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DE L'HOMME DU CAMEROUN**

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DE LA PROMOTION DES DROITS DE L'HOMME**

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**CAMEROON HUMAN  
RIGHTS COMMISSION**

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**STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION  
TO MARK WORLD REFUGEE DAY**

**20 June 2023**

**Theme: *Hope away from home. A world where refugees are always included***

The Cameroon Human Rights Commission (hereinafter: "the Commission"), established by Law No. 2019/014 of 19 July 2019 and set up on 29 April 2021, following the swearing-in of its members before the Supreme Court sitting in combined chambers,

*Bearing in mind* the provisions of Article 8 of Resolution No. A/RES/55/76 of 4 December 2020 in which the UN General Assembly decides "that, as from 20 June 2001 shall be World Refugee Day":

- in celebration of the 50th anniversary of the Convention governing the status of refugees adopted in Geneva on 28 July 1951, which entered into force on 22 April 1954 and was ratified by Cameroon on 23 October 1961,
- in recognition, at the international level, of the celebration on 20 June of African Refugee Day since 1975, established by Resolution No. 398 of the Organisation of African Unity (OAU), now the African Union (AU), according to Article 7 of the same instrument,

*Noting that* Article 2 of Law No. 2005/006 of 27 July 2005 relating to the status of refugees in Cameroon, considers as a refugee, "in accordance with the Geneva Convention of 28 July 1951 concerning the Status of Refugees, as amended by its New York Protocol of 31 January 1967 and the OAU Convention governing the specific aspects of refugee problems in Africa signed in Addis Ababa on 10 September 1969:



- *someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it ;*
- *every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part 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",*

**In like manner**, the mandate of the Office of the UN High Commissioner for Refugees (UNHCR), make known *"two categories of persons are eligible for refugee status:*

- 1. a person who fulfils the criteria contained in the refugee definition as set out in the UNHCR Statute, which is virtually identical to that contained in the 1951 Convention, and*
- 2. persons who have fled their country because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order"<sup>1</sup>,*

**Considering** that since 1972, the HCR has been working alongside States, other UN agencies and NGOs as part of a concerted effort to protect and assist IDPs<sup>2</sup>,

**Recalling** the words of Mr Antonio GUTERRES, United Nations High Commissioner for Refugees from June 2005 to December 2015, who, in describing the vulnerability of the refugee, uses the image of a situation in which *"everyone has to leave behind everything that has been dear and precious to them, in other words, find themselves thrown into an uncertain future, in a foreign environment"*, and urges communities and host States to imagine *"the courage it takes to live with the prospect of having to spend months, years, perhaps a lifetime, in exile"*,

**Noting** that *"the vast majority of these people are women, children and the elderly, victims [...] of worsening armed conflicts and ethnic violence"<sup>3</sup>,*

<sup>1</sup>International protection. - an introductory program on protection, Chapter 2, on persons of concern to UNHCR, <https://www.unhcr.org/fr/media/le-hcr-et-la-protection-internationale-un-programme-dintroduction-la-protection-chapitre-2>, accessed on 15 juin 2023.

<sup>2</sup> *Ibid.*

<sup>3</sup> « Journée des réfugiés en Afrique – quand deux millions de réfugiés sont en quête de sécurité, il est temps que les Gouvernements agissent », in *Amnesty International News Bulletin*, n°100/97, issue published in the context of the security situation which then prevailed in the Région des Grands Lacs of Africa and which led to the influx of refugees between 1994 and 1997.



**Noting** that it is around this picture that the HCR underlines the importance and the need to "protect those who flee in the hope of finding a safe place"<sup>4</sup> to mark World Refugee Day 2023 on the theme: *Hope away from home - a world where refugees are always included*,

**Considering** the Preamble to the Cameroon Constitution of 18 January 1996, which states that "every person shall have the right to settle in any place and to move about freely, subject to the statutory provisions concerning public law and order, security and tranquillity",

**Considering** Resolution No. A/RES/73/151 of 17 December 2018 by which the UN General Assembly approves, in its Article 25 the Global Compact on Refugees as suggested by the UNHCR,

**Bearing in mind** that the objectives of this Global Compact on Refugees are to:

- i) ease pressures on host countries;
- ii) enhance refugee self-reliance;
- iii) expand access to third-country solutions;
- iv) support conditions in countries of origin for return in safety and dignity,

**Recalling** that, when States ratify instruments for the protection and promotion of the rights of refugees<sup>5</sup>, they undertake to implement the recommendations of Resolution No. 429 (V) of 14 December 1950 of the UN General Assembly<sup>6</sup> concerning international protection, which covers a wide range of areas relating to:

- transitional measures concerning travel documents ;
- the principle of family unity ;
- appropriate social services ;
- international solidarity in the areas of asylum and resettlement ;
- the extension of the scope of the Convention,

**Bearing in mind that** these instruments:

- establish minimum essential standards for the treatment of refugees, while leaving States free to grant more favourable treatment ;
- provide for State-level administrative measures in connection with freedom of movement, and procedures for issuing identity documents, travel documents, naturalisation, expulsion, protection against expulsion and non-refoulement, for

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<sup>4</sup> *Ibid.*

<sup>5</sup> La Convention relative au statut des réfugiés adoptée le 28 juillet 1951, entrée en vigueur le 22 avril 1954 et ratifiée par le Cameroun le 23 octobre 1961 ; la Convention de l'Organisation de l'Unité africaine qui régit les aspects propres aux problèmes des réfugiés en Afrique, adoptée le 10 septembre 1969, entrée en vigueur le 20 juin 1974, ratifiée par le Cameroun le 7 septembre 1985 ; la Charte africaine des Droits de l'homme et des peuples adoptée le 27 juin 1981 au Kenya, entrée en vigueur le 21 octobre 1986 et ratifiée par le Cameroun le 20 juin 1989.

<sup>6</sup> Par sa Résolution n° 429 (V) du 14 décembre 1950, l'Assemblée générale des Nations Unies a mis sur pied la Conférence de plénipotentiaires des Nations Unies sur le statut des réfugiés et des apatrides.



- ascertaining the situation of refugees in an irregular situation in a host country, and procedures for calculating taxes and transferring assets ;
- provide various guarantees against the expulsion of refugees, based on the principles of "non-discrimination" and the notions of "equal treatment" and "the same circumstances",

**Recalling** Article 32 of the Convention relating to the Status of Refugees, which states that "The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order",

**Considering** the principle of nonrefoulement as set out in Article 33 of the Convention relating to the Status of Refugees, which provides that "*No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion*",

**Noting** the recurrent use of the phrase, "*the Contracting States shall accord to every refugee treatment as favourable as possible and in any event not less favourable than that accorded in the same circumstances to aliens generally*", in the preceding instruments ;

**Considering** that Cameroon hosts refugees of various nationalities on its soil and that several Cameroonians have found refuge in friendly countries, such as Chad and Nigeria, as a result of the security situation in the Far North Region, marred by atrocities committed by the terrorist sect Boko Haram, and in the North-West and South-West Regions,

As in 2022, **the Commission commends** the constant support of UN agencies, especially the UNHCR, other international organisations and national actors to refugees in the form of multi-faceted supplies to address urgent needs for basic services

**The Commission commends** the signing of a Memorandum of Understanding between the African Commission on Human and Peoples' Rights (ACHPR) and the UNHCR aimed at strengthening cooperation between the two entities to more effectively promote and protect the human rights of refugees, asylum seekers, returnees and other persons under their respective mandates

**The Commission acclaims** Cameroon for the measures presented in Banjul on 10 May 2023, when the country participated in the 75th Ordinary Session of the UNCHR dedicated to the Special Mechanism on Refugees, Asylum Seekers, Displaced Persons and Migrants in Africa, particularly:

- the setting up, in October 2022, of the Emergency Humanitarian Assistance Plan to provide a budget of 25 million CFA francs to support the 89,268 Cameroonian refugees in Nigeria ;



- the measures to support the voluntary return of refugees, specifically 599 Central African refugees from the Gado-Badzéré and Lolo sites in the East Region, from May to August 2022 ;
- the UNHCR's Flagship Household Survey, which was carried out in several pilot countries as part of the Global Programme of Surveys on the Living Conditions of Refugees and Host Populations ;
- the roll-out of a cross-border programme to promote sustainable solutions to the situation of Central African refugees. This programme is part of implementing the recommendations of the Regional Ministerial Conference held in Yaoundé from 25 to 27 April 2022 on solutions to forced displacement linked to the Central African crisis;
- the State of Cameroon took measures to alleviate the burden of caring for its nationals who enjoy the same status in neighbouring countries, in this case by granting three million CFA francs as an initial emergency response to Cameroonian refugees in Chad;

***The Commission especially commends*** the measures taken by the Government to promote and protect the rights of refugees, asylum seekers and IDPs, particularly:

- the continuation of biometric screening and refugee registration operations to update refugee files, whose statistics, available from the UNHCR<sup>7</sup> in February 2023 and published on 9 March 2023, showed :
  - o a total of 2,060,471 persons are of concern to the UNHCR ;
  - o some 480,540 registered refugees and asylum seekers ;
  - o a total of 1,013,560 IDPs ;
  - o an estimated 557,886 IDPs returned ;
  - o an estimated 8,477 unregistered refugees ;
- the signing of Decree No. 2023/147 of 2 March 2023 laying down the terms and conditions of application of Law No. 97/012 of 10 January 1997 concerning the conditions of entry, residence and exit of foreigners in Cameroon
- the establishment of consultation frameworks between the Ministry of External Relations and the United Nations High Commissioner for Refugees, especially the consultation held on 26 November 2022 in Yaoundé, to ensure operational and efficient strategic coordination actions carried out in favour of refugees and host populations living on Cameroonian territory ;
- the establishment, by the municipal council of Mamfe, of a reception site for Cameroonians returning from Nigeria, who had found themselves there due to the security situation prevailing in the North-West and South-West Regions,

<sup>7</sup> <https://reliefweb.int/report/cameroon/cameroon-statistiques-des-personnes-relevant-de-la-competence-du-hcr-février-2023>, accessed on 14 June 2023.



Finally, *the Commission commends* the hospitality of the host populations, whose estimated number is 5,378,796 people, according to UNHCR statistics available in March 2023<sup>8</sup>;

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*The Commission* nevertheless remains concerned about:

- the non-functioning bodies managing the status of refugees in Cameroon (namely, the Refugee Status Eligibility Commission and the Appeals Commission) created by Decree No. 211/389 of 28 November 2011, yet made operational by appointing the members of these bodies by Order No. 522/D/PL/CAB of 7 August 2019 and set up on 24 October 2019, following the swearing in of these members before the High Court in Yaounde ;
- the fact that Cameroon is still affected by the conflict in the Lake Chad Basin, terrorism in the North-West and South-West Regions, and the impact of the security situation in the Central African Republic in the East, Adamaoua and North Regions, provoking the precariousness of more than two million people, including one million IDPs, people who have returned to their places of origin and 479,000 refugees and registered asylum seekers
- the fact that, according to data available to UNHCR as of 7 June 2023, more than 2,300 displaced persons were attacked by a non-State armed group, on the night of 16 April 2023, in Zeleved and Krawa-Mafa villages in Mayo Moskota Sub-Division in the Far North Region, with the kidnapping of two civilians and the burning of about 500 houses;

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*The Commission once again urges* the Government to make the Eligibility Commission and the Appeals Commission operational, so that refugees can benefit from a recognised status and enjoy the associated privileges;

*The Commission reiterates* the recommendations it made in 2022 to:

- *the institutions responsible for the defence and security of persons* to take measures to provide refugees with protection and humanitarian assistance as they move to safer areas within the country, and take special measures to facilitate their identification by obtaining new identity documents

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<sup>8</sup> <https://reliefweb.int/report/cameroon/cameroun-statistiques-des-personnes-relevant-de-la-competence-du-hcr-février-2023>, accessed on 14 June 2023.



- *the Ministries of Education in Cameroon* to implement the Government's guidelines and instructions aimed at facilitating the access of refugees to schools permanently
- *the Ministry of Public Health* should take measures to ensure that refugees and asylum seekers receive sufficient assistance to access health services for their well-being and their families ;
- *the ministries and other bodies in charge of employment* should ensure the socio-professional integration of refugees is pursued so that they can exercise a profession and use their talents and skills to contribute to the country's economy;

**The Commission recommends** that the Ministry of Decentralisation and Local Development and the Ministry of Territorial Administration and Local and Regional Authorities increase the awareness of administrative assistants and actors vested with the power to manage municipalities on procedures for managing the status of refugees, IDPs and asylum seekers ;

**The Commission recommends** that Government should make a greater commitment to better protect the rights of refugees as part of the Treaty establishing the African Continental Free Trade Area adopted on 1 January 2021;

**The Commission also recommends** that Civil Society Organisations should increase their efforts in raising awareness of this issue among:

- *host populations* on the rights of refugees, internally displaced persons and asylum seekers;
- *refugees* on their duties towards the country where they find themselves, particularly the obligation to comply with the laws and regulations in force, as well as the measures taken to maintain public order;

For its part, **the Commission will spare no effort** to promote and protect human rights and especially the rights of refugees and people in humanitarian emergencies, through training workshops, awareness-raising and information, advocacy, fact-finding missions, handling complaints and conducting self-initiated investigations;

The Commission therefore urges any victim or witness of human rights violations and particularly violations of the rights of refugees, IDPs and asylum seekers to contact the institution, including by using their **toll-free number, 1523**.

Yaoundé, 1.9 JUIN 2023  
 Pour le Président  
 et par Ordre  
 Ganga Raphaël  
 Ministre Plénipotentiaire Hors Echelle

