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Repatriation During Conflict: A Signaling Analysis

Kara Ross Camarena

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Abstract

There were 30 million refugees in the world at the end of 2019. As the refugee population has gotten larger, repatriation has emerged as the preferred solution to refugee crises. It often appears that repatriation arrangements begin when home countries are still violent, but information asymmetries and leverage in repatriation negotiations explain some qualitative differences in refugee repatriation agreements. As in crisis bargaining, the refugee hosting country needs information and the refugee sending country must signal capacity. A costly signal convinces the refugee hosting country that the sending country can limit violence and that refugees will not flee again. The signaling model brings analytic clarity to agreements that were previously indistinguishable. Situations where the refugee's country of origin have leverage and can extract refugee return are a target for policy intervention. Altering these asylum country's material incentives through strategic trade or foreign aid may prevent forced repatriation and regional destabilization.

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*Assistant Professor, Loyola University Chicago (karaross@uchicago.edu). I gratefully acknowledge helpful comments from Nils Hägerdal, Daniel Masterson, Shelby Grossman, and participants at the 2018 APSA Annual Meeting and 2019 MPSA Annual Meeting. Research assistance from Maggie Zhao, Esfandiar Rouhani, Sarah Claudy, and Sam Housekeeper is much appreciated.

1 Introduction

As of 2019 there were 30 million refugees worldwide. These people have fled violence in their home country and live under the protection of a second country. Countries on every continent contend with refugee flows, and a growing issue in international politics is when these refugees will return. Countries often make agreements to repatriate refugees while the home country is still embroiled in violence, and the United Nations High Commissioner for Refugees (UNHCR) often signs on to these agreements. Why do such agreements get made? Human rights groups and scholars question whether these agreements promote safe, voluntary return (Harrell-Bond 1989; Milner and Loescher 2011; Long 2013). Frequently, it appears the agreements themselves undermine refugee rights and safety (Barnett 2001; Chimni 2004; Toft 2007).

This paper argues that repatriation agreements are driven more by an exchange of information and an opportunity to gain resources, than a concerted effort to forcibly repatriate refugees. Forced repatriation does occur under some repatriation agreements. The presence of an agreement though, is not cause for alarm, even when some violence is ongoing. I present theory and evidence that the existing interstate relationship helps to identify when forced repatriation is likely and when these agreements are signed in anticipation of repatriation years into the future.

I model the repatriation agreement in the context of asymmetric information, similar to crisis bargaining. An asylum country needs information from the origin country regarding violence to determine when repatriation is appropriate. This signaling analysis reveals a variety of equilibrium behavior and conditions under which these behaviors are more likely. Countries often sign repatriation agreements when the threat of violence is low from the perspective of the asylum country. The most pernicious equilibrium is one where an origin country has material leverage over an asylum country and can force repatriation despite no likely decline in violence.

The next section explores the work on repatriation and the tripartite repatriation agree-

ments (TRAs) signed by UNHCR, a country of asylum, and a country of origin. The third section theorizes the strategic interaction that gives rise to repatriation agreements. I follow by exploring assumptions and the equilibria in cases and data. The signaling model brings analytic clarity to agreements that were previously indistinguishable. Many agreements are signed while violence is ongoing, but declining. These agreements are often implemented slowly and the risk of *refoulement* is low. *Refoulement* is likely in one equilibrium, where the origin country retains significant leverage over the asylum country. To prevent forced repatriation, humanitarian or development aid can be aimed at offsetting the leverage of the country of origin.

2 UNHCR, Refugees, and States in TRAs

Scholarship on repatriations agreements has focused on UNHCR and refugees while mostly setting aside state actors. Scholars and practitioners worry about the potential role of UNHCR in facilitating “involuntary” return (Harrell-Bond 1989; Barnett 2001; Chimni 2004). Initially, refugees who returned home did so based upon their own evaluation of safety with little assistance. This changed in the 1980s. Since, scholars have analyzed the events that led UNHCR to emphasize safe, voluntary repatriation over integration and resettlement (Harrell-Bond 1989). Collectively this literature evaluates repatriation in practice. Scholars look at the strategic and organizational context in which UNHCR appears to undermine refugee rights (Barnett 2001; Barnett and Finnemore 2003). Scholars have raised questions about whether changes are consistent with international law (Chimni 2004) and whether the current refugee regime undermines voluntary repatriation (Hartigan 1992; Riess 2000).

A parallel literature examines the organization and politics of the returnees themselves. This work explores how refugees are able to effectively advocate for themselves and overcome a collective action problem (Worby 1999; Riess 2000). The role of diaspora politics in return (Cuny and Stein 1991) may figure prominently in some cases, and the internal organization

of refugees (Stepputat 1994; Ahimbisibwe 2017) is key to refugees gaining bargaining power over repatriation.

UNHCR and a collective of refugees are relatively weak actors, though. UNHCR operates in a country only at the invitation of that country. Refugees must overcome collective action problems and may never be recognized in the bargaining process. This article contributes to the literature by focusing on states' interests in these agreements and exploring how interstate relationships drive forced returns.

There is consensus that states are the driving force behind repatriation. Countries of asylum favor repatriation of refugees, and these countries, together with donor countries, have reshaped UNHCR to facilitate repatriation (Barnett 2001; Toft 2007). Protecting refugees is costly, and over time there are fewer resources and less will to support protection (Milner and Loescher 2011). When countries of origin are ready to accept refugees back—even when there is still internal violence or state-sponsored repression—repatriation gets organized (Chimni 2004; Toft 2007). If refugees are able to advocate for themselves, or are especially obstinate, they may be able to forestall the inevitable—return to a place in their country of origin (Riess 2000).

Human rights groups, and to a lesser extent human rights scholars, lament the apparent incentives of TRAs. Countries of origin want refugees back because it is a means to legitimacy and aid. UNHCR organizes 'voluntary repatriation,' because it is a means to fund protection, even if it is less than ideal, and asylum countries often face mounting political pressure to resolve refugee crises, and agreeing to repatriation lessens the pressure. Thus, repatriation agreements often occur, when it is not yet safe to return home and human rights groups raise the repatriation alarm about *refoulement* in response to nearly all repatriation agreements.

Yet little scholarship explains the variation in TRAs, and nearly all the focus has been on UNHCR or the refugees themselves. The powerful actors in repatriation bargaining are neither the international organization nor the refugees, but the states. Focusing on the strategic environment and relatively stronger actors can explain why some asylum countries,

even those facing domestic pressure to resolve refugee crises, refuse or forestall repatriation agreements.

3 Theory of Repatriation Agreements

Asylum countries need information from the origin country to determine whether repatriation is appropriate. The strategic environment is one with asymmetric information. In this frame repatriation agreements resemble crisis bargaining (Morrow 1989; Fearon 1994; Lewis and Schultz 2003). A country of origin can signal their ability to sufficiently control violence within their borders and prevent a new refugee crisis. Asylum countries evaluate whether their *ex ante* expectations are consistent with repatriation or if the signal is costly enough to be credible, and if so, they agree to repatriate.

3.1 Model: Signaling Game

Origin countries know more about future violence within their borders than asylum countries, but asylum countries want to know about future violence in the origin country to decide about repatriation. To model this information asymmetry, I draw on signaling models (Spence 1973). There are two players in the game, the country of origin of the refugees (Country O) and the refugee recipient country (Country A).¹ Country O will have crisis-level violence in the near term with probability p and lesser violence with probability $1 - p$. Crisis-level violence is the level of violence required to spur new refugee flows. Country O uses their information about future violence to decide whether to open negotiations for repatriation or to wait. Country A observes whether Country O opens negotiations or waits, but not whether crisis-level violence will occur in the short term. Given Country O's behavior, Country A chooses whether to agree or decline to repatriate refugees.

The game begins with Nature drawing crisis-level violence with probability p . Country

1. I follow much of the international relations bargaining literature by assuming a unitary actor.

O observes Nature's draw and chooses to *Negotiate* or *Wait*. Country A chooses to *Agree* or *Decline*. Violence, if any, occurs, and payoffs are realized as summarized in Table 1.²

	Country O	Country A
Wait, No Repatriation Agreement	0	$-h_o$
Decline, No Repatriation Agreement	$-\varepsilon$	$-h_o$
Agreement, No Violence	L	$-h$
Agreement, Violence	$L - T$	$-h - C$

Table 1: Payoffs over Outcomes

The game is summarized in Figure 1 below. If the players do not make a repatriation agreement because Country O decided to *Wait*, Country O has net utility of zero (0). If there is no agreement because Country O opened negotiations but Country A chose *Decline*, then Country O pays a small cost of having opened failed negotiations (ε). In either of these cases, Country A incurs a cost of continuing to host all the refugees, $h_o > 0$. If, on the other hand, the countries agree to repatriation, then Country A will host fewer refugees, at a cost $h > 0$.

Country O receives a benefit, $L > 0$ for refugees repatriating. This benefit encompasses notions of government legitimacy and sovereignty, as well as material gains through aid. The international community regards refugee return as an element of an improved human rights record. More generally, refugee return is often indicative of the regime's military accomplishments in suppressing a rebel group. Governments that are recognized and are improving human rights are often eligible for more foreign aid. Getting refugees back in the country of origin promotes recognition and aid follows.

If Country A agrees to refugee repatriation and there is crisis-level violence, the new refugee crisis may be costly to both Country A and Country O. Country A incurs the cost $C > 0$ for dealing with the new crisis. Country O may incur cost $T \geq 0$, which is the loss in

2. Note that in the structure of the signaling game I extract away from the ongoing conflict in the country of origin. The simplification is technically necessary but also appropriate since the question is about repatriation agreements and not about how the government in the country of origin fights a war. The cost of war does not figure into the calculus of the country of origin, regardless of repatriation. The underlying assumption is that whether repatriation occurs or not, and whether an agreement is signed or not, has no bearing on the expected cost of fighting the war in the future.

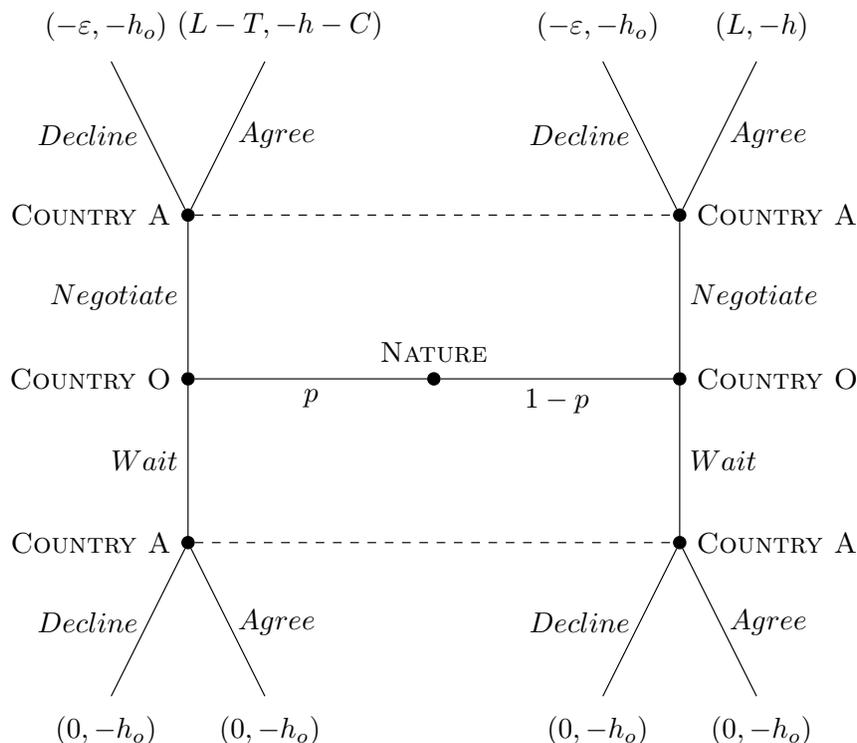


Figure 1: Game Tree

gains to coordination with a now angry Country A.

Whether there will be crisis-level violence in the future is information known only to the country of origin, Country O. The model helps to identify answers to two questions. What, if anything, can the asylum country, Country A, infer from Country O's willingness to negotiate? Under what conditions will the level of violence be irrelevant to Country A's decision?

3.2 Equilibria

Since there is imperfect information in the sequential game, I analyze the Perfect Bayesian Equilibrium (PBE) of the game. Depending on conditions, a separating equilibrium can occur. When Country O's cost of lying to Country A about crisis-level violence (T) is greater than their gains to legitimacy (L) Country O will only negotiate when violence is sufficiently low, and therefore, Country A knows that it is safe to repatriate.

The separating equilibrium occurs because a signal about repatriation is a costly signal. Country O will propose negotiations only if there will not be violence because if there is crisis-level violence and a repatriation agreement occurred, Country O would get a payoff $L - T < 0$. Since the payoff to waiting is 0, Country O would prefer to wait. However, if there will not be violence, then Country O will receive $L > 0$ and prefer a repatriation agreement to waiting. Knowing that Country O will only choose to negotiate when there will be little violence, Country A will agree and get the payoff $-h$.

Proposition 1. *A separating equilibrium only occurs when Country A has sufficient leverage over Country O, such that $L - T < 0$.*

Pooling equilibria can occur as well. These all require that the gains to legitimacy, L , for Country O are greater than the cost that Country A can impose on Country O for a new refugee crisis, T . When Country A does not have sufficient leverage, it will not learn about violence in the country of origin. Whether Country O opens negotiations and Country A agrees or declines depends on Country A's violence condition, that is, how Country A weighs the *ex ante* probability of violence relative to the gains (losses) from repatriation and the cost of a new crisis.

Country A's violence condition, \tilde{p} , can be written:

$$\tilde{p} = \frac{h_o - h}{C},$$

There are a few possibilities for pooling equilibria. In each of these, no information is revealed. However, the strategic contexts can still alter Country A's behavior. One pooling equilibrium can occur because Country A knows that opening negotiations is cheap talk, and then Country A will decline. In this scenario, Country O knows Country A will decline, and because failed negotiations carry a small cost (ε), Country O will choose to wait.

Proposition 2. *When $L > T$ and $p > \tilde{p}$, a pooling equilibrium will occur in which Country O will choose Wait and Country A will choose Decline. Country A's beliefs are unaltered,*

crisis-level violence will occur with probability p .

A second pooling equilibrium can occur when the *ex-ante* probability of violence (p) is low compared to the difference between the cost of continuing to host refugees and the cost of repatriating them ($h_o - h$), given the cost of a new crisis (C). In this case Country A will choose to agree to repatriation, and therefore, Country O will open negotiations.

Proposition 3. *When $L > T$ and $p < \tilde{p}$, a pooling equilibrium will occur in which Country O will choose Negotiate and Country A will choose Agree. Country A's beliefs are unaltered, crisis-level violence will occur with probability p .*

The final pooling equilibrium is the one that concerns human rights groups. They fear that when the asylum country does not know the level of violence, that an agreement indicates *refoulement*; forced repatriation is imminent. This pooling equilibrium can come about for two different reasons, though. One occurs when violence is likely low and the other when the asylum country accepts that crisis-level violence will likely occur, and the asylum country is willing to pay the cost of a new crisis.

The low violence pooling equilibrium is when *ex-ante* violence is so low that the probability of crisis-level violence given the gains to repatriation is small. When this occurs Country A will agree to repatriation because Country A does not need new information. *Ex-ante*, it was unlikely that refugees would flee again. Country A is willing to repatriate. Violence may not be sufficiently low to please human rights groups, but it is lower than the violence needed to generate new refugee flows.

The high violence pooling equilibrium occurs because of a large difference in hosting costs relative to the cost of a new crisis. As I will explore later, in context, this is more likely to be because of an origin country's leverage over an asylum country, but there can be domestic sources in the asylum country too.

Qualitatively, there are four types of scenarios that the model generates, but only one of these indicates that violence is going to force people to flee again. The separating equilibrium

where the asylum country can be assured there will not be crisis-level violence, and the parties sign a repatriation agreement will not generate crisis-level violence. The pooling equilibrium where the origin country does not try to negotiate repatriation because the asylum country will decline will not generate an agreement. The last pooling equilibrium generates two qualitatively different scenarios. When there is an *ex-ante* low probability of crisis-level violence, parties sign an agreement, but crisis-level violence remains unlikely. Last, there is scenario where crisis-level violence may be likely, and parties sign a repatriation agreement. This occurs because the asylum country's cost of hosting is so large compared to the cost of repatriation and the cost of a new crisis.

3.3 Model Assumptions

Several of the assumptions in the model are consistent with existing literature on the interests of states during refugee crises. I draw on this literature to ground assumptions about legitimacy and the costs associated with hosting refugees. Case studies from Latin America suggest that legitimacy and foreign aid motivate developing countries to get their refugees back. When refugees return, the international community often views this to signal an improved situation and rewards it with foreign aid (Worby 1999; Riess 2000). These studies are consistent with a broader literature on governments maximizing income (Levi 1981). The view from within states is more mixed. Some evidence shows that in India foreign aid delegitimizes the government, while other work from Kenya suggests that foreign aid is irrelevant to citizens' determination of legitimacy (Dietrich and Winters 2015; Dolan 2020).

The decision to model hosting refugees as a net cost makes the narrative in the model easier and is consistent with evidence in the developing world, although results are similar without this assumption. Some countries are able to leverage refugee influxes for political or economic gain. In the developing context refugee hosting in the short run is often a net cost.

Recent analyses in the developed world suggest that refugees who permanently settle and get jobs reach earnings levels and tax contributions of natives in about ten years, shortly there after becoming economic net contributors (Cortes 2004; Evans and Fitzgerald 2017). However, in other cases refugees never become net contributors on average. This is not because they disproportionately take up welfare and aid but because they are unable to find jobs comparable to those of natives (Ruist 2015).

The prospects for refugees in the developing world are worse. For political reasons they are often restricted from working or moving for work. Large aid-dependent camps are associated with long-term environmental degradation and public health problems. There is little consensus about whether refugees could be net contributors. Those who live in camps, dependent on aid in the first years of exile have limited prospects for contributing to the economy (Whitaker 2002b).

Given that refugees will likely present a net cost for developing countries, at first glance, it may be natural to assume that cost of continuing to host refugees is greater than than the cost of repatriation ($h_o > h > 0$). In this case, it is likely that the domestic cost of hosting refugees is at least weakly increasing in the number of refugees. However, this changes when international costs and benefits are taken into account (Camarena 2019).

In the signaling model, one international consideration is the costs that the origin country can impose of the asylum country if the asylum country does not repatriate refugees. The model assumes that this is often implied because of material leverage, but origin countries some times make this explicit (Whitaker 2002a). In these cases it may well be that the cost of continuing to host refugees is far larger than repatriation.

Finally, others have raised the concern that refugee hosting may simply not be a net cost. This is not the discursive interpretation of the model, but the model does not rely on the notion that costs are negative. When the benefits of hosting refugees is increasing in the number of refugees, the pooling equilibrium with violence can not occur because the violence condition of the asylum country is negative. The separating equilibrium may still

occur. This is consistent with developed countries creating incentives for repatriation, as Sweden and Germany have done.

4 Interpretation of the Model and Implications

Not all repatriation agreements that are signed while violence is ongoing are likely to result in forced repatriation or even repatriation with high levels of ongoing violence. Three pieces of the strategic environment determine the *qualitative* nature of the repatriation agreement: the *ex-ante* probability of violence, the origin country's gains to legitimacy and aid, and the relative leverage of origin and asylum countries. In this section I explore observable indicators of the parameters in the model and use the equilibria findings to draw out implications.

4.1 Observable Indicators of Parameters

Ex-ante violence and the gains to legitimacy or aid are well established parameters of interest in the conflict and development literature. The best observable indicator of ex-ante violence is the recent incidence and trend in violence before the interaction of interests. Countries with previously little violence or with stable or declining trends in violence map onto low values of *ex-ante* violence (low p) in the model. Countries with recent high incidences of violence or a trend where violence is increasing map on to high values of *ex-ante* violence (high p). Indicators of legitimacy and aid include international recognition of a government and received development aid. Governments of countries with new regimes are less likely to be recognized. Recent changes in regimes and new constitutions are associated with greater needs for legitimacy. The more aid a country receives the more important a bid for legitimacy may be.

Leverage between countries is also explored in the literature, although often this is thought of as a matter of military capacity. Economic indicators of leverage over a coun-

try include trade dependence and natural resource dependence. Geographic indicators, like being landlocked or having little coast, also indicate leverage over a country.

4.2 Observable Implications

The driving force of the origin country's interests are the gains to legitimacy and aid. One observable implication that interrogates this assumption is that well established regimes and countries that need less aid have little incentive to engage in repatriation negotiations. Among countries that do have potential gains to repatriation, relative leverage helps determine the outcome.

Implication 1. *Countries with well-established regimes and little dependence on aid will, all else equal, wait longer to propose repatriation.*

The separating equilibrium as well as the pooling equilibrium with no agreement are consistent with origin countries waiting to repatriate refugees until violence is sufficiently low or the origin country has invested in other costly signals.

Implication 2. *Countries with newer regimes or greater dependence on aid may be forced to use alternative costly signals—like negotiated ceasefires or peace accords—in order to engage in repatriation negotiations.*

When the country of asylum can impose significant cost on the country of origin, a separating equilibrium is more likely. One example is when the country of asylum has a large trade surplus with the country of origin, and the asylum country's imports are available from other sources. The country of origin stands to lose a lot from lying about violence and thus will only propose repatriation when they are confident violence will remain below a crisis level.

Implication 3. *Country pairs in which there are strong economic ties and where the asylum country retains leverage will engage in repatriation agreements only when crisis-level violence is unlikely.*

Implication 4. *In country pairs with strong economic ties and where the asylum country retains leverage, countries of origin will wait rather than negotiate repatriation while violence remains high.*

By contrast an origin country that has material leverage can drive a pooling equilibrium where no information is revealed but the countries sign a TRA despite *ex-ante* high levels of violence. Analysis of the asylum country's violence condition, \tilde{p} , and its component parts reveal when repatriation agreements can happen, even in the midst of high levels of violence. Even though the asylum country does *not* learn that violence is below crisis levels, the country nevertheless agrees to repatriate refugees. This occurs when the *ex-ante* probability of violence is below a threshold. When the threshold is high, the asylum country may agree to a repatriation agreement even when it is not safe for refugees to return.

The threshold, \tilde{p} , is increasing in the gains to repatriation for the asylum country ($h_o - h$) and decreasing in the cost of a new crisis (C). This leaves three logical possibilities for repatriation agreements in the midst of ongoing conflict. First, it may be that the gains to repatriation for the asylum country are relatively large. Second, it may be that the cost of a new refugee crisis is relatively small. Third, it may be that *ex-ante* violence is low.

If the gains to repatriation and the costs of new crisis are only domestic in nature, they are likely to be positively correlated. Large concentrated settlements of refugees are often associated with environmental degradation, public health and sanitation challenges, and security problems, either because violence follows the refugees, or because scarce resources generate conflict between the refugees and their local hosts (Camarena 2019). If getting rid of refugees is very beneficial, it is likely that doing so only to have a new refugee crisis would be very costly as well.³

Two international interactions make it more likely that the gains to repatriation and the cost of a new crisis diverge. The first possibility is that the humanitarian community has

3. A time inconsistency problem may prevent this: repatriation now has to be more costly than the a crisis later. One possibility is an imminent election; repatriation now is more beneficial even given a refugee crisis if that crisis is likely to occur after the election.

lost interest in a long-standing refugee problem and is no longer providing sufficient funding (Milner and Loescher 2011). Repatriation and new crises are occasions for new fundraising (Barnett 2001). A repatriation effort or a new crisis can generate new attention, interest, and funding. In this case, because of disproportionate aid, the gains to repatriation are high, while the cost of a new crisis is low.

Another possible international interaction is between the asylum country and the origin country. Just as an asylum country could punish the origin country for proposing repatriation in the midst of crisis-level violence, the origin country could punish the asylum country for *not* repatriating refugees, given the appropriate leverage. In this case, it must be that there is a strong material relationship between the country of origin and the country of asylum, but the country of origin has leverage. As earlier, trade provides a simple example; the country of origin has trade surplus with the country of asylum, and the country of origin can easily import from a third country instead. This discussion gives rise to the last implications:

Implication 5. *When asylum countries are losing aid for refugees and expect repatriation or a new refugee crisis would reverse this trend, the asylum country will agree to a repatriation even in the absence of information about future violence.*

Implication 6. *In country pairs with strong economic ties and where the origin country retains leverage, countries of asylum will agree to repatriation, even in the absence of information about future violence.*

The final consideration is that the *ex ante* probability of crisis-level violence is low. The asylum country may be interested in repatriating refugees because of domestic costs associated with the refugees and the fact that, once repatriated, it is unlikely they will flee again. Even if the country of origin is not as safe as the country of asylum, it may contain areas that are safe enough for people to resume their lives. In the midst of constraints, the asylum country is not necessarily responsive to all violence in the country of origin, but only to violence that is problematic enough to somehow spill over.

5 Empirical Evidence and the Model

This section presents a variety of empirical evidence consistent with the model and equilibria. Rather than one set of empirical evidence as a test, I explore some of the underpinnings of the model in the text of the agreements and in data. This reveals that both the signaling environment and the benefit of aid are appropriate assumptions. Then I turn to case examples of the equilibria and highlight the plausibility of these equilibria. Finally, I examine some trends in data quantitatively; the variation and correlations in the data are consistent with insight from the model, and less consistent with existing explanations.

5.1 Repatriation Agreements in Text

Examining the text of the agreements reinforces some of the assumptions in the model and also helps explain why these agreements are so valuable to origin countries. Tripartite repatriation agreements (TRAs) are formulaic. The absence of new content is consistent with their signaling value. The TRAs themselves, are short, 10-20 pages, and share many of the same components and use the same language. The language is consistent across asylum countries, decades, and even conflicts. They are so similar that it is unlikely they are important for what they say. Rather, UNHCR and human rights organizations, mark these agreements as momentous, not for what they have accomplished but rather for what they signal: an opportunity to conclude a refugee crisis.

Nearly all the agreements begin by acknowledging the international legal refugee framework, the right to protection, and the principal of voluntariness in return. Often, in the preamble they note that voluntary repatriation is the *best* durable solution to refugee problems. For example the 1993 TRA among Mozambique, Zimbabwe and UNHCR, states:

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

1993)

The parties of the TRA, including UNHCR, assert through these agreements that repatriation is the best solution to a refugee crisis. More than a decade later, across the continent, a TRA among UNHCR, Senegal, and Mauritania uses similar language (UNHCR 2007). This assertion is contrary to the core mandate of UNHCR which claims no hierarchy among solutions, but this assertion is palatable to donor countries.

Most agreements establish a commission that will determine the details of repatriation. Because of these commissions, repatriation agreements are tripartite (three parties), among the country of origin, the country of asylum, and UNHCR. Each individual asylum country signs their own TRA with UNHCR and a country of origin. Mozambique within a couple of years signed a half dozen of these agreements; one with each of the countries that hosted Mozambican refugees during the Mozambican civil war.

Despite variation in the asylum countries, the refugee populations hosted, and the logistics required in repatriation, the available text of these agreements often follow verbatim from one another. For example, the agreement between Angola and South Africa, signed in 2003 copies the entire article on the repatriation program from an agreement between Angola and Namibia that was signed 8 years earlier. Human rights groups and UNHCR often comment on these signings,⁴ but beyond agreeing to establish a commission these agreements offer little substance. The lack of new substance in the actual agreement is consistent with the signaling value of the process.

UNHCR's role in these agreements is to find funding for the repatriation effort. In both the Angola-South Africa and Angola-Namibia agreements, the repatriation program article ends:

The High Commissioner shall endeavour to obtain from the international com-

4. In all but two of the cases explored by name in the article, Human Rights Watch or Amnesty International has publicly disapproved of repatriation. Following the 2005 Comprehensive Peace Agreement, which brought about the end of the South Sudanese civil war, these organizations expressed the need for caution during repatriation. In the years following the Burundi peace accords, human rights groups softened their warning about the repatriation of Burundians.

munity the necessary resources required for the implementation of the voluntary repatriation programme. (UNHCR 1995, 2003)

Three years later, the Sudan and the Central African Republic agreements assigns the same responsibility to UNHCR (UNHCR 2006). Because little is negotiated at the stage of agreeing to set up a commission the TRA does not represent a break through in interstate relations. Instead, it is a mechanism through which UNHCR can fund raise, and bring attention to their effort (Chimni 2004; Barnett 2001). If the asylum country will agree, the TRA creates a mechanism through which the origin country can have UNHCR announce progress and seek aid.

The text of these agreements highlights the dissonance between the public pronouncement of these agreements as successes by UNHCR and the actual work of negotiating these agreements. TRAs are more like Memoranda of Understanding that set up bureaucratic structures than they are like peace accords. Normally agreements like these are not newsworthy. However the TRA has value is in signaling an opportunity to conclude a refugee crisis. TRAs may suggest that an asylum country believes refugees can be repatriated in the future, and through TRAs UNHCR tells the world that time is right to fund a repatriation effort.

5.2 Foreign Aid and Repatriation

A key assumption of the model is that the origin country is seeking aid by pursuing a TRA with an asylum country. While the extant literature argues that origin countries gain legitimacy (Stepputat 1994; Worby 1999), legitimacy is hard to measure. The matter of aid is a measurable, empirical one. Correlations between aid and refugee repatriation support the intuition that TRAs and aid go hand and hand. However, less evidence suggests that this relationship is merely a mechanical result of UNHCR fundraising. Instead, as repatriation increases, so do total aid *and* food aid, even though UNHCR does not raise money for food.

Figure 2 shows adjusted correlations for countries receiving returnees and having UNHCR

repatriation programs with aid on the African continent between 1990 and 2010.⁵ The aid is from the World Development Indicators and the returnee counts and programming are based on UNHCR reporting, as described in Camarena (2018).

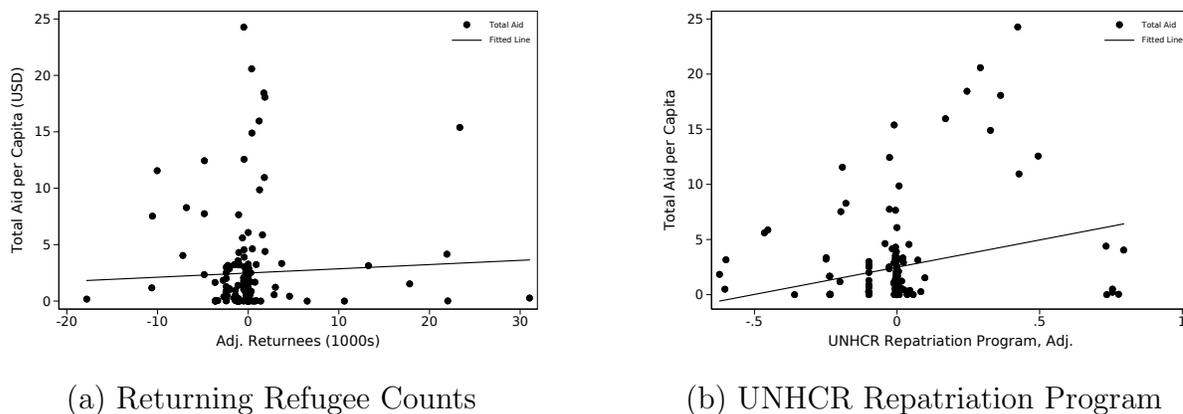


Figure 2: Adjusted Correlations: total aid and (a) returning refugees and (b) UNHCR repatriation

Returning refugees count (a) is adjusted for existing refugee population, the presence of a UNHCR repatriation program, and origin country fixed effects. The presence of a UNHCR repatriation program (b) is adjusted for returning refugee counts, existing refugee population, and origin country fixed effects. Linear fit is based on OLS regressions. Panel is for African countries with refugees, 1990-2010. Aid data is from World Development Indicators, return data is from Camarena (2018)

On the left the graph shows that total aid is weakly increasing in returning refugees. On the right the graph shows a statistically significant relationship between the UNHCR repatriation program (which is set in motion by the TRA) and total aid per capita. Origin country leaders are correct to think that increases in aid coincide with increases in returnees, especially when there is a UNHCR facilitated repatriation program. Among countries with refugees, those with more refugees returning get more aid.

Food aid seems to be a driving force of the increased aid countries with repatriation programs receive, and UNHCR does little in the way of raising food aid. Instead this is the domain of the World Food Programme. However, the adjusted correlations suggest that having refugees return and a repatriation program, is associated with more food aid, just

5. The panel excludes Somalia because of inconsistencies with which UNHCR handled repatriation without agreements in Somaliland and Puntland. Countries are selected based on the availability of refugees to return, so correlations should be interpreted as among countries with refugees.

like total aid. Figure 4 shows adjusted correlations for countries receiving returnees and having UNHCR repatriation programs with food aid per capita in Africa for 1990-2010. The relationships are very similar because food aid and total aid are highly correlated. Nevertheless, these relationships suggest that UNHCR is not solely responsible for the increase in aid that comes with refugee return.

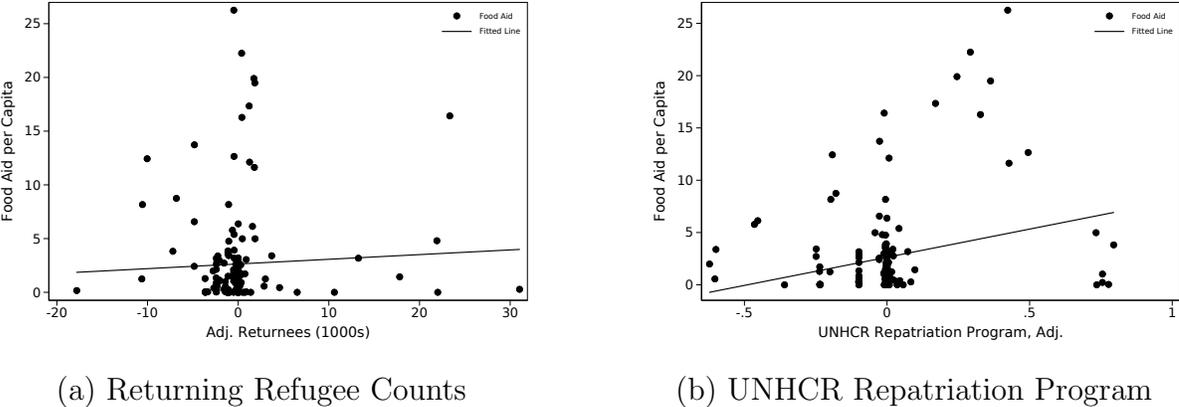


Figure 4: Adjusted Correlations: food aid and (a) returning refugees and (b) UNHCR repatriation

Returning refugees count (a) is adjusted for existing refugee population, the presence of a UNHCR repatriation program, and origin country fixed effects. The presence of a UNHCR repatriation program (b) is adjusted for returning refugee counts, existing refugee population, and origin country fixed effects. Linear fit is based on OLS regressions. Panel is for African countries with refugees, 1990-2010. Food aid data is from World Development Indicators, return data is from Camarena (2018)

5.3 Case Examples of Equilibria

Historical exchanges over repatriation negotiations map onto the equilibria in the model. Tanzania and Burundi only signed a TRA only after a ceasefire was brokered (the separating equilibrium). Mexico and Guatemala signed a TRA when the *ex-ante* threat of violence was particularly low. Nigeria and Cameroon signed a repatriation agreement because Cameroon’s threshold for repatriation was especially high.

5.3.1 Separating: Tanzania and Burundi

Tanzania and Burundi agreed to repatriation in a situation consistent with the separating equilibrium, where Burundi presented a sufficiently costly signal that Tanzania was willing to agree to a TRA. Empirically, the situation has a few features that make it consistent with the separating equilibrium. First, the final agreement was signed relatively late in the peace process. Second, Tanzania did have leverage over Burundi. Finally, while the repatriation process was drawn out, most Burundian refugees repatriated from Tanzania, and it was years late, and a different conflict, before Burundians fled to Tanzania again.

During the mid 1990s, Burundi devolved into a brutal civil war, and over the next three years, around 300,000 Burundians fled to neighboring Tanzania. By 1997, around 58,000 refugees had chosen to repatriate to Burundi in the absence of a formal agreement.⁶ Burundi waited some time, years after some refugees felt it was safe to return before raising repatriation with Tanzania. In 1998, Burundi took the first step in a lengthy process toward peace accords. It was only then that Burundi raised the prospect of repatriation with Tanzania. At three junctures between 1998 and 2005, Burundi signed major agreements in peace negotiations. Before each Tanzania began discussions about repatriations with Burundi. Following some substantial progress in the peace talks and a transition of power, Tanzania, Burundi, and UNHCR signed and implemented a tripartite repatriation agreement.⁷ Tanzania demanded costly signals, and Burundi met the demand.

Tanzania held leverage over Burundi, and consistent with the model, this is some of the reason for the delay. Burundi is a landlocked country and all of its shipping must transit through Tanzanian ports. Tanzania has used this leverage before. During an earlier crisis, Tanzania threatened to hold up Burundian shipping and Burundi backed down. Indeed Tanzania demanded years of ceasefire, and declining violence (a costly signal) before agreeing

6. See UNHCR 1998. "Burundi-Tanzania-UNHCR agree on tripartite mechanism." 1998-02-16. <http://www.unhcr.org/en-us/news/press/1998/2/3ae6b8141c>.

7. "Tripartite Agreement on the Voluntary Repatriation of Burundian Refugees in Tanzania." was signed in 2001

to a TRA. Nevertheless, human rights organizations warned that it was too soon.⁸ ultimately Burundi made more progress toward peace and most refugees repatriated.

5.3.2 Pooling, Low Violence: Mexico and Guatemala

By contrast, the agreement between Mexico and Guatemala is consistent with a pooling equilibrium in which the probability of crisis-level violence was *ex ante* low and the gains to repatriation for Mexico relatively large. Mexico was the more powerful country in the interaction, but there was little reason to hold out. Violence in Guatemala was not causing refugee flows and repatriating refugees might have help domestic politics in Mexico.

Mexico had not had friendly relations with Guatemala for some time by 1985. However, their economy was nearly 20 times the size of Guatemala's (World Development Indicators). Guatemala had just signed a new constitutions and had the first new president since the 1960s had taken office. Guatemala was anxious to get refugees back because of greater access to aid, and a way to establish the new regime (Stepputat 1994; Worby 1999).

From the perspective of crisis-level violence, it was reasonable for Mexico to sign a TRA. By 1987, violence, mostly perpetrated by the Guatemalan army, was still persistent. However, it was orders of magnitude lower than the early 1980s, when all the refugees had fled. It was comparable to levels in the 1960s and 1970s, in which there was little refugee flight.

Mexico likely signed onto the agreement not because of the new regime's signaling power but because there was little risk and a lot for Mexico to gain. There were two groups of refugees in Mexico: those who lived in partially self-sufficient settlements established by Mexican authorities and those who refused to move to the settlements. The refugees who refused to move stayed in Chiapas, where they contributed to land conflict and (perhaps wrongly) were associated with the Zapatista rebel movement. Repatriating the refugees in Chiapas would have eased problems in Mexico considerably (Chan and Garcia 2018), and Mexico should not have expected new large flows.

8. See Refugees International. "NGO statement on the protection of Burundian refugees in Tanzania." 2002. <http://reliefweb.int/report/burundi/ngo-statement-protection-burundian-refugees-tanzania>

5.3.3 Pooling, High Violence: Cameroon and Nigeria

A final case, a 2017 repatriation agreement between Nigeria and Cameroon, highlights a pooling equilibrium in which strong interstate relationships and the leverage of the country of origin determines the timing of the repatriation agreement, even when crisis-level violence is *ex-ante* high. Beginning in 2009, Boko Haram, a terrorist group in Northern Nigeria, consistently targeted civilians and displaced at least a million people. Estimates suggest that somewhere between 100,000 and 200,000 of the displaced fled to Cameroon (Aimee-Noel 2017). In 2017, Nigeria signed a repatriation agreement with Cameroon and UNHCR aimed at returning 91,000 refugees to Nigeria. At the time, Boko Haram violence in Nigeria was averaging a few hundred deaths each month, but Boko Haram was also operating in Cameroon, Chad, and Niger (ICG 2020). Even in 2017, Cameroon received new refugees from Northern Nigeria, while repatriating refugees under this agreement. Consistently, Cameroon has been accused of coercing and forcing repatriation.⁹

Nigeria leverages implicit power over Cameroon, and interstate relations are sometimes tense (Akinyemi 2014). Nigeria is among Cameroon's largest trading partners in sub-Saharan Africa, and Nigeria supplies fuel to Cameroon.¹⁰ Because of Nigeria's oil wealth and exports, trade with Cameroon is minuscule to Nigeria. The trading relationship is the opposite of the Tanzania-Burundi one. The refugee-sending country, Nigeria, has leverage over the asylum country.

Cameroon has a history of avoiding conflict with Nigeria (Akinyemi 2014). Early in the Boko Haram insurgency, Cameroon regularly deported Nigerians in an effort to remain 'uninvolved' with the conflict (ICG 2016). Earlier, Cameroon similarly aimed to avoid conflict with Nigeria in the Bakassi peninsula (Akinyemi 2014). However, unable to manage growing violence due to Boko Haram in 2014 and 2015, Cameroon began more coordinated military

9. See for example, VOA. 2017. "UN: Cameroon Forces Hundreds More Refugees Back to Nigeria" <http://www.voanews.com/a/cameroon-nigeria-refugees/3921283.html>.

10. See World Integrated Trade Solution. "Cameroon Country Profile." <http://wits.worldbank.org/countrysnapshot/en/CMR>. Accessed 2018-08-03.

operations with Nigeria, Chad, and Niger (ICG 2020). With this greater coordination in 2016, Cameroon largely halted refugee repatriations to Nigeria (ICG 2016).

Even though the refugee crisis continued, and Boko Haram may have been more of a threat than earlier, Cameroon signed a repatriation agreement at the end of 2016 (US State Department 2017). Cameroon then waited until Nigeria signed in 2017 (Aimee-Noel 2017). Nigeria decided the timing of the agreement. With the implementation of the agreement, UNHCR tracked 150,000 repatriations from Cameroon, but the main camp in Cameroon remained well populated. Repatriation activities largely ended in 2018 when Boko Haram violence increased again and more Nigerians fled violence.¹¹

5.4 Timing of TRAs, Violence and Peace Negotiations

Countries do not always sign TRAs, and when they do, they do so at times that have little to do with formal peace negotiations or the cessation of violence in countries of origin. Unlike the supposition from the human rights community, these agreements are not always signed. The apparent perverse incentives of the actors does not systematically generate TRAs when there is too much violence. Also contrary to UNHCR's assertion, TRAs are not always signed on the precipice of safety. Rather, there is substantial variation in the timing of signing TRAs with respect to peace; variation is consistent with the multiple equilibria in the model, and more general than the three cases in the previous section.

The signing of TRAs occurs throughout the duration of the conflict, and appears to have no direct relationship to the cessation of violence. Between 1980 and 2015, there have been nearly 150 refugee crises that could in principle have been resolved with a TRA. Among them, I have examined a sample of 55 in depth.¹² Among these 55 crises examined, in a little less than half (21) of the crises, countries made formal repatriation agreements. On average these agreements were signed 5 years following the beginning of a refugee crisis¹³

11. Authors' calculations based on data from UNHCR Global Trends 2017, 2018.

12. The sample is non-random, and primarily determined by the availability of detail about the negotiations and agreements in English.

13. The year in which refugees from the country of origin exceeded 10,000.

and 6-7 years following the onset of an associated conflict.¹⁴ Among the crises in which TRAs were signed, roughly a fourth were signed in the absence of formal peace negotiations or before formal peace negotiations commenced. Another fourth of the crises had TRAs signed only after a comprehensive peace agreement was signed to end the conflict.¹⁵ In the remaining half of the crises with TRAs, the agreements were signed at some juncture in between, following the initiation of formal peace talks, but prior to, or in the absence of, a comprehensive peace agreement to end the conflict.

In a little less than half of the years (9) that TRAs were signed, there was no ongoing conflict.¹⁶ In the remaining crises TRAs were signed while violence was ongoing in the country, and sometimes significant violence (hundreds or thousands of battle deaths per year).¹⁷ While only one of the cases in which TRAs were signed after a comprehensive peace agreement was there conflict, comprehensive peace agreements are rare, and TRAs after the peace agreements are even more rare.

Human rights organizations may balk at repatriation agreements signed in the absence of formal peace negotiations. TRAs are, paradoxically signed in years with higher violence. In general the year of the signing has more associated battle deaths than, both the year preceding the signing and the year following.¹⁸ Similarly, the relationship between signing TRAs, without peace negotiations, and the level of violence alone is ambiguous.

Simple relationships between TRAs, violence, and peace negotiations are not apparent. This by itself is evidence for a theoretical model that produces multiple equilibria on the signing of TRAs. The variation is less consistent with the argument from UNHCR that timing is (or soon will be) right for repatriation. The variation is not consistent with the deterministic explanation of perverse incentives raised by the human rights community.

14. This occurs when a conflict in the country of origin enters into the UCDP Armed Conflict Dataset, after causing more than 25 battle deaths in a single year.

15. The comprehensive peace agreement to end a conflict is defined based on the UCDP Peace Agreement Data when the agreement is a final agreement, that concludes violence, and includes all parties to the conflict.

16. Based on the UCDP/PRIO 25 Battle Death definition.

17. This should not discount the possibility though that repatriation to some areas of the country may still have been safe.

18. There is not sufficient data to distinguish these statistically

6 Discussion

Two powerful actors determine when refugee repatriation agreements occur, the country from which the refugees fled and the country hosting the refugees. Countries hosting refugees, asylum countries, want to repatriate refugees when they can be confident that the repatriation will not just trigger a new refugee crisis. Countries of origin want their refugees back because they gain legitimacy, it improves their human rights record, and foreign aid follows. Thus, the country from which the refugees fled must convince the asylum country that they have the capacity to limit violence and refugees will not flee again.

When the origin and asylum countries have strong relationships and the asylum country has leverage over the origin country, the origin country can credibly signal improved conditions. The credible signal generates a separating equilibrium in which the asylum country will agree to repatriate refugees. There are also pooling equilibria in which refugee-hosting countries will agree to repatriate. Of these, the most problematic is when the asylum and origin countries have the reverse relationship, a strong material relationship in which the origin country has leverage. In this case, the refugee-hosting country will agree to repatriation and have incentives to compel the refugees to return home.

In all the cases explored, human rights organizations questioned the appropriateness of repatriation agreements. At the time of signing most refugees have not expressed interest in return home in all of the cases. From a human rights perspective, these repatriation arrangements are all aimed at truncating refugees' rights to international protection and freedom of movement. However, in the context of resource-constrained asylum countries and UNHCR's pressure from donor countries to resolve refugee crises through return, the human rights ideals do not appear to be the standard that binds the countries making the agreements.

Contrary to the uniform cries of the human rights community, the model suggests that the Tanzanian-Burundi and the Mexico-Guatemala repatriation agreements are qualitatively different from the Cameroon-Nigeria one. In the Burundi-Tanzania case, Burundi had to

demonstrate that crisis-level violence would not occur again. In the Mexico-Guatemala case, Mexico agreed to repatriation partially because the probability of crisis-level violence was low. While the absence of crisis-level violence does not rise to the level of ensuring human security, it does suggest that these repatriations, especially if well-organized, will not be destabilizing.

The Nigeria-Cameroon case is the kind of situation that should cause most concern for the humanitarian community. Low levels of violence do not determine all agreements. Because Nigeria has leverage over Cameroon in economic matters, and increasing political matters, Cameroon is relatively weak. Nigeria decides when refugees are repatriated. Further, Nigeria's leverage may prompt Cameroon to coerce return. In this third repatriation equilibrium, there is no suggestion that violence is below a crisis level, and the mass repatriation heightens the risk of triggering another refugee crisis.

The analytic distinction between the Nigeria-Cameroon agreement and the Tanzania-Burundi or Mexico-Guatemala agreements highlights a potential policy intervention that could protect refugees and promote stability in the region. The need for intervention in Cameroon likely dated back to 2014 when Boko Haram was expanding and Cameroon attempted to extract itself from the conflict between Boko Haram and Nigeria. Wealthy countries could import more of what Cameroon currently exports to Nigeria and export fuel to Cameroon. An alternative is to more strategically distribute aid to Cameroon aimed both at defense and at securing refugees. Untethering a dependent asylum country, like Cameroon, from an origin country with substantial economic leverage, like Nigeria, could mean the asylum country is able to continue to host refugees until it is safe for them to return.

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