparts in commemorative activities on the occasion of the Day of the African Child every June 16. Cameroon is therefore making efforts in protecting refugees. The Ministry of External Relations works with UNHCR in supporting the National Eligibility and Appeals Commission to take full responsibility for Refugee Status Determination, registration procedures and refugee documentation and will continue collaboration with the Ministry of Women's Empowerment and Family and the Ministry of Social Affairs.

The reception of foreigners is a cultural value which the Cameroonian state has institutionalized by ratifying international conventions concerning refugees. The Law of July

2005 on the Status of refugees in Cameroon legalizes this tradition at the national level and justifies the presence of several hundreds of thousands of people in Cameroon fleeing abuses and violence in their own countries. There are refugees from Central Africa and Nigeria.

The first wave of Central African refugees arriving in Cameroon were registered in 2002. In 2014, the definitive deterioration of the security context in the Central African Republic, with clashes between so-called “Seleka” and “antibalaka” militias, led to hundreds of thousands of Central African citizens fleeing to other countries. Cameroon hosted some 253,000 people, which is to say the majority.

The influx of Nigerian refugees in Cameroon, for its part, is due to abuses by the terrorist sect Boko Haram. Spreading desolation in the South-east of Nigeria, the group caused several thousands of people to flee. The military offensives of its members on Cameroonian soil having been countered by the Cameroonian army, the group proceeded to carry out Kamikaze attacks which contributed to the increase in refugee arrivals. Nigerian national ended up, for the most part at the Minawao camp.

The state of Cameroon is the main actor concerned. Military measures have been taken to secure the borders with the Central African Republic and Nigeria and camps have also been converted for refugees. New units were created in the army in 2013 and a significant material and human effort deployed in the Eastern, Northern and Far Northern regions. The army watches over the borders and covers the entire zone in order to neutralize Islamist insurgents. A multinational Joint Task Force (MJTF) is operating in the Lake Chad Basin Zone. One of the humanitarian front land was allocated for refugee camps. An adhoc inter-ministerial committees has been put in place to manage emergency situations concerning refugees in Cameroon. Governmental resources have also been distributed to all of the clusters at work.

Cameroonian Law permits freedom of movement and hence freedom to settle outside of formal camps. In the early phase of crisis, the government adopted a policy of encouraging refugees to be able to self-settle in response to delays in locating adequate camp site. New arrivals were offered accommodation, in some cases for months. The government of Cameroon encouraged local integration. But due to insecurity reasons, this was no longer possible⁷⁹. The government of Cameroon provided protection for refugees to UNHCR through the allocation of land for the Nandoungue and Minawao refugee camps. It also facilitated access of refugee children to local schools and health centres, with the support of UNHCR.

Unfortunately, despite many international and domestic legal obligations, the Cameroonian government provides little or no support for refugees within their borders. They prefer to take the backseat role to the UNHCR’s activities. However, Cameroon has been applauded for its willingness to allow refugees settle in its territory. The 2005 Refugee Law however remains unimplemented. Refugee issues are dealt with by the Ministry of External Relations, Division of Protocol and Consular Affairs, Refugee and Migrant Unit. Only one staff operates in this unit thus making it almost impossible for one person to assume full responsibility for refugee issues⁸⁰. Cameroon has therefore failed in ensuring the protection of the rights of refugees in its territory. The Cameroonian government does little or nothing in providing services which include adequate housing for refugees in Cameroon.

RECOMMENDATIONS AND GENERAL CONCLUSION

Recommendations on what can be done to improve on the right to adequate housing for refugees

The first recommendation is that sensitization programmes should be carried out by states and by international organizations to educate the population on refugees' rights especially their right to adequate housing. These could be in the form of seminars or workshops. These seminars could be organized twice a year and should be free-of-charge. This will help to educate the population on the rights of refugees to adequate housing. Educative programmes should be carried out to educate refugees about their right to adequate housing. Government officials should also be included in such programmes. Helping refugees understand their rights will also help in empowering them. An increase in workshops on human rights will help refugees to be aware of their general human rights and housing right in particular (Saegert et al., 2006). These workshops should be carried out at least twice a month. The workshops should be done in areas which host many refugees like in the Far North Regions, Adamawa, East and North Regions of Cameroon. If this method is properly implemented, it will help in the protection of the right to adequate housing for refugees.

The second recommendation is that, Cameroon should implement housing rights as stated in human rights instruments. This should be done without discrimination. The right to adequate housing should be enforceable before courts. The standards of housing should be made available to those in-charge of housing. This should include those in the private and the public sector. The Committee on Social Rights has explained how adequate housing should look like. It has done so in Article 31(1). This Article provides that housing should be safe and should have all basic amenities. Effective remedies should be provided by the state when a refugees' right to adequate housing has been violated as stated in the Limburg Principles and Maastricht Guidelines⁸¹. States should establish institutional support and assistance for refugees who have been victims of violations to assert this right and secure remedies at personal and group levels, as well as enabling the courts to participate in defining the content and scope of the right to adequate housing. This should be allied with more involvement of NGOs at all levels in the monitoring and supervisory systems. Cameroon should enact specific legislations which clarifies how the right to adequate housing for refugees guaranteed by international law are to be made effective in national jurisdiction. National laws should set out in detail adequate housing rights for refugees, identify those who are responsible for their implementation at different levels and provide for effective remedies when they are violated.

Another recommendation is that, undocumented refugees and those with special needs (especially those with comprehension difficulties), should be informed of their adequate housing rights, with information adapted to levels of education or language capacity and visual disability. Measures should be taken to prevent the exploitation of refugees in the housing sector. Disseminating housing rights information through media other than written formats should be developed by human rights institutions. Also, to improve housing consumption among refugees, effective dissemination of information about their housing options within both public and private housing is critical. Although the public and assisted housing program should simplify their procedures, and also make their criteria and procedures more transparent, there is, as well, a need for occupancy standards to be more flexible to avoid the problem of families living in overcrowded conditions in illegal basement suites, and at times in sub-standard conditions (Mifsud-Bonnici,2003).

Engage in oversight and regulation to ensure that national, regional and local authorities as well as private bodies fulfil their respective obligations in implementing the right to adequate housing for refugees. The authorities which have responsibilities in the field of housing rights should coordinate their activities to optimize results for the realization of the right to adequate housing for refugees. The government should also establish a monitoring mechanism for the ongoing collection of data, including disaggregated data and the development of indicators on the implementation of adequate housing rights as well as for

recording violations taking place against refugees the process of monitoring should involve national human rights structures, social partners, relevant NGOs and adequate housing rights advocacy agencies.

Housing for refugees in camps should be made habitable. Statistics have shown that camps which were constructed for temporary use have become permanent houses for most refugees. Camps are increasingly viewed as cities of tomorrow rather than temporary relief solutions due to the increasing influxes of refugees and their protracted lengths of stay in camps (Swack,2006). It is important that modern infrastructures should be built in camps. These structures should be adequately built. They should fulfil requirements such as accessibility and security. The building of houses for refugees should be included in state budgets. They should be considered a priority. Cameroon should establish minimum standards in all areas of adequate housing for refugees. The provision of accessibility, adequacy and affordability in accordance with the European standards developed by the European Committee of Social Rights and the European Court of Human Rights will help to protect the adequate housing of refugees.

Also, Refugees should be given identification documents by the host governments. They should also understand that they have to take them along. This document will enable them secure housing for themselves. This will enable them have access to adequate housing. Most landlords are always very interested in identifying those they put in their houses. By providing refugees with identification documents, it will be easy to secure adequate housing for those who can afford.

A special unit or institution should be set up by the government to manage only the affairs of adequate housing for refugees. This could be under the Ministry of Housing and Urban Development. The 2011 law has been put in place and its members have been appointed. This is not enough to cater for the housing needs of refugees. It is still very common to find refugees living in uncompleted public and private buildings. They do not have houses to live in. Housing for the local population remains a herculean task and so obtaining adequate housing for a refugee is even more difficult. This special institution should adopt a national housing policy which will be aimed at providing adequate housing for refugees. The unit should focus on the general improvement of the standard of housing and human settlements in general for refugees across the country. This will help protect the right to adequate housing for refugees. Also, the government could create a special organ in-charge-of monitoring the right to adequate housing. This monitoring organ will ensure that measures put in place by the government are implemented to ensure the right to adequate housing for refugees.

The 2005 Law on Refugees should be properly implemented in Cameroon. This Law does not provide a wide coverage for the protection of refugees. When comparing this Law with international instruments, one notices that there is a wide gap. The 2005 Law is not effectively implemented because there are no structural organs to ensure its effective implementation. Also, in Cameroon, refugees are not treated well especially by the indigenes in some villages, there is widespread xenophobia. Corruption is another canker worm limiting the effective implementation of the rights of refugees. To ensure the protection of the rights of refugees, the 2005 Law should be effectively enforced. This will teach people in society to therefore see refugees as people who have rights which should be protected especially their right to adequate housing. International law should be incorporated into national legislation. This will help in providing solutions in areas where the Refugee Convention has not provided a solution to a particular problem.

Although Cameroon is party to some international instruments that protect adequate housing rights, it remains important to incorporate those rights into national legislation

(Keating et al., 2006). This is particularly true in legal systems where international treaties have little domestic legal effect. In those legal systems, courts may refuse to recognize international law as creating causes of action. Victims of housing rights abuses, therefore, are often unable to avail themselves of their domestic judicial systems to either enforce their human rights or seek redress for violation of those rights. Many states have incorporated housing rights into their respective national Constitutions or legislations. The Cameroonian government can include the right to adequate housing in their constitution. This was done in South Africa. If they do not do this, it will become difficult to enforce the right. Many other countries have included this right in their constitutions. Others have modified their constitutions to include the right. By including this right into their constitution, it will be easy to bring it before the courts whenever the right is violated. This will help to protect the right to adequate housing for refugees. In several cases, these constitutional or legislative texts are modelled after international standards and norms. By enshrining adequate housing rights for refugees in national law, Cameroon will not only fulfil their international legal obligations but also create domestic legal systems that will empower individuals, refugees and groups in ways that allow them enforce their right. Cameroon however, should consider international human rights law as providing minimum standards of protection and should strive to adopt laws that further strengthen the right to adequate housing for refugees. Cameroon will not only provide refugees with stronger rights to adequate housing but will also provide additional models for other states.

Refugees should be treated in the same way as nationals and citizens of a country. Their house rents should be reduced because of their refugee status. By so doing, they will be able to be integrated into society. There should be effective monitoring, facilitation and proactive measures to ensure effective access to housing. This has to be done by host governments. States should give refugees priority in housing. They should give special consideration to those living under deplorable conditions. Pregnant refugees and those who are sick should also be given priority to access adequate housing and health services. They should be properly taken care of and special assistance should be given to them.

CONCLUSION

Despite the commitment of states to the full and progressive realization of the right to adequate housing expressed in the Universal Declaration on Human Rights and the International Covenant on Economic, Social and Cultural Rights (ICESCR) – and the reaffirmation of this distinct right in the Habitat Agenda, with extensive elaboration on actions needed for its full and progressive realization – an increasing number of people are being denied the basic components of the right to an adequate standard of living. In fact, among the economic, social and cultural rights referred to in these and other international treaties, the human right to adequate housing is among the most frequently violated. Furthermore, many people are constantly facing deteriorating housing conditions and millions of people world-wide are currently threatened by evictions. Yet, despite the centrality of housing in everyone's life, few human rights are violated as frequently as housing rights. The findings from this research shows that a refugee's right to adequate housing is not protected in Cameroon.

While the international community has long recognized the right to adequate housing as a fundamental human right and while several international instruments now exist which set forth and protect housing rights, much work remains. The often-cited gap between law and practice – which affects so many human rights is sadly alive and well when it comes to adequate housing rights (Maley, 2015). However, the marked disparity between the very

positive international legal norms recognizing housing as a human right, on the one hand, and the massive scale of housing deprivation throughout the world on the other, must not be viewed as inevitable. Housing rights advocates all over the world, working at the grassroots, regional and international levels, working in partnership with local communities and national governments, are taking innovative steps to help secure the housing rights of the world's most vulnerable and marginalized people.

Refugees actually have a right to housing and the government has been putting in some effort to formalize this right. These efforts are not enough. A strong working relation is needed between organizations which work to monitor the human right to adequate housing and related conditions of refugee countries and organizations which protect refugees. However, there is lack of information sharing between the institutions that are needed for such actions to be carried out. There must be a change if there has to be any success in the international community as well as in the national scene in linking the right to adequate housing for refugees and human rights concerns so as to determine future capacities to address the issue of adequate housing for refugees in their broadest context.

There is no doubt that there are positive developments which enhance housing's protection; however, there are still shortcomings in the international protection of the right to adequate housing for refugees. More specifically, the international housing protection regime is not coherent, given that there is no interaction between the relevant international institutions. It is a fact that, adequate housing receives a different meaning in the UN documents compared to regional jurisprudence, something which undoubtedly undermines its comprehensive protection. Moreover, there is no sufficient elaboration and explanation of the right to adequate housing in international law. Apart from the CESCR's General Comments and the fragmentary references in the jurisprudence of the ECtHR, adequate housing lacks enforceability underpinnings. The necessity of a legal instrument dealing exclusively with adequate housing rights was not debatable until recently and the international community remains far from its realization.

The right to adequate housing is universally recognized by the community of nations. All nations without exception have some form of obligation in the housing section, as exemplified by their creation of housing ministries or housing agencies, by their allocation of funds to the housing sector and by their policies, programmes and projects. Refugees also have a right to adequate housing. Everybody, poor as they may be, including refugees, have a right to expect their host countries to be concerned about their housing need and to accept a fundamental obligation to protect and improve houses and neighbourhoods for refugees rather than damage or destroy them. Adequate housing for refugees creates an enabling environment for participation, especially at the local and community level. Adequate housing empowers refugees, increases their capability and choice, assists them to co-operate with each other, creates a feeling of fraternity within a community, enhances the access to basic amenities, creates a desire for equitable environment and sustains the future of refugees. A human rights-based approach to adequate housing for refugees, consistent with international human rights law and standards, requires the recognition of adequate housing as a universal and independent but also indivisible, interdependent and inter-related human right (linked with all human rights) which guarantees to every individual, access to habitable housing.

The government of Cameroon and international organizations like the UNHCR and UN-Habitat have recognized that there is the need to enforce the right to adequate housing and that they also have an obligation to enforce the right. Most of these NGOs provide shelter for refugees in times of crisis. But these shelters do not meet the requirements of adequate housing. One can conveniently say that the right to adequate housing for refugees is not protected in Cameroon (Kenna, 2003). The situation is worst for refugees out of camps. Most

of them live in unfinished buildings and some on the streets. Refugees should not be vulnerable to the violation of the human right to adequate housing. Where refugees cannot provide adequate housing for themselves, the government and other organizations have to step-in to assist them. They must provide basic needs for them and where need be, provide emergency housing. This will help protect the right to adequate housing for refugees. A lot still has to be done with regard to the right to adequate housing for refugees in Cameroon.

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⁵²Matsinkou Tenefosso Sydoine Claire and Tinteu Yves Paulin, “Fairness in Refugee Status Determination Upon The Transfer of Competence to the National Authorities of Cameroon.” National Centre for Education, Ministry of Scientific Research and Innovation. P.o Box 1721,CNE, Yaounde, Cameroon. February 2015.

⁵³All those seeking asylum shall deposit their applications at the permanent secretariat. This shall be done either by the asylum seekers themselves or by the United Nations High Commissioner for Refugees.

⁵⁴General Comment No. 4. Elements of the Right to Adequate Housing. Available at, https://www.habitants.org/zero_evictions_campaign, accessed 22nd May 2018.

⁵⁵Ibid p.828

⁵⁶David Forsythe, “Encyclopedia of Human Rights: Right to Housing and Shelter”, p.434

⁵⁷UN DOC. E/1991/23. (1991) UNESCR. General Comment No. 4. The Human Right to Adequate Housing. General Comment No. 4 provides some extensive obligations to housing. There are some complexities associated to housing. We get to know where states must show additional consideration to meet the housing rights obligations. Those families, households, groups and communities who live in houses which do not meet up with these additional requirements, can say that they do not enjoy the right to adequate housing as provided for in international human rights law.

⁵⁸Ibid

⁵⁹Neuman, W.L. *Social Research Methods: Qualitative and Quantitative Approaches*, 7th edition, Pearson/Allyn and Bacon, Boston, 2011, p.18.

Neuman, W.L. *Social Research Methods: Qualitative and Quantitative Approaches*, 6th edition, Pearson International, Boston, 2006, p.19.

⁶⁰OHCHR/UN-Habitat, *The Right to Adequate Housing*, Fact Sheet No. 21 (Rev 1). Available at, <https://www.amnesty.org/download/Documents/1600/act350092012enpdf>, accessed 13 January 2018

⁶¹Available at, www.mirror.unhabitat.org/documents/monitoringHousing_Rights.pdf, accessed 24 January 2018. Nichols, Johanna (2000) "The Chechen Refugees," *Berkley Journal of International Law*, Volume 18(2).

⁶²UN-HABITAT is the United Nations agency for human settlements. Its mandate is to ensure that towns and cities are environmentally sustainable and friend. Also, to ensure that everyone has access to adequate housing.

⁶³Available at <https://iedarelie.org/our-operations/shelter-and-infrastructure>, accessed 20th August 2018

⁶⁴Available at, www.freecharities.org/uk/rewac, accessed 9th October 2017.

⁶⁵Available at, <https://hrlibrary.umn.edu/monitoring/chapter10.html>, accessed 12 October 2017.

⁶⁶REWAC Cameroon, Mukete Itoe, President.

⁶⁷REWAC Cameroon pilots refugee Rights Training for North West Lawyers. Some 25 North West Lawyers Association (NOWELA) participated in an intensive training workshop on the rights of refugees at the conference hall of the Franco Cameroon Alliance in Bamenda. The global short course was to raise awareness of the need for training of lawyers to promote pro-bono legal assistance to refugees in Cameroon. The project was a joint venture of the Refugee Welfare Association (REWAC) in Cameroon, the Africa and Middle East Refugee Assistance (AMERA-UK).

⁶⁸Available at, www.liste.org/journals/index.php/JLPG/article, accessed, 16 October 2017.

⁶⁹ Ibid

⁷⁰ Ibid

⁷¹ Ibid

⁷²Ibid, Emmanuel Eloundou 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 and Globalization*, Vol. 38, 2015.

⁷³This Convention was ratified on 27 June 1984

⁷⁴ This Convention was ratified on 19 December 1986

⁷⁵Ibid, www.liste.org

⁷⁶Dr. Ngolle E. Ngolle, *Refugees and Foreign Policy in Africa: The Case of Cameroon*. Paper submitted for presentation at the ASAUK Conference at Cambridge, September 14-16, 1988

⁷⁷This can be seen from the different settlement areas where the refugees are. They are the Minawao camp in the Far North region, the Lolo, and Gado-Badezere camps in the East Region to name a few. These refugee camps provide temporal shelter for refugees. A commendable effort by the Cameroon government in protecting refugees.

⁷⁸Dr. Ngolle E. Ngolle, Ibid

⁷⁹Ibid.

⁸⁰Morgan Walbert, "Nous Souffrons, Examining the Problems Facing Urban Refugees in Yaounde, Cameroon", SIT Digital Collections, 2014, SIT Graduate Institute/SIT Study Abroad.

⁸¹In June 1986, a group of experts in international human rights Law convened in Maastricht, the Netherlands, to deliberate the nature and scope of states' parties' obligations under the ICESCR. This meeting resulted in the agreement and adoption of the so-called Limburg Principles on the implementation of the ICESCR. The principles have helped in developing the understanding of the nature and scope of states' obligation with regard to economic, social and cultural (CESCR) rights.

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