



The Protection of The Core Labour Rights of Internal Migrant Workers: The Case of The Internally Displaced Workers (Idws) From the English-Speaking Regions of Cameroon

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ABSTRACT

With the advent of the socio-political crisis roughing the English-speaking regions of Cameroon since 2016, many workers have fled these regions for their safety and better employment opportunities in other relatively stable regions of the country. This paper therefore examines the protection of the core labour rights of migrant workers in general and the core labour rights of the internally displaced workers from the English-speaking regions of Cameroon in particular. In doing so, it conceptualizes internally displaced workers/persons and their core labour rights in Cameroon. It further examined the conservation of the core labour rights of Internally Displaced Workers under the Cameroonian legal frameworks in a bid to ascertain the extent to which the conservation of Core Labour Rights of Internally Displaced Workers in Cameroon is compatible with the standards in international law. This research adopts the qualitative research methodology in its analysis. Findings reveals that despite the efforts made to guarantee core labour rights in the country, the enforcement of the core labour rights of IDWs in the is still wanting. IDWs, should be noted, are vulnerable persons whose rights generally and core labour rights specifically must be protected to guarantee their development. To this end, we submit that the State of Cameroon should ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa 2009 in a bid to safeguard/enhance the protection of the core labour rights of internally displaced Workers in the country

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Introduction

In recent years the world has witnessed an increase in migration and displacement occurring due to conflicts and human rights violations,² poverty as a result of unemployment or underemployment, the widening economic and social inequalities between industrialized and developing countries (in the case of external/international migration), amongst others.³ Migration⁴ generally and migration for work in particular is gradated into two major types to wit; internal and external/international migration. Internal migration covers the movement of persons within a country for various reasons including the quest for employment. Such movements could be across administrative and political units, as well within same. International/external migration for work is the movement of persons without their country of origin/residence for the purposes of gaining an employment. However, though mentioned has been made of the external/international migrant workers herein above, this paper specifically covers the protection of the core labour rights of the internal migrant workers in Cameroon with particular attention on the internally displaced persons (IDPs)⁵ from the Northwest and Southwest regions of the country as ‘displacement nearly always generates conditions of severe hardship and suffering for the affected populations. It breaks up

² Like the present socio-political crisis in Cameroon that has led to the movement of many Cameroonians to other states such as Nigeria, Ghana, USA, Belgium among others. See generally V. Chetail., *Code of International Migration Law*, Brussels, Bruylant, 2008, in C. Papinot., ‘International protection of migrant workers’ PhD thesis *Paris West University Nanterre*, 2014, P14.

³ The main statistics of international migration are offered by the United Nations, Department of Economic and Social Affairs (UN DESA), the United Nations High Commissioner for Refugees—The UN Refugee Agency (UNHCR), the Organization for Economic Cooperation and Development (OECD), and the International Organization for Migration (IOM). Based on these migration databases, statistics show that, globally, the total number of migrants has increased from 94 million in 1970, to 153 million in 1990, reaching around 244 million in 2015 as seen above, from the total world population of about 7.3 billion people (meaning 1 person in every 30 people). Still, as a share of the world’s population, the migration flow is relatively steady, representing 2.3% in 1970, and 3.3 in 2015. Around 75% of international migrants in 2015 (almost 157 million) targeted the “high-income economies . . . compared with 77 million foreign-born who resided in middle-income countries (about one-third of the total migrant stock) and almost 9 million in low-income countries in the same year.” Out of 244 million migrants in 2015, the largest share was for Europe (over 31%), Asia (almost 31%), and North America (over 22%). In Europe, the highest migrants’ allocation was for Western Europe (36%) and Eastern Europe (26%) with a total of 76 million migrants in 2015. The most preferred European countries by migrants in 2015 were: Germany (12 million migrants), the United Kingdom (8.5 million), France (7.8 million), Spain (5.9 million), Italy (5.8 million), Sweden (1.6 million), Austria (1.5 million), Belgium (1.4 million), Denmark (572 thousand), and Finland (315 thousand). The main origin countries of migrants into European regions were the Russian Federation (over 6 million), Poland (3.6 million), Romania (almost 3 million), and Morocco (2.5 million). For 2016 compared to 2015, the migration flows increased by 30% in Germany, 4% in France, 7% in Belgium, 18% in Spain, 26% in Sweden, and decreased by 6% in the UK (mainly due to the BREXIT vote in June 2016), and by 5% in Denmark. See generally G. Noja *et al.*, ‘Migrants’ Role in Enhancing the Economic Development of Host Countries: Empirical Evidence from Europe,’ *Journal of environmental, cultural, economic, and social sustainability of human beings (Sustainability)*, 2018, P. 2.

⁴ Though there is no universally acceptable definition of the term ‘migrant worker,’ it is impossible to draw a sharp line between ‘migration for work’ and ‘migration.’ In this light, Chetail argues that ‘migration,’ all types of migrations combined, is commonly perceived as ‘a movement of people leaving or leaving a State, to enter another State in order to reside on a permanent or temporary basis.’ See V. Chetail., *Code of International Migration Law*, Brussels, Bruylant, 2008, in C. Papinot., ‘International protection of migrant workers,’ PhD thesis *Paris West University Nanterre*, 2014, P. 19. This definition, therefore, covers emigration (departure or travel), immigration (arrival in the host country), and residence and possibly return. Article 2 (1) of the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CPRMWMF) 1990, defines a ‘migrant worker’ in general terms. The definition includes any person who is to be engaged, is engaged or has already been engaged in a remunerated activity in a State of which he or she is not a national.

⁵ These are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border. Internally Displaced Persons can equally be defined as persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of large scale development projects, and who have not crossed an internationally recognized State border. See generally Article 1(4) and (5) of the Protocol on the Protection and Assistance to Internally Displaced Persons adopted in the International Conference on the Great Lakes Region in 2006. As of January 2018, there were about 668,000 internally displaced persons, following the crisis in the Northwest and Southwest Regions of Cameroon. See <http://www.internal-displacement.org/countries/cameroon> Accessed on the 9 -11-2019.

families, cuts social and cultural ties, terminates dependable employment relationships, disrupts educational opportunities, denies access to such vital necessities as food, shelter and medicine, and exposes innocent persons to such acts of violence as attacks on camps, disappearances and rape. Whether they cluster in camps, escape into the countryside to hide from potential sources of persecution and violence or submerge into the community of the equally poor and dispossessed, the internally displaced are among the most vulnerable populations, desperately in need of protection and assistance.⁶ It is in this context that this paper critically examines the protection of the core labour rights of IDWs from the Northwest and Southwest Regions of Cameroon, whom they as vulnerable persons deserves the protection of their rights generally and their core labour rights in particular.

The Conceptualisation Of The Internally Displaced Workers In Cameroon

Most, if not all workers in the private sector employments in the country are internal migrant workers. Most of these persons usually journey from their villages to urban centres in quest for employment opportunities resulting from unemployment or underemployment. A case in point is the movement of most youths from villages such as Ambo, Gussang, Anong, Nkoh, Bamtsi, Bole, Nganjo, Bayi, Njenatah amongst others in search of employment opportunities in cities like Bamenda, Kumbo, Kumba, Buea, Dschang and Bafussam. Unfortunately, this is no longer the trend of intra-national labour migration in the country especially from the rural areas in the Northwest and Southwest Regions of the country.

With the advent the socio-political crisis roughing the English Speaking part of the country,⁷ the unemployed, workers, even those that are underemployed have quitted major towns in the affected English regions of the country, such as Bamenda, Kumbo, Kumba, Mamfe, Buea amongst other, to major cities like Douala, Bafussam, Yaoundé and Dschang . Thus the push factor at this instance is no longer poverty (as a result of unemployment), but a conflict (the Anglophone Problem), which has led many Cameroonians previously living/serving in these regions jobless. Thus IDPs/IDWs as conceptualize in this paper are persons who have flee the troubled Anglophone regions of the country to other cities in the French regions or to other less affected areas in these regions, and are in search of employment opportunities or have taken up remunerated activities. These IDPs constitute a blend of both persons who were resident in these trouble regions and were unemployed on the one hand, and those who were actually employed (Internally Displaced Workers (IDWs)). Our interest in this paper is to ascertain the extent to which the core labour rights of IDPs/IDWs from the troubled Anglophone regions of the country are protected.

The Conceptualisation Of Core Labour Rights Of Idws

According to the ILO Declaration on the Fundamental Principles and Rights at Work 1998, the right to freedom of association, collective bargaining, freedom from forced labour, freedom from employment and occupational discrimination and freedom from child labour are recognized as core labour rights which are equally attributed to IDWs, from which derogation is not allowed by States, by virtue of membership of the ILO.

Core labour rights are generally considered as imperative norms⁸ in the field of International Labour Law. As such all Member States of the ILO irrespective of whether they have ratified the relevant conventions⁹ must respect,¹⁰ protect¹¹ and fulfill¹² these rights. Though freedom from child labour is considered as a core labour right as seen in the above Declaration, it is excluded from the scope of this paper since as it is a

⁶ See the introduction to the UN Guiding Principles on the protection of the rights of internally displaced persons, 1998.

⁷ This conflict started in 2016, and it has not been resolved.

⁸ See the 1998 ILO Declaration on Fundamental Principles and Rights at Work.

⁹ Such as the ILO Convention 87 on Freedom of association, ILO Convention 98 on Collective bargaining, ILO Convention 100 on Equal Remuneration, ILO Convention 111 on Employment and Occupational non-discrimination, amongst others.

¹⁰ The duty to respect core labour rights includes the duty by member states not to infringe directly on these rights.

¹¹ The duty to protect requires member states to take measures in order to ensure that other entities such as corporations/enterprises employing workers generally and migrant workers specifically, do not infringe on their rights

¹² And the duty to fulfill requires Member States to take positive steps to realize labour rights. These triple-pronged obligations of states in international human rights law was developed by Henry Shue. See generally H. Shue., *Basic Rights: Subsistence, Affluence and US Foreign Policy*, Princeton, Princeton University Press, 1980, P. 65.

discipline on its own in the broad human rights context(children rights), and it is an ill not work as conceptualized by the ILO.

Though not specifically provided for in the above mentioned 1998 Declaration, the right of IDWs to work is conceptualize as core labour rights in this paper. The rationale behind this reasoning is premised on the fact that, though IDWs are displaced persons, they deserve a special protection as vulnerable and powerless persons in the society. They are still entitled to their fundamental human rights as humankind generally, and as citizens in particular. As such, it incumbent on the State of Cameroon as well as employers to respect, protects and fulfils the core labour rights of these IDWs.

The right to work though arguably¹³ is not recognize as a core labour right in international labour law, we contend that the non-inclusion of the right to work in the prism of core labour rights in international labour law is a missed opportunity to guarantee workers rights in international law. This reasoning is seconded by the fact that the right to work is an enabling right; before enjoying the rights at work, a person must first of all become a worker (the right to work). It follows from this line of reasoning that it is only through the enforcement of the right to work of IDWs' that their rights at work can be attained.

The Protection Of Core Labour Rights Of Idps Under The Cameroonian Legal Framework

The importance of safeguarding core workers' rights in both national and international law cannot be overemphasized. It's only through the protection of these rights that all other work-related rights, such as the right to rest and leisure, the right to health and safety, and the right to social security and also the right to a decent leaving amongst others can be attained. The protection of trade union rights and the elimination of forced labour for instance, guarantees human autonomy at the work place and ensure that workers have the means to achieve whatever substantive work related goals they choose,¹⁴ while ensuring that non-discrimination in employment represents minimal conditions for achieving a life of dignity and self-sufficiency.¹⁵ As such it is incumbent on States to guarantee these rights regardless of their economic development since these rights inhere in human beings.

In this light, the International Confederation of Free Trade Unions (ICFTU),¹⁶ has stated that "these particular standards have been endorsed universally precisely because they do constitute what is globally

¹³ According to M. Amanda, all labour rights are important even though it is impossible to recognize all as core labour rights. These scholars second this view and argue that though all labour rights are important, they are some which are enabling rights that guarantee the attainment of other labour rights and will suffice to project such rights as core labour rights in their entirety. Examples of such rights includes; trade union rights, the right to be free from employment and occupational non-discrimination, the right to be free from forced labour, the right to be free from child labour and the right to work. Interview with M. Amanda, member of the ILO Decent Work Team for central Africa, Yaounde, 18-8-2019.

¹⁴ The absence of forced labour ensures the autonomy of the worker. The worker is at liberty to choose whether to engage in an employment or not or whether to continue in a subsisting employment relationship or not. In fact in the absence of forced labour, the principle of freedom of contract of employment prevails to its maximum to the extent that an employee can abandon his/her employment because the employer has failed to respect a substantive labour standard. On a similar note when workers are denied their substantive rights such as the rights to health and safety, rest and leisure, leave amongst others, they usually engaged their trade unions to collectively bargain with their employers directly or through their associations to look for a comprehensive way forward. In case of a deadlock, such workers unions usually resorts to strikes which at this juncture, the employer has no other remedy than to comply with the substantive needs of its workers.

¹⁵ Respecting non-discrimination in employment dignifies the worker in that they are given their rightful dues and this makes them self-sufficient. The employer who respect the principle of employment non-discrimination even turn to benefit the more as his/her employees are generally happy for the respect of their human dignity, they put in more effort in their jobs and this generally lead to an increase in productivity.

¹⁶ The ICFTU is recognized as the world's largest and most significant global federation of trade union centers, The ICFTU represents 233 affiliated organizations from 152 countries that collectively represent 148 million workers. See W. Keller., 'ICFTU, What It Is, What It Does,' *International Labor And Employment Laws Journal*, Vol. 7, 2003, P. 43. The ICFTU unites workers in free and democratic trade unions and provides them with a means of consultation and collaboration to further their individual and collective aims. See generally <http://icftu.org/displaydocument.asp?DocType=Overview&index=990916422&Language=EN>The ICFTU. Accessed on 14-1-2019. Core labour standards are considered enabling human rights. They seek to realize the conditions reflected in the very strong assumptions underlying neo-classical economic models namely freedom of choice, equal bargaining power, and full information. Hence, unlike substantive labour standards, core labour standards do not bear on production costs except forced labour. They do not impair a country's relative comparative advantages. See generally M. Dessing., *The Social Clause And Sustainable Development*, 2001 in J.

agreed to be a basic minimum set of basic workers' rights that can, and must be protected.'¹⁷ It is in this context that we situate the analysis offered in this paper since as protecting core labour rights of IDPs will guarantee their autonomy, enable them attain other work-related goals, dignity, peace, social justice, and generally their development.

In line with Principle 1 of the UN Guiding Principles on the Protection of the Rights of Internally Displaced Persons 1998,¹⁸ IDWs like any other citizens of the country are guaranteed their core labour rights in both national and ratified international instruments. In this light, the Preamble to the 1996 Constitution of Cameroon as revised just like the constitution of most African states,¹⁹ provides for freedom of association for trade union purposes by stating *inter alia* that '... freedom of association and of trade unionism... shall be guaranteed...'²⁰

In line with ILO Convention 87,²¹ Section 3 of the 1992 Labour Code of Cameroon upholds workers right to freedom of association without any interference. This preambular provision further provides that 'every person has a right to... physical and moral integrity and to humane treatment in all circumstances...'²² This includes, though not directly stated *inter alia*, that no person (be it IDWs or citizens in a stable state) be required to perform forced or compulsory labour. In line with this constitutional provision, section 2(3) of the Labour Code 1992, forbids compelled labour.²³ The country has shown it detest for forced labour to the extent that forced labour has been criminalized in Cameroon²⁴ as in elsewhere²⁵ in the world. Cameroon has

Hiatt and D. Greenfield., 'The Importance of Core Labor Rights in World Development', *Michigan Journal of International Law* Vol 26, Issue1, 2004, P. 45.

¹⁷ ICFTU, Enough Exploitation is enough: A Response to the Third World Intellectuals and NGO's Statement against Linkage, 1999, at <http://www.hartford-hwp.com/archives/25a/022.html>. Accessed on 14-1-2019.

¹⁸ This Principle states that 'Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced.'

¹⁹ See for example article 21 of the Constitution of the Republic of Ghana of 1992, section 80 of Constitution of the Republic of Kenya of 1963, Section 40 of the Constitution of the Federal Republic of Nigeria of 1999, Section 31(2) of the Constitution of the Republic of Malawi 2000, just to name a few.

²⁰ This constitutional provision is similar to the position in Gabon where article 1(13) of the Gabonese constitution of 1991 with amendments through 1997 provides that 'the right to form association, political parties, syndicates, societies, establishments for social interests as well as religious communities, is guaranteed to all under conditions fixed by the law.'

²¹ Ratified on the 7 of June 1960.

²² See Paragraph 13 of the preamble to the 1996 constitution of Cameroon.

²³ By stating that forced labour or compulsory labour shall be forbidden. Sub section 4 of same provision of the labour code in line with article 2 of the ILO Convention 29, 1930 ratified by the state of Cameroon on the 7th of June 1960, define forced labour as 'any labour or service demanded of an individual under threat of penalty, being a labour or service which the individual has not freely offered to perform. Sub section 5 of section 2 of same labour code presents the exceptions to forced labour in the Cameroonian context to wit: a. Any work or service exacted by virtue of compulsory military service laws and regulations for work of a purely military nature. b. Any work or service in the general interest forming part of the civic obligation of citizens as defined by the laws and regulation. C. Any work or service exacted from any person as a consequence of a conviction in the court. d. Any work or service exacted in cases of force majeure, that is to say in the event of war, disaster or threatened disaster such as fire, flood, severe violent epidemic or epizootic diseases, invasion by animals, insects or plant pest, and in general, any occurrence that would endanger or threaten to endanger the existence or the well being of all or part of the population.

²⁴ See Section 292 of Law No. 2016/007 of 12th July 2016 relating to the Penal Code. This section of the Cameroon Penal Code provides that 'Whoever for his personal advantage compels another to do any work or to render any service which he has not offered of his own free will shall be punished with imprisonment for from 1 (one) to 5 (five) years or with fine of from CFFAF 10 000 (ten thousand) to CFAF 500 000 (five hundred thousand), or with both such imprisonment and fine.'

²⁵ For instance the UK Immigration and Asylum (Treatment of Claimants.) Act 2004 makes trafficking of people for exploitation, including by way of forced labour, a criminal offence. Also in Scotland trafficking in human beings including for forced labour is covered by Section 46 of the Criminal Justice and Licensing (Scotland) Act 2010. In addition slavery, servitude and forced or compulsory labour are a criminal offence under Section 71 of the Coroners and Justice Act 2009 in England, Wales and Northern Ireland, and Section 47 of the Criminal Justice and Licensing Act in Scotland. The maximum sentence for this offence is 14 years' imprisonment. Legal action could also be pursued through an employment tribunal. In the United States the Trafficking Victim Protection Act (TVPA) 2000, also criminalizes forced labour to the extent that the perpetrators are punished with 20 years imprisonment. The Trafficking Victims Protection Reauthorization Act (TVPR) 2008, further extends the scope of forced labour to include an offence of knowingly benefiting from forced labour to the extent that a person who benefit knowingly and

equally ratified²⁶ ILO Convention 29 on the prohibition of forced labour to help guarantee the right to freedom of contract of employment in the country.

The preamble to the 1996 Constitution of Cameroon provides *inter alia* that ‘all persons shall have equal rights...the State shall provide all its citizens with conditions necessary for their development.’²⁷ In this connection, section 4(2) (a) of the Labour Code provides that ‘workers shall be protected from any acts of anti-union discrimination in respect of their employment.’ The State of Cameroon has equally ratified ILO Convention 100²⁸ on equal remuneration and Convention 111²⁹ on employment and occupational non-discrimination to help guarantee employment stability for citizens (IDWs inclusive). In the same light, Article 3(d) of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (also known as the Kampala Convention), 2009 upholds the respect and protection of the human rights of the internally displaced persons including humane treatment, non-discrimination, equality and equal protection of law.³⁰

Paragraph 6 of the preamble to the 1996 constitution of Cameroon recognized all persons’ equal rights, and the State commitment to provide its citizens with the conditions necessary for their development. The right to work as per this study falls within the province of ‘the State commitment to provide its citizens with the conditions necessary for their development.’

To conform with its international law obligations on safeguarding the right to work for its citizens assumed when she ratified UN ICESCR,³¹ ILO Convention 122 on employment policy³² and the ACHPR,³³ paragraph 6 of the preamble to the 1996 constitution of Cameroon recognized all persons’ equal rights, and the State commitment to provide its citizens with the conditions necessary for their development. The right to work as per this paper falls within the province of ‘the State commitment to provide its citizens with the conditions necessary for their development.’ The rationale behind this view rests on the premise that it is only through the enforcement of the right to work that citizens can indeed attain socio-economic and even political development when they are empowered financially through their work proceeds.

The Effectiveness Of The Conservation Of The Core Labour Rights Of Idws In Cameroon

Despite the above efforts made to guarantee core labour rights in the country, the enforcement of the core labour rights of IDWs in the country is still wanting.

IDPs, should be noted, are vulnerable persons whose rights generally and core labour rights specifically must be protected to guarantee their development. Most of these IDPs who have taken up remunerated activities in cities like; Douala, Yaounde, Bafusam amongst other are discriminated upon,³⁴ subjected to forced labour and lack the opportunity to engage in income generating activities. This compound an already bad situation since as most of them became redundant without any pay off dues, worked for months before

financially from participating in a venture that has engaged in forced labour is criminally liable and may be punished with 20 years imprisonment. The ‘person’ contemplated in this provision include both natural and legal persons.

²⁶ Ratified on the 7th of June 1960.

²⁷ See Paragraph 5 of the Preamble to the 1996 constitution of Cameroon. Article 65 of same makes the preamble part and parcel of the constitution.

²⁸ Ratified on the 3rd of September 1962.

²⁹ Ratified on the 13th of May 1988.

³⁰ See also Principle 13(2) of the 1998 UN Guiding Principles for the Protection of the Rights of Internally Displaced Persons which states that ‘Internally displaced persons shall be protected against discriminatory practices of recruitment... as a result of their displacement. In particular any cruel, inhuman or degrading practices that compel compliance or punish non-compliance with recruitment are prohibited in all circumstances.

³¹ Ratified on the 27th of June 1984.

³² Ratified on the 25th of May 1970.

³³ Ratified on the 18th of September 1989.

³⁴ Most of these workers have elected residence in neighboring cities in search of alternative employment opportunities.

Unfortunately for them, the demand for work in these cities is far more than the available jobs. As such most employers have seized this opportunity to exploit most of the workers by paying them salaries that are far below the minimum pay package in the country, and equally below the amount received by their colleagues in same institution. Interview with Mr Fuanyi Hene teacher with Siak primary school Bonaberi, Bonaberi, 12-4-2018.

their redundancy without salaries, and those who even received salaries witnessed a drop in their usual take home package,³⁵ following the loss of their jobs in corporations like the CDC, PAMOL, *Les Brasseries du Cameroun*, denominational and non-denominational educational institutions and other enterprises.

To this effect, the question that preoccupies our mind at this instance is; what has the state of Cameroon done to enhance the respect, protection and the fulfillment of the core labour rights of IDPs in the country? Though the state of Cameroon is not under any obligation to provide all and sundry with employment under general comment 18 of ICESCR, she must adopt measures that will enable these IDPs to gain full, productive and decent employment.³⁶

Conclusion

We have in this paper discussed the protection of core labour rights of internal migrants by paying particular attention to the case of IDWs from the Northwest and Southwest regions of Cameroon, and generally argues that though as per Principle 1 of the UN Guiding Principles for the protection of the rights of the Internally Displaced Persons 1998, IDPs are citizens, and are protected under national laws and international human rights law.

We further submit that IDPs are citizens *sue generis*³⁷ and are to be protected under specific laws. This justifies the adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons 2009, to help safeguards the rights of internally displaced persons in Member States, and also the Protocol on the Protection and Assistance to Internally Displaced Persons in the Great Lake Region, 2006.³⁸

Despite these strives on the betterment of the condition of IDPs, unfortunately there is no universal instrument on the protection of the rights of IDPs. This is compounded by the fact that the state of Cameroon is the only country in the Economic and Monetary Community of Central African States that has not ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa 2009. This justifies the violation of the core labour rights of some IDPs who have taken up remunerated activities in their host communities, contrary to Principle 3 of the UN Guiding Principles for the Protection of the Rights of Internally Displaced Persons 1998, which mandates national authorities to provide protection and assistance to internally displaced persons within their jurisdiction. Though this Principle does not command a binding force, it remains an inspirational document, as it guide States on the treatment of IDPs in their territories.

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³⁵ Interview with Mr Alemnka Fed Former teacher with Our Lady of Grace High School, Muyuka, 11-3-2019.

³⁶ See paragraph 6 of general comment 18 of ICESCR, 2005. Work, as specified in article 6 of ICESCR, must be decent work. This is work that respects the fundamental rights of the human person as well as the rights of workers in terms of conditions of work safety and remuneration. It also provides an income allowing workers to support themselves and their families as highlighted in article 7 of ICESCR. These fundamental rights also include respect for the physical and mental integrity of the worker in the exercise of his/her employment. See generally paragraph 7 of General Comment 18 of ICESCR, 2005.

³⁷ These are citizens in a vulnerable situation and as such needs special protection under the domestic legal instruments.

³⁸ This region comprises of Rwanda, Burundi and Democratic Republic of the Congo. Over six million people are displaced in this region. See generally <https://www.eda.admin.ch/deza/home/countries/great-lakes-regions>. Accessed on the 9-11-2019.

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