



The Application and Practice of International Refugee Laws in Ghana: A Case Study of Egyeikrom Refugee Camp

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Author's contributions

This The sole author designed, analyzed, interpreted and prepared the manuscript.

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ABSTRACT

As a signatory of the 1951 United Nations (UN) Convention on the Status and Rights of Refugees and the AU 1969 Refugee Convention, Ghana is obliged by international law and convention to ensure and guarantee the basic rights of refugees in Egyeikrom Refugee camps. These basic rights include, but not limited to: the right to public education, right to efficient health care services, access and availability of food, shelter, safe and good drinking water, security and the right to a clean and healthy environment.

The purpose of the research was to find out what constitute the implementation gaps as far as guaranteeing the basic rights of refugees in Egyeikrom camp is concerned. The study adopted the case study approach and used both qualitative and quantitative methods of data collection. The qualitative methods used were interviews, focused group discussions, and personal observation. A questionnaire was also used to solicit the view of 336 respondents and the data was analyzed using NVivo and the Statistical Package for Social Science software. The findings from the study revealed that the main implementation gap in Egyeikrom Refugee camp as far as ensuring the rights of refugees are concerned were in the areas of educational rights, shelter, security and environmental conditions in the camp. It is therefore recommended that the UNHCR, Ghana

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government and NGOs should collaborate together to find lasting solutions to these problems through adequate funding in providing habitable facilities, better security and education in the refugee camp.

Keywords: The 1951 UN convention on the rights and status of refugees; the AU 1969 refugee convention; refugee laws refugee rights; egyeikrom refugee camp.

1. INTRODUCTION

The UN 1951 convention on the status of a refugee is the internationally accepted convention that defines the status of refugees and binds countries to accept refugees and treat them with maximum respect as enshrined in the convention. The convention defines a refugee “as a person who is outside his or her country of nationality or habitual residence; has a well-founded fear of being persecuted because of his or her race, religion, nationality, membership of a particular social group or political opinion; and is unable or unwilling to avail him or herself of the protection of that country, or to return there, for fear of persecution”[1].

The 1951 convention on the status of a refugee and its Protocol in 1967 have been very important documents with regards to the protection of the rights of refugees and in fact, it is these documents that have engineered other important regional instrument on the rights and protection of refugees in other parts of the world. In Africa, for example, the Organization of Africa Unity (OAU) which is currently known as the African Union (AU) came out with a regional supplementary refugee convention in 1969 to further deepen and protect the rights of refugees in the continent. The OAU 1969 refugee convention broadens the definition of a refugee to reflect the African situation where political instability, ethnic conflicts, among others also leads to massive inflow of refugees and displacement. It defined a refugee as “Every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing order in either part of or the whole of his country of origin or nationality is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality” [2].

The OAU 1969 convention also sets out some rights to be enjoyed by persons who qualify to attain the status of refugees among which include the freedom of non-discrimination, freedom of religion, the right to public relief and

assistance, right to education, and right to housing.

The United Nation High Commission for Refugees (UNHCR) is the main UN agency responsible for the protection of refugees. It must, however, be emphasized that the UNHCR relies heavily on donation in order to enable them to work effectively and efficiently. It is also at the mercy of the host country as some countries sometimes refuse to accept some refugees due to matters relating to national security. UNHCR has the authority to advocate and negotiate with Governments, NGOs and other stakeholders in host countries to promote the rights of refugees. It does not necessarily have a direct influence on the decisions that these various stakeholders make [3].

1.1 The Research Problem and the Reasons for the Selection of Egyeikrom Refugee Camp

Ghana as a signatory to the UN 1951 convention on the status of refugees and the 1969 OAU Convention is obliged to ensure that refugees in Egyeikrom Refugee camp have right to public education, gainful employment, freedom of movement, issuance of travel documents, naturalization, freedom of religion, provision of basic necessities like health care, food, and a good and clean water as well as the right to enjoy free and fair trial without discrimination of any kind.

The primary purpose of the research, therefore, was to uncover the implementation gaps in the application of refugee rights as far as international instruments and conventions are concerned with particular reference to the 1951 convention on the status of refugees and its protocol in 1967 as well as the OAU 1969 convention on refugees. Thus the research seeks to find out the extent to which Ghana ensures that the refugees in the Egyeikrom Refugee camp are given their rights as acknowledged and enshrined in both national, regional and international framework. In other words, the primary task of this study was to

identify which rights under the refugee convention act is Ghana really ensuring as demanded by international law and which rights is Ghana not able to ensure as expected and base on these implementation gaps offer durable recommendation to the government of Ghana and other stakeholders that are responsible for the protection of refugees in the Egyeikrom Refugee camp.

The research problem is situated in the broader discourse around the obligation of a host country to protect the rights of refugees in their territorial borders. This means that being a signatory and ratifying the 1951 Convention and other related international and regional treaties and conventions, Ghana has pledged to provide protection to refugees in its territory.

Egyeikrom Refugee camp was selected for the study because it is currently the main camp in Ghana, where refugees from neighboring countries are hosted. Even though Buduburam Refugee camp is the first camp that was established in Ghana to host refugees, most of the refugees that initially settled in Buduburam camp have either moved to settle in Egyeikrom Refugee camp or integrated into the Ghanaian community.

Also, due to the increase in the number of refugees in Egyeikrom refugee camp in recent times, the camp has received so much attention, support and donations from the Ghanaian Government, philanthropist, NGOs and other countries as well. For example, the Government of Denmark has over the years provided numerous supports to the camp and on August 2016, the Danish ambassador in Ghana together with some Danish auditors visited the camp to assess the impact of Denmark's contribution to the camp [4].

1.2 Rationale and Justification of the Study

The study is justified on the basis that Egyeikrom refugee camp is the biggest refugee camp in Ghana which hosts refugees from various neighboring countries most especially refugees from Côte D'Ivoire. In recent times, refugees in the camp have complained about the living standard of the camp, which have been reported by some media houses in Ghana. For instance, on the 16th of September 2011, Ivorian refugees in the camp demonstrated against what they termed as poor living conditions in the camp [5].

This news was reported by Citi FM (one of the media house in Ghana).

However, the refugees were not able to specifically point to which rights were not well ensured by authorities, leading to what they termed as poor conditions in the camp which eventually led to their demonstration. In other words, the complaint of the refugees was general, hence there was the need to scientifically ascertain which specific rights of the refugees are not well ensured by authorities (the implementation gaps) so as to help design policies and programmes aimed at addressing this problem and hence the rationale and justification of the study.

The study is of importance and needs to be given greater attention due to the fact that it scientifically identify which of the rights of the refugees in the camp are abused as well as which of the rights are well ensured and this will help decision and policy makers to tailor policies and programmes to address specific problems with regards to the rights of the refugees in the camp.

2. RESEARCH METHODOLOGY

2.1 Study Design

The research design adopted for the study is the case-study approach, employing both qualitative and quantitative methods of data collection. According to [6], the case study strategy of inquiry enables the researcher to investigate in-depth into programmes, event, activity, process, or one or more individuals. A case study approach enables a researcher to focus his or her full attention on the respondents because the researcher has a definite sample of respondents which in most cases are not scattered along wide areas or range and as such an in-depth inquiry is likely to be achieved.

2.2 Study Population

The Egyeikrom Refugee camp is located in Komenda-Edina-Eguafo-Abirem (KEEA) Municipality, which is in the Central Region of Ghana. It was established on 20th July 2011 by the Government of Ghana with the assistance of UNHCR mainly to host Ivorian refugees and asylum seekers who fled their home country to Ghana because of the violence that erupted in Côte D'Ivoire after the 2010 presidential elections. In the year 2015, the camp also

recorded about 450 new arrivals as a result of the recent presidential elections that were conducted [7].

The camp receives its assistance mainly from the government of Ghana through institutions like the National Disaster Management Organization (NADMO), the Police, the Municipal Assembly as well as the Ghana Refugee Board. In addition to the above, other institutions like the National Catholic Secretariat (NCS) also assist in the provision of health service, food, shelter as well as water and the management of sanitation in the camp. Moreover, The Christian Council of Ghana (CCG) also provides Basic Education for refugees, and the Adventist Development and Relief Agency (ADRA) is in charge of implementing livelihood programmes such as skills training, apprenticeship programmes, small business support, English proficiency classes and agricultural training [8].

According to the UNHCR, as of the year 2016, the camp had a population of about two thousand, one hundred and twelve (2,112) people.

2.3 Research Instrument and Sample Selection

The research made use of both primary and secondary sources of data. The secondary source, includes books, articles, and reports that were of relevance to the work. Information on the internet was also studied. With regards to the primary source, on the other hand, the researcher made use of observations, focused group discussions as well as the use of a questionnaire to solicit the views of respondents on what they think constitute the implementation gap as far as their rights as refugees are concerned.

With a total population of 2,112 and at 95% level of confidence (i.e. 0.05% margin of error) and by using the simple formula for selecting a sample which is $(n = \frac{N}{1 + Ne^2})$ where n represents the sample size, N represents the total population and e^2 represents the margin. A sample size of 336 was selected from the population for the study. Thus:

$$\begin{aligned}n &= \frac{2112}{1 + 2112(0.05)^2} \\n &= \frac{2112}{1 + 2112 \times 0.0025} \\n &= \frac{2112}{1 + 5.28} \\n &= \frac{2112}{6.28} \\n &= 336.3 = 336\end{aligned}$$

In order to obtain a comprehensive and an unbiased analysis, the personal observations, short interviews, and findings of the focused group discussions that were conducted by the researcher was analyzed alongside the response of the respondents.

The collection of data for the study was done within a period of three months, thus, from June 2017 to August 2017.

2.4 Framework for Data Analysis

The collected data from the field was edited, coded and fed into the computer by the use of the Statistical Package for Social Science (SPSS version 20) software for the purpose of data analyses. The SPSS software enabled the researcher to highlight important elements that in the view of respondents constitute the implementation gaps and this was compared with personal observations, interviews as well findings from some focused group discussions. The processed data that was produced by the SPSS software was presented by the use of percentages, figures, and tables in order to comprehensively analyze the data.

Also, the qualitative data that was gathered from the short interviews and personal observation of the researcher was fed into the NVivo software for the purpose of a comprehensive analysis.

3. DATA ANALYSIS AND RESEARCH FINDINGS

3.1 Demographic Characteristics of Respondents

The socio-demographic characteristics of respondents give a clear picture of respondents who participated in the survey. The socio-demographic variables which were considered include sex, age, educational background and country of origin (See Table 1)

3.2 Basic Rights Enjoyed in the Camp

Inferring from the 1951 convention on the status of refugees and other legal instruments, refugees are entitled to several rights among which include: The right to integration and assistance, the right to wage-earning employment, the right to housing, the right to education, public relief and health care, family unity and reunification, access to court, freedom of residence and

Table 1. Distribution of respondents by demographic characteristics

Variable	Frequency	Percentage (%)
Sex		
Male	209	62
Female	117	38
Total	336	100
Age		
18-23	43	13
24-29	60	18
30-35	119	35
36-40	89	27
41 above	25	7
Total	336	100
Educational background		
Basic (Primary/JHS)	191	57
Secondary	53	16
No formal education	92	27
Total	336	100
Country of origin		
Côte D'Ivoire	266	79
Liberia	46	14
Togo	24	7
Total	336	100

Source: Field survey, 2017. NB: Sample size (n): 336

movement, security among others [9]. However, by the government, the basic rights to be enjoyed by refugees in the camp will be limited to the right to public education, right to efficient health care services, access and availability of food, shelter, access to safe and good drinking water, security and the right to a clean and healthy environment.

By knowing which rights, refugees in the camp enjoyed and comparing that to the rights that they are generally expected to enjoy, one can identify the implementation gaps.

To begin with, a personal observation made by the researcher, revealed that most of the refugees were in possession of National Health Insurance Scheme (NHIS) card. The NHIS card is an insurance card that enables individuals in Ghana to get free access to health services and as such the researcher went further to conduct an interview in order to ascertain how the refugees obtained the card. When respondents were interviewed as to how they obtained this card, they were of the view that it was the UNHCR that enrolled them on the NHIS and gave them that card in order to enable them get access to health facilities in Ghana

and in fact quite a few of them testified that the NHIS card has been helpful in some situations due to the fact they were able to access health service in some hospitals without having to pay anything. One of the respondents said:

“We were assembled and our photographs and fingerprints were taken, then after, we were given this card by the officers and we were told to use it when we visit public hospitals for health care services”

This observation was juxtaposed with the response of respondents when they were asked whether in their opinion, their rights to efficient health care services have been catered for to their expectation, the following responses were obtained: 42% of respondents stated that they agreed with this assertion with 26% stating that they are not really sure whether their health care needs have been catered for or not. 19% indicated that they strongly agreed and finally 13% of the respondents, on the other hand, disagreed with this assertion (See Fig. 1). This finding indicates a mixed feeling with regards to the health care service in the camp. Thus, though the majority of the respondents' agreed,

quite a large number, i.e. 26% were of the view that they were indecisive.

In one of the focused group discussions with respondents, most of them were of the view that they are not really bothered about their educational rights because they are adults, but that of their children is of great concern to them and in their opinion, their children have not been given the best form of education. A respondent is noted to have said:

“I don’t care about my education because I am old, but my child needs to go to school to be a better person in future”.

Also, when some of the officers providing services and seeing to the day-to-day administration of the camp were interviewed about the status of education in the camp, they were of the view that though it is difficult to ensure that the educational rights of the refugees are well guaranteed, they are doing their best to provide them with the best form of education that they can. They added that their main challenge is that it has become difficult to secure sponsorship or educational scholarship for the refugees.

On the educational rights of the respondents, the following were the responses which were obtained: the greater portion representing 61% indicated that in their opinion, they strongly disagreed with the assertion that their educational rights have been duly catered for. 14% of the respondents also stated that they

disagreed while 13%, on the other hand, were of the view that in their opinion their educational rights have been duly catered for and finally 12% of the respondents stated that they have not made any decision on that yet (See Fig. 2). This suggests that to a large extent, most of the respondents are not happy with how their education rights are handled in the camp.

Furthermore, a personal observation made by the researcher confirmed the fact that refugees in the camp were served with lunch and supper during most of the time that the researcher visited the camp for the collection of data.

When the response of respondents on whether food is available and accessible at all times was analyzed, it revealed that almost all the respondents thus 96% were of the view that food is always available and accessible in the camp. A follow up question to that was how often they get access to food in a day and the response that was analyzed indicated that the majority of the respondents representing 74% were of the view that, they have access to food thrice in a day with the remaining 26% percent indicating that in most cases they have access to food only twice in a day (See Fig. 3).

The researcher observed that, in most cases, respondents were given one sachet of water when served with food. Even though some complained that the one sachet is not enough, most of the refugees were contented with the one sachet of water provided for them.

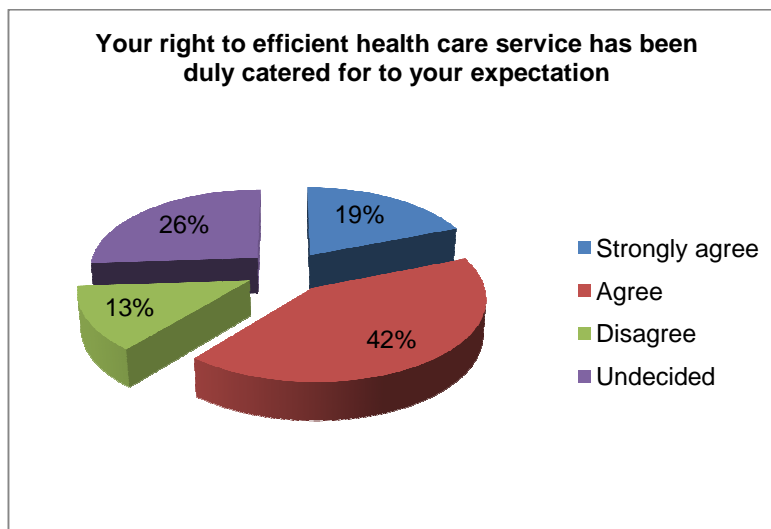


Fig. 1. Distribution of respondents by health in the camp

Source: Field survey, 2017. NB: Sample size (n): 336

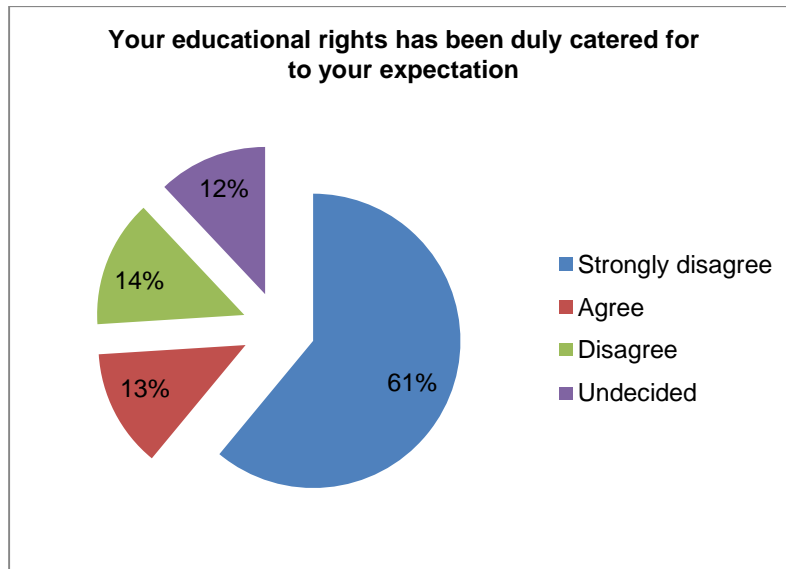


Fig. 2. Distribution of respondents by educational rights
 Source: Field survey, 2017. NB: Sample size (n): 336

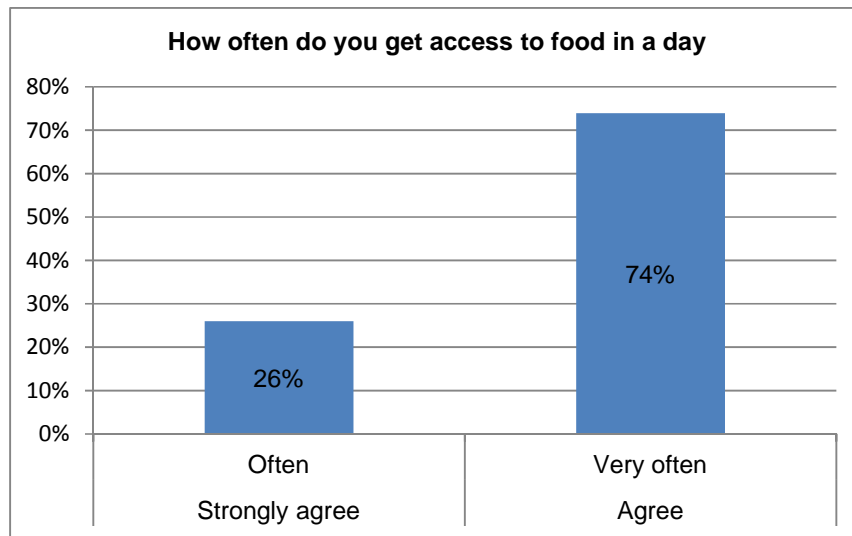


Fig. 3. Distribution of respondents on the accessibility and availability of food
 Source: Field survey, 2017. NB: Sample size (n): 336

Furthermore, the researcher in an interview with some of the respondents asked whether they are provided with drinking water only when they are served with meals and this is what a respondent said:

“ If you a thirsty, you can ask for water and the camp administrators will make some available for you, but in order not to waste the drinking water, the camp administrators don’t leave the water in the opening but always keep it safe somewhere”.

In a focused group discussion, a respondent said:

“Once they provide us with food every day they also provide us with water as well”.

When the response of respondents on whether they have access to good drinking water was analyzed, it revealed that the majority of the respondents representing 64% were of the view that they strongly agreed and 24% also indicated that they agreed while 9%, on the other

hand, disagreed and finally 4% who have not made any decision on this assertion yet (See Table 2).

Again, a personal observation made by the researcher revealed that most of the refugees reside under emergency plastic sheet tents. The worse part of this situation was that these plastic tents are worn out and most of them are very weak. Officers' in charge of the day-to-day administration of the camp confirmed to the researcher in an interview that the issue of refugees living under emergency plastic tents has been in existence since 2011. The camp administrators said:

“Even though countless efforts and appeal have been made to the authorities to come to their aid, the situation continues to remain the same”

On the issue of shelter in the camp, the majority of the respondents representing 81% were of the

view that the kind of shelter in the camp is very poor. This was followed by 16% who also indicated that the condition of the shelter in the camp is poor with only 3% stating that the kind of shelter provided in the camp is good (See Fig. 4).

The researcher observed that in most cases there were few police officers around the camp to ensure security and safety of the refugees and the reason was that the police post in the camp was in a very poor condition that needs to be repaired. Some camp administrators in an interview with the researcher stated that in their view, there are just a handful of policemen in the camp because the police post in the camp is in disrepair and as such, no police officers want to be posted there to work. They added that the few officers that are on post are also not delighted at work because they are not happy with their working environment, hence affecting their efficiency and effectiveness of ensuring security in the camp.

Table 2. Distribution of respondents by accessibility and availability of good drinking water

There are access and availability of good drinking water in the camp always					
		Frequency	Percent	Valid percent	Cumulative percent
Valid	Strongly agree	214	63.7	63.7	63.7
	Agree	80	23.8	23.8	87.5
	Disagree	30	8.9	8.9	96.4
	Undecided	12	3.6	3.6	100.0
	Total	336	100.0	100.0	

Source: Field survey, 2017. NB: Sample size (n): 336

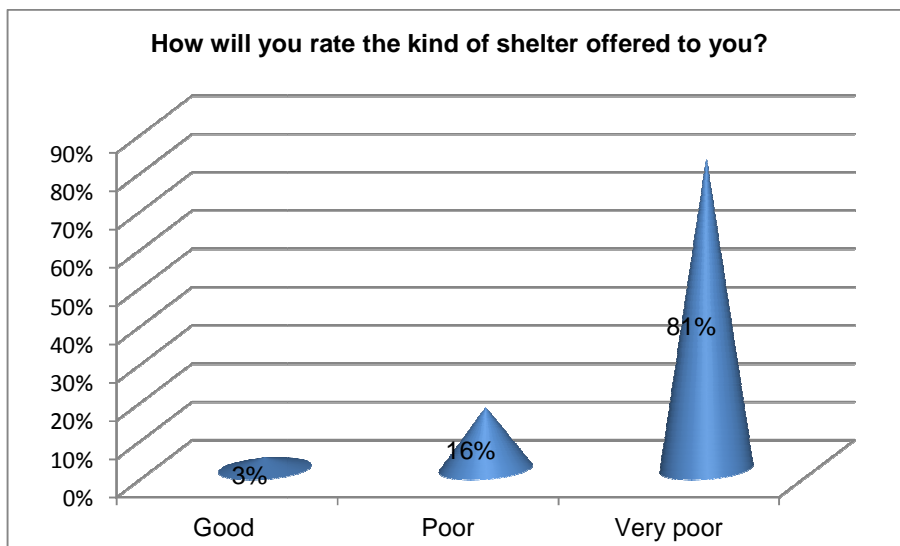


Fig. 3. Distribution of respondents by shelter situation in the camp

Source: Field survey, 2017. NB: Sample size (n): 336

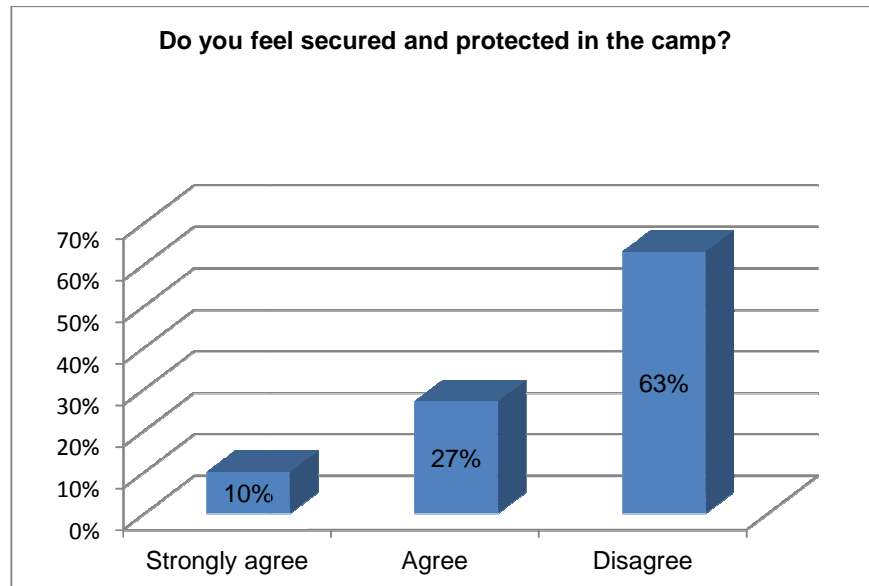


Fig. 4. Distribution of respondents by the security situation in the camp
 Source: Field survey, 2017. NB: Sample size (n): 336

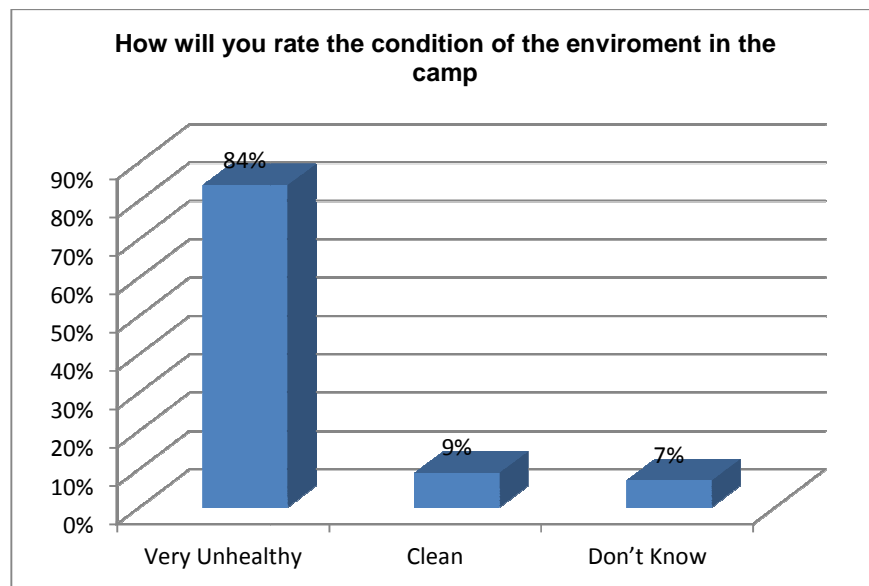


Fig. 6. Distribution of respondents by the condition of the camp environment
 Source: Field survey, 2017. NB: Sample size (n): 336

Most of the respondents were not happy with the security situation in the camp as the majority of them representing 63% indicated that they are not secured due to the insufficient presence of the police in and around the camp. This was followed by 27 % who also stated that they do not trust the few police officers that are around and finally 10 % were of the view that they are not secured in the camp due to the threat of sexual violence (See Fig. 5).

Finally, the researcher observed that solid waste was not properly managed in the camp, An interview with camp administrators revealed that the cost of waste management has risen so high and the inflow of donation and cash to the camp by NGOs and the government of Ghana, on the other hand, has reduced drastically making it difficult to properly manage solid waste in the camp due to cost.

When respondents' views about how they will rate the environmental condition of the camp were analyzed, it revealed that the majority of them representing 84% stated that the environmental condition of the camp is very unhealthy. 9% on the hand said it was clean while the remaining 7% indicated that they don't know (See above Fig. 6). From this finding, one can argue that in the views of most of the respondents the camp, the camp is surrounded by filth which poses a health threat to them.

4. CONCLUSION

Inferring from the above research findings, one can argue that the main implementation gap in Egyeikrom Refugee camp were in the areas of educational rights, shelter, security and environmental conditions in the camp.

As stated above 61% of respondents were of the view that their educational rights, especially that of their children has not been duly catered for. An interview with camp administration officials confirmed this assertion as the officers admitted to the fact that even though continuous efforts are made to guarantee the educational rights of the refugees, it is very difficult to secure an educational scholarship for refugees in the camp.

Again, shelter in the camp is not encouraging as the researcher observed that most of the refugees live under emergency plastic sheet tents. What was more appalling was the fact that camp administrators also said that the situation of refugees living under emergency plastic sheet tents has existed as far back as 2011 even though numerous complaints have been made to the authorities to get the situation rectified. It was thus not surprising that the majority of the respondents representing 81% were of the view that the condition of the shelter in the camp is very bad.

Also, the security situation in the camp is not anything to write home about as most of the respondents thus 63% were of the view that the insufficient presence of the police in the camp makes them feel insecure. It was observed that the police post in the camp was in a state of disrepair and needed to be renovated as police officers do not like to be posted to that place and the few ones that come on duty are not delighted about their working environment which goes a long way to affect how the police officers are to effectively work.

Finally, the environmental condition in the camp is also very bad which could lead to the spread of numerous diseases among refugees in the camp. Thus camp administrators are not effectively able to manage waste, especially solid waste in the camp mainly due to cost.

It is thus recommended that the UNHCR, the Government of Ghana, NGO's and other stakeholders on the issues of refugees should pay particular attention to the above rights and find durable solutions to mitigate the problems. Donors and government officials should also embark on constant monitoring in the camp to guide and assist camp administrators with innovative and effective ideas to effectively manage the camp.

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COMPETING INTERESTS

Author has declared that no competing interests exist.

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