

RÉPUBLIQUE DU CAMEROUN

Paix- Travail – Patrie  
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REPUBLIC OF CAMEROON

Peace – Work – Fatherland  
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**Single Report comprising the 4<sup>th</sup>, 5<sup>th</sup> and  
6<sup>th</sup> Periodic Reports of Cameroon relating to the  
African Charter on Human and Peoples' Rights  
and  
1<sup>st</sup> Reports relating to the Maputo Protocol and the  
Kampala Convention**

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## LIST OF ACRONYMS AND ABBREVIATIONS

<i>ACAFEJ :</i>	<i>Association camerounaise des Femmes Juristes</i>
ACHPR:	African Commission on Human and Peoples' Rights
ADB:	African Development Bank
AER :	Rural Electrification Agency
<i>AFFADA :</i>	<i>Association des Femmes et Filles de l'Adamaoua</i>
ALDEPA:	Action Locale pour un Développement Participatif et Autogéré
ANOR :	Norms and Standardisation Agency
ARV :	Antiretrovirals
BEFC:	Business Establishment Formalities Centre
BUCREP :	Central Bureau for Census and Population Studies
CACSC:	<i>Cameroon Anglophone Civil Society Consortium</i>
CAMRAIL :	Cameroon Railways
CAPEP:	Accelerated Primary School Preparatory Curriculum Project
CARED:	Accelerated Curricula for the Reintegration of Out-of-School Children
<i>CED :</i>	<i>Centre pour l'Environnement et le Développement</i>
CEDAW:	Convention on the Elimination of all Forms of Discrimination against Women
CEMAC:	Central African Economic and Monetary Community
CFC :	Housing Loan Fund
CIDIMUC :	Council of Imams and Muslim Dignitaries of Cameroon
CFI:	Court of First Instance
CIMA:	Inter-African Conference on Insurance Markets
CIPCRE:	International Circle for the Promotion of Creation
CISPAV:	Intersector Committee of Programmes and Projects involving Vulnerable Indigenous Population
CPC:	Criminal Procedure Code
CPFF:	Women Empowerment and the Family Centres
CSO:	Civil Society Organizations
DGSN:	General Delegation for National Security
DWCP:	Decent Work Country Programme
DWS:	Drinking Water Supply
<i>EEC</i>	<i>Eglise Evangélique du Cameroun</i>
EIFORCES:	International School for Security Forces
ELECAM:	Elections Cameroon

ENAM:	National School of Administration and Magistracy
FBDC:	Financial and Budget Disciplinary Council
FEICOM:	Special Council Support Fund
FIDA:	International Federation of Female Lawyers
FONIJ:	National Youth Integration Fund
FPIC:	Free, Prior and Informed Consent
GBV:	Gender-Based Violence
GESP:	Growth and Employment Strategy Paper
GICAM:	Inter Professional Group of Cameroon
HSS:	Health Sector Strategy
ICRC:	International Committee of the Red Cross
IDP:	Internally Displaced Persons
ILO:	International Labour Organization
IOM:	International Organization for Migration
LCBC:	Lake Chad Basin Commission
LUKMEF:	Martin Luther King Jr. Memorial Foundation
MINAC:	Ministry of Arts and Culture
MINAS :	Ministry of social Affairs
MINAT:	Ministry of Territorial Administration
MINATD :	Ministry of Territorial Administration and Decentralisation
MINCOM :	Ministry of Communication
MINCOMMERCE :	Ministry of Trade
MINDDEVEL :	Ministry of Decentralisation and Local Development
MINEDUB :	Ministry of Basic Education
MINEFOP :	Ministry of Employment and Vocational Training
MINEPDED :	Ministry of Environment, Nature Protection and sustainable Development
MINESEC :	Ministry of Secondary Education
MINESUP :	Ministry of Higher Education
MINFOPRA :	Ministry of Public Service and Administrative Reform
MINHDU :	Ministry of Housing and Urban Development
MINIMDT :	Ministry of Mines, Industry and Technological Development
MINJEC :	Ministry of Youth and Civic Education
MINJUSTICE :	Ministry of Justice

MINPROFF:	Ministry of Women's Empowerment and the Family
MINREX :	Ministry of External relations
MINSANTE :	Ministry of Public Health
NAFI:	National Agency for Financial Investigation
NAOCC:	National Observatory on Climate Change
NCC:	National Communication Council
NCC:	National Crisis Committee
NCCAP:	National Climate Change Adaptation Plan
NCHRF:	National Commission on Human Rights and Freedoms
NCP:	National Contingency Plan
NCPBM:	National Commission for the Promotion of Bilingualism and Multiculturalism
NCSAPD:	National Civic Service Agency for Participation in Development
NCDDR:	National Committee for Demobilization, Disarmament and Reintegration
NDC:	Nationally Determined Contributions
NDH :	<i>Nouveaux Droits de l'Homme</i>
NEF	National Employment Fund
NEVTO:	Reorganization of the National Employment and Vocational Training
NGP:	National Gender Policy
NHDP:	National Health Development Plan
NSIF:	National Social Insurance Fund
NVP:	National Volunteerism Programme
NYO:	National Youth Observatory
OAU:	Organization of African Unity
OHADA:	Organization for the Harmonization of Business Law in Africa
PANDEF:	National Action Plan for the Development of Female Entrepreneurship
PANEJ:	National Youth Employment Plan of Action
PANETEC:	National Plan of Action for the Elimination of the Worst Forms of Child Labour
PCREP:	Population Climate Resilience Enhancement Programme
PLANUT:	Triennial Emergency Plan for the Acceleration of Growth
PTA:	Parent Teacher Association
REFELA-Cam:	Network of Locally Elected Women of Africa, Cameroon branch

REPECC:	Enhancement of Population Resilience against Effects of Climate Change Programme
SCC:	Special Criminal Court
SCNC:	<i>Southern Cameroons National Council</i>
SDG:	Sustainable development Goals
SMIG:	Guaranteed Minimum Inter-professional Wage
<i>TPD :</i>	<i>Tribunal de Premier Degré</i>
UHC:	Universal Health Coverage
UN WOMEN:	United Nations Entity for Gender Equality and the Empowerment of Women
UNHCR:	United nations High Commissioner for Refugees
UNDP:	United Nations Development Programme
WILPF:	Women League for Peace and Freedom
YPMC:	Youth Promotion Multi-purpose Centres

**REPORT RELATING TO THE AFRICAN  
CHARTER ON HUMAN AND PEOPLES' RIGHTS  
AND RELATED CONVENTIONS**

## GENERAL INTRODUCTION

1- As part of continuous dialogue initiated in 2002<sup>1</sup> with the African Commission on Human and Peoples' Rights (ACHPR), and in compliance with Article 62 of the African Charter on Human and Peoples' Rights (The Charter), the State of Cameroon hereby submits its 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Periodic Reports relating to The Charter. The Report covers the period 2013-2017, and in a bid to produce updated information, it contains some information for the year 2018.

2- This Report was drawn up in compliance with the methodology laid down by the ACHPR<sup>2</sup>. In this regard, the drafting that was supervised by the *Interministerial Committee for Monitoring the Implementation of Recommendations and/or Decisions of International and Regional Mechanisms tasked with the promotion and protection of Human Rights* in the Prime Minister's Office, was guided by the willingness to involve different stakeholders from the Administration, the Civil Society and the National Commission on Human Rights and Freedoms (NCHRF). Contributions were requested from all the parties with a view to preparing a draft by a team coordinated by the Ministry of Justice. The Draft Report was later submitted to all stakeholders for validation during a Workshop organised on 4 and 5 December 2018. Civil Society Organizations (CSO) under the supervision of the NCHRF further examined the Draft Report during a meeting held on 21 March 2019. Thus, the Report is a reflection of the initiatives of the different components involved in the promotion and protection of Human Rights in Cameroon during the reference period.

3- From the date of submission of the previous Report, Cameroon has ratified other instruments of the African Human Rights Protection System that require it to submit a Report to the ACHPR. In compliance with the relevant directives that provide for a Single Report in such situation, this Report offers Cameroon the opportunity to submit her initial Report relating to the African Charter on Human and Peoples' Rights relating to Women's Rights in Africa, and the African Union Convention on the Protection and Assistance to Displaced Persons in Africa. Regarding the Charter, information comprises responses to the recommendations on certain rights made in March 2014 when Cameroon defended her 3<sup>rd</sup> Periodic Report<sup>3</sup> as well as other rights contained in the Charter. The Report further contains progress made, challenges encountered and future prospects in the promotion and protection of Human Rights.

4- On the whole, it should be noted that the State of Cameroon implemented the obligations contracted as per the instruments referred to above in a context characterised by security and economic crises. The atrocities of the *Boko Haram* terrorist group were intensified by the end of 2013. While both national and international efforts helped seriously weaken the atrocities of this group, claims by trade unions in North West and South West Regions expressed in October 2016 were progressively transformed into secessionist claims. Meanwhile, economic constraints further deepened by the end of 2016. In a bid to guarantee the Human Rights of persons living within its territorial jurisdiction, the State of Cameroon had to maintain peace and security and take appropriate measures to contain the economic crisis without

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<sup>1</sup>Cameroon presented its initial Report on 5 May 2002 in Pretoria, South Africa at the 31<sup>st</sup> Session of the ACHPR. The 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Periodic Reports of Cameroon were all presented in Banjul, The Gambia respectively at the 39<sup>th</sup> Session of the ACHPR held from 9 to 23 May 2006, the 47<sup>th</sup> Session held from 12 to 26 May 2010, and at the 54<sup>th</sup> Session held from 22 October to 5 November 2013.

<sup>2</sup>It includes: *Guidelines of 14 April 1989 on how to draw up Reports by States*, *Guidelines on Reports by States Parties on Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights known as the Guidelines of Tunis adopted on 24 October 2011* and the *Guidelines on the Presentation of a Report by a State as per the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa adopted in November 2009*.

<sup>3</sup> The number of the recommendation is in parenthesis



compromising economic activities and growth, and without aggravating the situation of the underprivileged class.

**5-** The Report is divided into 3 parts. Part A dwells on the implementation of the rights contained in The Charter while Part B focuses on information on the implementation of the obligations provided for by the Maputo Protocol. Part C is an outline of the initiatives taken to guarantee the rights provided for in the Kampala Convention.

**PART A:**  
**IMPLEMENTATION OF THE RIGHTS**  
**CONTAINED IN THE CHARTER**

**6-** Part A of the Report is divided into 7 chapters and examines progress made in the implementation of the rights contained in The Charter and outlines the responses to the recommendations made when Cameroon defended her previous Report. Chapter I dwells on the strategic, normative and institutional framework in which Human Rights are guaranteed. Chapter II focuses on the measures taken to guarantee individual rights under civil and political rights. Meanwhile, Chapter III presents the implementation of economic, social and cultural rights and Chapter IV, specific rights. Chapter V examines the collective dimension in the implementation of people's rights, while Chapter VI outlines the cross-cutting principle of non-discrimination. Chapter VII dwells on the implementation of obligations.

## **CHAPTER 1: STRATEGIC, NORMATIVE AND INSTITUTIONAL FRAMEWORK IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS**

**7-** The strategic framework of Human Rights is contained in the National Plan of Action for the Promotion and Protection of Human Rights adopted during the reference period. The Plan contains enhancement of the normative and institutional framework.

### **Section 1: Adoption of the National Plan of Action for the Promotion and Protection of Human Rights (2015-2019)**

**8-** The Plan which was launched on 15 December 2015 by the Prime Minister, Head of Government falls under the 2035 development vision of Cameroon as contained in the Growth and Employment Strategy Paper (GESP). The Plan is based on the strategic thrusts of the GESP relating to human development, governance and the strategic management of the State. It further targets the establishment of a Human Rights culture in Cameroonian society<sup>4</sup>. In its implementation, the Plan has 4 technical programmes focusing on civil and political rights, economic, social and cultural rights, specific rights, cooperation, management and monitoring-evaluation.

### **Section 2: Normative Framework**

**9-** The State has become party to new international instruments and continues to enhance the internal normative framework.

#### **§1: Enhancement of International Commitments of the State**

**10-** The international commitments taken clearly show the determination to consolidate the participation of the State in the promotion of the African Human Rights System, to join the global drive in environmental protection, and create a convenient and secure atmosphere for the exercise of rights and freedoms with special focus on the rights and freedoms of specific and vulnerable groups.

**11-** In this regard, at the international level, on 28 June 2013, Cameroon signed the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled adopted on 27 June 2013. Although Cameroon has not yet completed the ratification process of the **Convention on the Rights of Persons with Disabilities (Recommendation 1)**, however, it has ratified the following:

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<sup>4</sup> The comprehensive goals of the Plan include guaranteeing the right of the people to health, promotion of education and vocational training, promotion of gender equality, social protection and promotion of national solidarity.

- ILO Convention No. 144 on Tripartite Consultation adopted on 2 June 1976 in Geneva, Switzerland, ratified by Decree No. 2015/578 of 16 December 2015<sup>5</sup> ;
- ILO Convention No. 155 on Occupational Safety and Health adopted on 22 June 1981 in Geneva, Switzerland, ratified by Decree No. 2015/579 of 16 December 2015; and
- Paris Agreement on Climate Change adopted on 12 December 2015 in Paris, ratified by Decree No. 2016/320 of 12 July 2016.

**12-** At the regional level, Cameroon ratified the Protocol to the African Charter on Human and Peoples' Rights on the establishment of an African Court on Human and Peoples' Rights as per Decree No. 2014/266 of 22 July 2014<sup>6</sup> (**Rec 1**). Cameroon further ratified the following instruments:

- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) adopted on 11 July 2003 in Maputo, ratified by Decree No. 2009/143 of 28 May 2009<sup>7</sup>;
- African Union Convention for the Protection and Assistance of Internally Displaced People in Africa signed on 22 October 2009 in Kampala, ratified by Decree No. 2014/610 of 31 December 2014;
- Organization of African Unity Convention on the Prevention and Combating of Terrorism adopted on 14 July 1999 in Algiers, ratified by Decree No. 2014/605 of 31 December 2014<sup>8</sup>;
- Protocol to the Organization of African Unity Convention on the Prevention and Combating of Terrorism adopted on 8 July 2004 in Addis Ababa, ratified by Decree No. 2014/606 of 31 December 2014<sup>9</sup>; and
- Charter for African Cultural Renaissance adopted on 24 January 2006 in Khartoum, ratified by Decree No. 2014/607 of 31 December 2014;

**13-** At the Sub regional level, Cameroon ratified the following instruments:

- Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and All Parts and Components that can be used for their Manufacture, Repair and Assembly, adopted on 3 April 2010 in Kinshasa, ratified by Decree No. 2013/300 of 9 September 2013; and
- the Water Charter for the Lake Chad Basin adopted on 30 April 2012 in N'djamena, ratified by Decree No. 2014/608 of 31 December 2014.

**14-** At the bilateral level, Cameroon ratified the following instruments:

- Cooperation Agreement between the Government of the Republic of Cameroon and the Government of the Federal Republic of Nigeria on the non-proliferation of Small Arms and Light Weapons signed in Abuja on 6 February 2018, ratified by Decree No. 2018/456 of 3 August 2018;
- Agreement between the Republic of Cameroon and the Russian Federation on extradition signed in Saint Petersburg on 28 May 2015, ratified by Decree No. 2018/457 of 3 August 2018; and
- Agreement between the Republic of Cameroon and the Russian Federation on the transfer of persons convicted and sentenced to imprisonment signed in Saint Petersburg on 28 May 2015, ratified by Decree No. 2018/459 of 3 August 2018.

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<sup>5</sup> The ratification instruments were submitted on 1 June 2018

<sup>6</sup> The Instruments of ratification were deposited on 9 December 2014

<sup>7</sup> The ratification instrument was submitted on 28 December 2012

<sup>8</sup> The ratification instrument was submitted on 24 May 2017

<sup>9</sup>The ratification instrument was submitted on 24 May 2017

## **§2: Enhancing the Legislative and Regulatory Framework**

**15-** At the national level, significant progress was made to enhance the legislative and regulatory framework. In this regard, among the legislative reform initiatives referred to in the previous Report, the Penal Code was adopted pursuant to Law No. 2016/7 of 12 July 2016 (**Rec II**). The scope of the normative framework was also widened with other instruments aimed, among others, at guaranteeing the enjoyment of cultural rights, transparency in the management of public affairs, promoting the right to development by easing economic activities and the free provision of natural resources, enhancing social protection, protecting the right to a healthy environment, right to health and the right of access to justice. The following instruments are quite illustrative:

- Law No. 2013/3 of 18 April 2013 governing cultural heritage;
- Law No. 2013/4 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon;
- Law No. 2014/28 of 23 December 2014 on suppression of acts of terrorism;
- Law No. 2016/6 of 18 April 2016 governing tourism and leisure activities in Cameroon;
- Law No. 2016/17 of 14 December 2016 instituting the Mining Code;
- Law No. 2017/9 of 12 July 2017 to lay down the powers, organization and functioning of the Economic and Social Council;
- Law No. 2017/10 of 12 July 2017 to lay down the general rules and regulations governing public establishments;
- Law No. 2017/11 of 12 July 2017 on the general rules and regulations governing public corporations;
- Law No. 2017/12 of 12 July 2017 to lay down the Code of Military Justice;
- Law No. 2017/13 of 12 July 2017 to punish offences against civil aviation safety;
- Law No. 2017/14 of 12 July 2017 to amend and supplement some provisions of Law No. 2006/16 of 29 December 2006 to lay down the organization and functioning of the Supreme Court;
- Law No. 2017/15 of 12 July 2017 to amend and supplement some provisions of Law No. 2013/4 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon;
- Law No. 2018/10 of 11 July 2018 governing vocational training in Cameroon;
- Law No. 2018/11 of 11 July 2018 to lay down the Cameroon Code of Transparency and Good Governance in public finance management;
- Law No. 2018/12 of 11 July 2018 relating to fiscal regime of the State and other public entities;
- Law No. 2018/14 of 11 July 2018 relating to the organization and promotion of physical and sporting activities in Cameroon;

**16-** The following regulatory instruments were also signed:

- Decree No. 2013/171/PM of 14 February 2013 to lay down the terms and conditions for conducting Environmental and Social Impact Assessments;
- Decree No. 2013/172/PM of 14 February 2013 to lay down the terms and conditions for Environmental and Social Audit;
- Decree No. 2013/204 of 28 June 2013 to lay down the organization and functioning of the Rural Electrification Agency;
- Decree No. 2013/234 of 18 July 2013 to regulate Legal and Court Notices;
- Decree No. 2014/2217/PM of 24 July 2014 to upgrade the Guaranteed Minimum Inter-occupational Wage (SMIG);
- Decree No. 2014/2377/PM of 13 August 2014 to lay down the terms and conditions of management of optional insurance holders for old age pension, disability pension, and death benefits;
- Decree No. 2014/2378/PM of 20 August 2014 to amend and supplement some provisions of Decree No. 2007/1419/PM of 2 November 2007 to lay down the

- enabling instrument of Law No. 97/3 of 10 January 1997 on real estate development;
- Decree No. 2015/292 of 29 June 2015 establishing the General Census of Agriculture and Livestock in Cameroon;
- Decree No. 2016/34 of 21 January 2016 to upgrade the amount of family allowance;
- Decree No. 2016/72 of 15 February 2016 to fix the amount of social security contributions and remuneration ceilings applicable in the areas of family allowance, old age pension, disability pension, death benefits, industrial injury and occupational diseases managed by the National Social Insurance Fund (NSIF);
- Decree No. 2017/877/PM of 28 February 2017 to lay down the terms and conditions of authenticating the articles of association of the private limited company in Company Establishment Formality Centres in Cameroon; and
- Decree No. 2018/366 of 20 June 2018 to lay down the Public Contracts Code.

### Section 3: Development of the Institutional Framework

**17-** The institutional framework was significantly enhanced with the consolidation and effective functioning of existing institutions, and the establishment of new ones. In addition to coordination institutions for administrative action or management of specific issues that will be discussed in the different parts of this Report, the institutional drive was characterised by the determination to consolidate the democratic process, step up the participation of citizens in the management of public affairs and preserve the Cameroon Nation's special identity. In this regard, the following institutions can be mentioned:

- the **Constitutional Council** which is functional since 6 March 2018, the date its members<sup>10</sup> took their oath of office before Parliament sitting in congress;
- the **National Commission on Human Rights and Freedoms** (NCHRF) where new members<sup>11</sup> were appointed and it witnessed a steady increase in its human and financial resources within the limits of available means, with the aim of consolidating its independence. The NCHRF has 9 branch offices nationwide, 8 of which are functional and it publishes a yearly Report on Human Rights. This institution was conferred the mandate of the National Mechanism for the Prevention of Torture provided for by the Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (**Rec. 11**);
- the **National Commission for the Promotion of Bilingualism and Multiculturalism** (NCPBM) which is in charge of working towards promoting bilingualism and multiculturalism in Cameroon, with a view to maintaining peace, consolidating national unity of the country and stepping up the determination and daily practice of living together by the people<sup>12</sup>;
- the **Ministry of Decentralization and Local Development** (MINDDEVEL) established during the Cabinet Reshuffle of 2 March 2018 falls in line with the aim of speeding up the decentralization process and promotion of local development; and
- the Commission for Compensation of Victims of Illegal Detention in Cameroon that became functional during the reference period.

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<sup>10</sup>Members were appointed on 7 February 2018 by the following Decrees: Decree No. 2018/105 of 7 February 2018 to appoint members of the Constitutional Council; Decree No. 2018/106 of 7 February 2018 to appoint the President of the Constitutional Council. The administrative structure was set up by Decree No. 2018/104 of 7 February 2018 to lay down the organization and functioning of the Secretariat General of the Constitutional Council. Officials of the said Secretariat General were appointed by the following Decrees: Decree No. 2018/170 of 23 February 2018 to appoint the Secretary-General of the Constitutional Council; Decree No. 2018/445 of 31 July 2018 to appoint officials of the Secretariat General of the Constitutional Council.

<sup>11</sup>The new members were appointed by Decree No. 2014/399 of 8 October 2014 to renew the term of office of some members of the National Commission on Human Rights and Freedoms.

<sup>12</sup>See Article 3 of Decree No. 2017/13 of 23 January 2017 to set up and lay down the organization and functioning of the National Commission for the Promotion of Bilingualism and Multiculturalism

## **CHAPTER 2: IMPLEMENTATION OF CIVIL AND POLITICAL RIGHTS (articles 2 to 13)**

**18-** In a context characterised by the extension of the democratic area and increase in security challenges, strides made in protecting civil and political rights reflect the determination to promote a more balanced society, protect the integrity of persons, and close the gap between the desire to express individual liberties and to maintain social cohesion while guaranteeing appropriate involvement of the people in the management of public affairs.

### **Section 1: Non-discrimination and Equality before the Law (articles 2 and 3)**

**19-** In addition to the developments contained in the previous Report (§87 and 88), combating discrimination and consolidating equality of all persons before the law remain the basic principles of the Cameroon society and the guiding principles of the action of public authorities (**Rec 14**). In this regard, section 242 of the Penal Code contains an innovative provision which incriminates discrimination based on health status. Henceforth, authors of stigmatization and discrimination against persons living with HIV/AIDS shall be punishable with an imprisonment term of from 1 month to 2 years and a fine of from CFAF5, 000 to CFAF500, 000. In addition, the ARV Community Distribution Strategy adopted in 2016 further helps combat discrimination against persons living with HIV/AIDS.

### **Section 2: Right to Life and Physical Integrity, and Right not to be subjected to Torture (articles 4 and 5)**

**20-** Since the human being is the primary resource and the intent of all development, preserving life and physical integrity was a major concern. No death penalty was executed since Cameroon has maintained the *de facto* moratorium (**Rec 3**). The death penalty is maintained in the legislative arsenal mainly for dissuasive purpose. Guaranteeing the right to life and physical integrity and the right not to be subjected to torture has a double dimension: prevention and protection.

**21-** Concerning prevention, in addition to the general measures on the preservation of life through guaranteeing the right to health that will be discussed below, the Penal Code adopted on 12 July 2016 has consolidated protection of the physical integrity of the person. The scope of the criminal responsibility of the author of torture has been extended to include traditional leaders (section 277-3). Besides, a paragraph (c) has been added to subsection (1) of section 276 of the Penal Code which punishes whoever causes another's death with a view to trafficking the organs of the victim. The same Code further protects women and children against violence (v. below). In addition, conferring jurisdiction on the Military Tribunal by Law No. 2017/012 of 12 July 2017 to lay down the Code of Military Justice to hear and determine matters relating to genocide, war crimes and crimes against humanity is in line with the determination to protect human life.

**22-** Checking the circulation of lethal weapons is also vital in the prevention of threats to life. The ratification of the Kinshasa Treaty referred to above and the enactment of Law No. 2016/15 of 14 December 2016 on the general rules on arms and ammunitions in Cameroon and measures taken to ratify the Arms Trade Treaty are all geared towards prevention of threats to life. Monitoring activities also helped seize arms in the territory and at the borders of Cameroon. Besides, it should be noted that 371 weapons of war and 549 unconventional arms in circulation in the country were seized by Defence and Security Forces.

**23-** Besides the normative framework, awareness-raising and education activities of persons including law enforcement officers were carried out. In this regard, initial training curricula were adjusted with focus on modules on "*Human Rights and Freedoms*" and "*Prohibition of Torture*" for National Security staff. The average teaching hours increased from 30 to 240 for the 5 modules, representing 48 hours per module. At the National Gendarmerie Training

Centre, refresher courses were beefed up with a course in International Humanitarian Law in addition to courses in Law that are regularly taught. Furthermore, at the International School for Security Forces (EIFORCES)<sup>13</sup> that started the process of certification of training by the United Nations Organization since 2016, a 2 week course on Human Rights and Protection of Vulnerable Persons<sup>14</sup> is offered.

**24-** As part of continuous training, this approach was completed with capacity development activities, an illustrative list of which is found in the appendix. Thus, a seminar with special focus on protection of the right to life and to physical and moral integrity of the person was organised in Douala from 28 to 30 August 2017 for 35 officials including civilian and military Judicial and Legal Officers, Gendarmerie and Police officers, Penitentiary staff and social workers. The goal of the seminar was not only to recall the duties of the State relating thereto but also to outline the standards of a response that takes into account the concerns of the victims (See list of training activities **APPENDIX 1**).

**25-** In addition, the major international Human Rights protection instruments including the Universal Declaration of Human Rights and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment are posted at Police units. The National Security organic instruments and the Code of Ethics that contains ethical obligations were distributed to every Police officer.

**26-** As referred to above, Cameroon intends to confer the mandate of the National Mechanism for the Prevention and Fight against Torture (**Rec 11**) on the National Commission on Human Rights and Freedoms which, from 2010 to 2018, visited at least 200 detention places.

**27- Concerning protection,** disciplinary and criminal proceedings were initiated against any person be him/her a State agent or an ordinary individual, alleged to have violated the right to life , physical integrity and the right not to be subjected to torture.

**28-** During this period, sanctions were meted out on 2,956 police officers ranging from observation letters (21) to dismissals (359) and written warnings (90), reprimands (732), temporal exclusion (*mise à pied*) short suspension (1172), suspension from duties (238), demotion of grade (254) and demotion in scale (90) for acts of torture, violation of instructions, non-respect of hierarchy (contempt of a superior ), non-execution of orders, violation of Human Rights, murder, capital murder, fraudulent retention of other person's property, conditional threats, false arrest, as well as privacy related offences.

**29-** At the National Gendarmerie, staff of the corps incurred both disciplinary and judicial sanctions for acts of torture, threats to the physical integrity of persons or threats to life, and false arrest. Thus, from 2013 to 2018, 118 Gendarmerie officers were prosecuted before the competent courts for the offences referred to above and 22 were convicted and sentenced to imprisonment terms and fines.

**30-** Concerning soldiers, their alleged violation of Human Rights resulted in proceedings initiated against them. Thus, from 2013 to 2017, 313 elements of Defence Forces were prosecuted before the courts for different offences (58 cases of false arrest, 32 for torture, 2 for rape, 1 for attempted rape, 10 for murder, 5 for capital murder, 4 for attempted capital murder, 5 for abuse of function, 65 for simple harm, 56 for slight harm, 26 for grievous harm, 8 for assault occasioning grievous harm, 1 for assault on civil servant, and 13 for different

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<sup>13</sup>The EIFORCES was established in 2008 through the determination of African States to help consolidate regional stability, enhance security governance of African countries, and promote common standards among police and gendarmerie forces who carry out peace operations within the framework of UN and African Union missions.

<sup>14</sup>See Training Seminar on Human Rights and Protection of Vulnerable Persons, EIFORCES, from 8 to 19 October 2018.



forms of assault). A total 30 of them were convicted and sentenced to imprisonment and ordered to pay fine as shown in the table below (**APPENDIX 2**).

**31-** With regard to the Penitentiary Administration, disciplinary sanctions were meted on 200 staff from 2013 to 30 September 2018, that is 1 letter of reprimand, 20 written warnings, 5 dismissals, 12 delays in advancement, 3 downgrading in scale, 116 reprimands, 06 suspensions from office, 29 temporary exclusions and 10 dismissals for acts of inhuman treatment of detainees, violations of instructions, non-respect of hierarchy, drug trafficking and negligence resulted in breakouts.

**32-** The following criminal sanctions were imposed on the respective offenders:

- ***The People and Arroga Betsem Pierre and others vs Owona Owona Jean Calvin and Banmi Clovis:** by Judgment No. 3045/COR of 1 December 2014, the accused persons were each sentenced to 1 year imprisonment and a fine of CFAF100,000 by the Court of First Instance of Yaounde, Centre Administratif;*
- ***The People and Taiga Martin vs Dekmo Djonra and others:** by Judgment No. 141/CRIM of 20 August 2014, the accused persons were each sentenced to 5 years imprisonment.*

**33-** The following matters are pending before the competent military courts. The said matters are being heard and some of the accused were not remanded in custody. They appear before the court to answer the charges filed against them.

**34-** With regard to the case of **Ibrahim Bello**, he was arrested and then held in custody on 5 February 2017 in the town of Ombessa in the Centre Region for attempted theft, preliminary investigations against suspected police officers established, at the professional level, the negligence of the Chief of the Post who decided to remand **Ibrahim Bello** into custody in spite of traces of violence on his hands and legs, inflicted by the population of Ombessa. At the administrative level, an Assistant Superintendent of Police and a Police Inspector were suspended from their duties and subsequent disciplinary proceedings instituted against them for lack of tact that undermined the image of the police and assaulting a suspect in custody. At the level of the judiciary, a preliminary inquiry was opened against the Assistant Superintendent of Police and the Police Inspector suspected of assaulting the victim, and the Inspector of Police was later remanded into custody on 16 May 2017. The preliminary inquiry was closed on 18 September 2018 by a committal order before the High Court of Mbam and Inoubou for the accused persons to stand trial on charges of torture and grievous harm. This case was pending in court.

**35-** Concerning the allegations of summary execution in Mozogo, after the killing of 2 women and their children on the grounds that they were giving information on military positions and activities to members of *Boko Haram*, investigations were opened at the Central Service for Judicial Research on the instructions of the Minister in charge of Defence. The alleged authors are in custody.

**36-** Concerning the violent arrest of the so-called “*General*”, 5 Gendarmerie officers were prosecuted before the Buea Military Tribunal for violation of instructions and torture. By Judgment No.006/19 of 22 January 2019, they were found guilty of violation of instructions and torture, and sentenced to an imprisonment term of 3 years suspended for 3 years.

**37-** As regards the case of the taxi driver **Charles Mvondo Ngah** who died following an incident at the Gendarmerie Brigade Ngouso on 19 March 2018, the Commander of the said Brigade was dismissed from office. One **Nkeng Cyrille Gerard** is prosecuted before the Yaounde Military Tribunal for unintentional killing and breach of rules. The matter that was enlisted for 12 September 2018 has been adjourned many times for more information. It was further adjourned to 12 December 2018 for judgment.

**38-** In addition, following the death of 25 persons held in custody at the Gendarmerie Legion for Far North Region, Maroua, the Legion Commander was dismissed from office by Decree No. 2015/109 of 28 February 2015 and prosecuted before the Yaounde Military Tribunal. Besides, 4 soldiers found guilty of the offence of *fautes contre l'honneur* were sanctioned on 15 November 2015. Furthermore, the Commander of the Gendarmerie Brigade of Darak was dismissed from office and prosecuted before the Yaounde Military Tribunal for breach of rules.

**39-** As part of management of the crisis in the North West and South West Regions, a Private 1<sup>st</sup> Grade was referred before the Bamenda Military Tribunal on 24 July 2018 following allegations of rape of a 17-year old girl, breach of rules and possession of narcotic drugs. The accused was brought before the Tribunal where the matter was enlisted for the November 2018 session of the court. On the date of the session, Counsel for prosecution applied for the matter to be heard in camera on 6 December 2018.

**40-** The judicial response to the terrorist phenomenon and the violent turn of the crisis in the North West and South West Regions falls under the determination to guarantee the right to life and physical integrity through the obligation to protect the people. Statistics show that since the beginning of the crisis in the said Regions up till December 2018, some 1,147 persons have been arrested by Defence and Security Forces of which 511 were prosecuted before Military Tribunals. Thus, in 2016, Military Tribunals received 9 matters as against 194 in 2017, and 308 in 2018. Meanwhile, 128 of the said matters were at the level preliminary inquiry, 9 matters had been heard and determined, resulting to 9 persons convicted and sentenced to imprisonment terms ranging from 20 to 40 years. Nevertheless, 327 matters were pending hearing, 17 proceedings were discontinued and 23 proceedings were closed.

**41-** During the reference period, more measures were taken to reduce traffic accidents resulting in the increasing number of deaths from 588 in 2015 to 1,142 in 2016, and the increasing number of injured persons from 2,305 in 2015 to 4,000 in 2016<sup>15</sup>. In October 2016, Cameroon registered the most fatal train crash in its history with 79 persons dead and 551 wounded. The Court of First Instance Eseka by Judgment No.625/Cor of 26 September 2018 found the railway company CAMRAIL and some of its staff guilty of carrying out dangerous activities, unintentional killing and unintentional injury. In a bid to reduce the large number of traffic accidents, both preventive and corrective measures were taken. Preventive measures included security of road users, security of vehicles and training in efficient driving. Concerning corrective measures, some road worthiness centres and some travel agencies were closed, in addition to the withdrawal or suspension of driving licences of some unscrupulous drivers. Besides, court action was taken against some of them and those found guilty of unintentional injury and unintentional killing were convicted and sentenced.

### **Section 3: Right to Respect of Human Dignity, Protection against Slavery and Trafficking in Persons (Article 5)**

**42-** During the reference period, measures were taken to combat slavery, trafficking in persons and similar practices that undermine human dignity. At the sector level, the *National Committee against Child Labour*<sup>16</sup> was set up by Order No. 82/PM of 27 August 2014 to monitor the implementation of the National Plan of Action for the Elimination of the Worst Forms of Child Labour in Cameroon<sup>17</sup> (PANETEC).

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<sup>15</sup>From January to August 2017, 4,190 traffic accidents were registered, resulting in 189 deaths, 784 wounded and 3,227 cases of material damage

<sup>16</sup>Order No. 82/PM of 27 August 2014 to set up and lay down the organization and functioning of the National Committee against Child Labour in Cameroon.

<sup>17</sup> Worst forms of child labour are defined in Article 3 of Convention No. 182 of the ILO as:

**43-** In a concerted approach<sup>18</sup>, PANETEC was adopted in October 2017 for the period 2018-2025<sup>19</sup>. Its goal is to eliminate the worst forms of child labour by 2025, while consolidating the institutional framework and mechanisms<sup>20</sup>. In addition, a Coordination and Monitoring Committee of strategies against trafficking in human organs and ritual crimes was also formed following Order No. 12/CAB/PM of 31 January 2013.

**44-** More globally, the Interministerial Committee on Prevention and Combating Trafficking in Persons formed in 2010 and referred to in the previous Report (§83) was reorganised in 2017 and known henceforth as the *Interministerial Committee for the Supervision of Actions to combat Trafficking in Human Beings*. Most of the main aspects of the plan of action of the first Committee adopted in 2010 were maintained by the reorganised Committee. The new orientation includes care of victims and collaboration with CSOs, in addition to previous thrusts on the knowledge of the phenomenon, the normative framework, prevention, detection and repression of trafficking in persons and slavery<sup>21</sup>.

**45-** With regard to the legislative framework, provisions of Law No. 2011/24 of 14 December 2011 relating to trafficking in persons and slavery have been incorporated into the new Penal Code adopted in 2016 under Section 342-1.

**46-** In a bid to have proper understanding of the phenomenon, the new guideline included the conduct of two national surveys one on the scope of trafficking in persons, and the other on the existence of hereditary slavery in the northern Regions of Cameroon.

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- a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
  - b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
  - c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;;
  - d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

<sup>18</sup> PANETEC was drawn up in collaboration with representatives from Government institutions concerned, social partners (employers and workers organizations), Civil Society Organizations (CSO) and development partners.

<sup>19</sup> It is as part of the implementation of Declarations from World Conferences on the elimination of child labour, in particular the Brasilia Declaration from the 3<sup>rd</sup> World Conference on the Sustainable Elimination of Child Labour held from 8 to 10 October 2013 in Brazil, and the Buenos Aires Declaration on Child Labour, forced labour and employment of youth from the 4<sup>th</sup> World Conference on the Sustainable Elimination of Child Labour organised in Buenos Aires, Argentina from 14 to 16 November 2017.

<sup>20</sup> PANETEC comprises the following 6 strategic thrusts: Legislation and application of the law, Education, Social Protection, Labour Market Policy and Corporate Liability, Cross-cutting Policies, and Coordination of Management and Monitoring of PANETEC. PANETEC comprises the following 6 strategic thrusts: legislation and the application of the law, Education, Social Protection, Labour Market Policy and Corporate Responsibility, Cross-cutting Policies and Coordination of Management and Monitoring of PANETEC.

<sup>21</sup> Order No. 35/CAB/PM of 1 March 2017 to reorganise the Interministerial Committee for Supervision, Prevention and Combating Trafficking in Persons. The Committee adopted a plan comprising the following actions: Action 1: Increase efforts geared towards prevention, detection and suppression of acts of slavery, trafficking in persons and forced labour; Action 2: Consolidate training of stakeholders involved in prevention and combating slavery and trafficking in persons and monitoring reintegration of victims; Action 3: Disseminate the legal framework on prevention and combating slavery and trafficking in persons; Action 4: Build partnership with NGOs involved in prevention and combating slavery and trafficking in persons; Action 5: Conduct a survey on the existence of hereditary slavery in the northern part of Cameroon.

**47-** In this regard, the *Association des Femmes et Filles de l'Adamaoua* (AFFADA) (Adamawa Women's Association) carried out activities in some chiefdoms (lamidats) in Adamawa Region (Banyo, Meiganga, Tibati), North Region (Demsas/Gaschiga, Dargala), and Far North Region to identify children of servants living in the said lamidats, establish Birth Certificates for them, pay their school fees and/or set up income-generating activities for the women (mothers of the children or spouses of the servants). Community awareness-raising campaigns were carried out and Local Anti-slavery Supervision Committees established.

**48-** Although the national survey is still to be conducted to obtain consolidated data on the scope and nature of slavery and trafficking in persons in Cameroon, the complexity of the phenomenon, some of the aspects<sup>22</sup> of which some organizations have identified, was discussed at two national colloquia on combating slavery and trafficking in persons in Cameroon held respectively from 3 to 4 March 2015 and on 11 May 2018. The Colloquia which were organised by AFFADA, brought together public authorities, university dons, social workers, CSOs and development partners. It should be noted that slavery in Cameroon has an internal dimension with varied realities comprising slavery for the execution of household chores, for economic exploitation or sexual exploitation. It also has an international dimension since Cameroon is a port of departure, a transit port and a port of entry. Such transborder reality was cruelly highlighted with an increase in the number of Cameroonians in distress in Libya and other countries along the Sahara belt, and in the countries in the Middle East. Thus, in 2017, out of 104 victims of slavery registered in Police services, 90% were from Kuwait.

**49-** In order to address the situation, prevention initiatives were taken. In this regard, the Ministry of Social Affairs (MINAS) that has the institutional responsibility of coordinating awareness-raising and social mobilisation against violence, slavery and trafficking in persons<sup>23</sup> produced, in 2013, awareness-raising tools on prevention and combating slavery, trafficking in persons and other emerging social scourges. It further organised a national pilot campaign on preventing and combating slavery, trafficking in persons, and other social scourges in 2014, 2015 and 2016, and another billposting campaign on the same issue during the National Solidarity Week that ran from 4 to 7 December 2017. In addition, a Press Conference was organised by the Ministry of Women's Empowerment and the Family (MINFOW) on 1 August 2014 in Yaounde to raise the awareness of communities, parents and families on the dangers to which children who carry out commercial activities in streets and markets during holidays are exposed.

**50-** A number of CSOs also carried out awareness-raising actions through especially radio and TV programmes.

In addition to awareness-raising, activities to check and monitor possible channels of slavery were also conducted. Thus, with regard especially to combating child slavery, MINAS drew up and disseminated a Manual on child adoption procedure in Cameroon, procedures for having a child found inside or outside a hospital premises, and a chart of private social works on the supervision of students in boarding schools with a listing showing entry and exit of the students.

**51-** In order to prevent trafficking in persons for the purpose of economic exploitation, private job-matching organisations were checked. In 2017, out of the 103 private organisations concerned, 23 were formally notified to comply with the regulations in force while 3 were suspended. The recurrent grounds of irregularities include especially the lack of access of

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<sup>22</sup> 2013 CIPCRE Report on Slavery in Cameroon.

<sup>23</sup> Article 1 (2), (25), (30), and (31) of Decree No. 2017/383 of 18 July 2017 to organise the Ministry of Social Affairs.

control teams from the Ministry of Employment and Vocational Training to the job-matching enterprises, the difficult localisation of the said enterprises, failure to forward statistical data of the number of persons employed in the said organisations, and the inexistence of employment contracts signed by the workers employed in the said enterprises. In a bid to guarantee the rights of Cameroonians in the country of employment, negotiations were undertaken with countries of the Middle East with a view to concluding agreements on the jobs and concerted management of the labour force.

**52-** The State took some measures to better protect Cameroonians in such foreign countries by setting up a Consulate-General in Dubai that is functional since 7 November 2017, and at the level of the Ministry of External Relations, a Department in charge of Cameroonians abroad, foreigners in Cameroon, Migration and Refugee Issues that is also functional since 7 November 2017. Besides, a Monitoring Unit or Technical Secretariat was set up to identify all acts of alleged slavery by all means possible that may be used to communicate information likely to help the victims and dismantle the networks.

**53-** The State intends to open a toll-free telephone number under the early warning and reporting mechanism of cases of trafficking in persons.

**54-** In order to obtain suppression efficiency, capacity development activities on Human Rights were organised, including modules on trafficking in persons. Such activities that were organised by the State or in collaboration with partners, brought together Judicial and Legal Officers, Judicial Police Officers, social workers and civil society stakeholders.

**55-** In this regard, Cameroon was one of the 5 participating countries in the Priority Solidarity Fund *"Support for combating trafficking in persons in countries of the Gulf of Guinea"* financed by France. The goal of the Project was to combat modern forms of slavery and dismantle networks.

**56-** It is worthy to highlight the support of partners such as the International Organization for Migration (IOM)<sup>24</sup>, and the International Criminal Police Organization (INTERPOL)<sup>25</sup> in the capacity development of staff.

**57-** These organizations helped obtain results at the level of investigations and prosecution. In 2017, the Police initiated 89 proceedings relating to slavery and trafficking in persons, arrested 112 suspects and referred them before the courts. Courts heard and determined cases relating to trafficking in persons and convicted offenders.

**58-** Although some discussion platforms have already been established in some Regions, the suppression chain still has to address the challenges relating to the coordination of the different stakeholders, police and judicial cooperation in the light of the trans-border nature of the phenomenon, and the protection of victims and witnesses taking into account the intimidation capacity of trafficking networks. In this regard, a legal framework for the protection of witnesses could be envisioned.

**59-** Challenges relating to the management of victims are also of prior importance. That is why victims of trafficking in persons were provided shelter, food, medical care and psychosocial support especially as part of the repatriation of Cameroonians from Libya and Niger.

**60-** In a bid to better rationalise actions, the Standard Operating Procedure and National System Referencing Document on Prevention and Combating Slavery and Trafficking in Persons in

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<sup>24</sup> Training Workshop on Slavery in Central Africa organised in Yaounde from 18 to 20 March 2014 for Police and Gendarmerie officers

<sup>25</sup> See Training Workshop on Trafficking in Persons in Central Africa held in Yaounde from 3 to 5 April 2018 bringing together 33 participants comprising Police, Gendarmerie, and Customs officers, and Judicial and Legal Officers from Cameroon, Congo Brazaville, Gabon, Equatorial Guinea, Central African Republic, the Democratic Republic of Congo and Sao Tome and Principe.

Cameroon was drawn up in 2013 with the support of the IOM. As part of the social management of migration flows Project for which mobilisation of additional financing is underway, the State intends to amplify the dissemination of the said procedures and the construction and equipment of reception and transit centres at the borders, and the development of existing structures<sup>26</sup> to ensure a better management of victims of trafficking. The State further intends to draw up a national strategy to combat trafficking in persons and other relating social scourges while considering the social management and economic integration of victims as primordial concerns. While waiting for the Project to be implemented, an agreement was signed between MINAS and MINFOF to train victims of trafficking in persons in Vocational Training Centres.

**61-** Efforts made by Cameroon to combat trafficking in persons resulted in her upgrading from Tier 2 Watch List to Tier 2 in the 2018 Report by the United States Department of State on Trafficking in Persons.

#### **Section 4: Right to Liberty and Security (Article 6) (REC 35, 36 Human Rights Defenders)**

**62-** The fundamental guarantees of the right to freedom and security of the individual provided for in the normative framework and in particular in the Penal Code and the Criminal Procedure Code are, under the conditions laid down by the laws and regulations of the Republic, applicable to all persons living in the territorial jurisdiction of Cameroon regardless of individual practices and preferences (**Rec. 36**). Since developments in the security situation required that measures be taken to guarantee collective security, the right to security will further be discussed in the collective rights section below.

**63-** This section focuses on the right to liberty. During the annual meetings of Heads of Court of Appeal and Regional Delegates of Penitentiary Administration, the way forward in guaranteeing the right to liberty was discussed. Thus, in 2015, deliberations thereon focused on overcrowding in prisons, in 2016, one of the themes dwelt on alternatives to imprisonment, while in 2018, focus was on illegal detention. The different aspects of the protection of this right including infrastructural, human and procedural aspects were examined. The effective application of the legal provisions relating to the exceptional nature of detention, the requirement of the timely treatment of cases in general and those concerning detainees in particular, and the need to constantly check places of detention were some of the measures recalled during the said annual meetings.

**64-** During the reference period, combating illegal detention was reflected through constant checks of places of detention by Police and Gendarmerie authorities, and judicial authorities including the different State Counsel, and the mobilisation of judicial mechanisms. With regard to the mechanisms, out of 916 applications for *habeas corpus* registered between 2013 and 2017 before the courts, the immediate release of 754 persons was ordered. The criminal responsibility of authors of offences was challenged during proceedings on illegal detention<sup>27</sup>. Besides, parties prayed the courts to declare proceedings null and void. Courts on their own motion, also declared proceedings null and void. Consequently, the courts annulled judicial police casefiles in situations where the rights of detainees provided for in sections 118 and

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<sup>26</sup> The Reception Centres of Children in Distress of Yaounde and of Garoua, the Centre of Ambam in South Region and the Centre of Ekondo Titi in South West Region.

<sup>27</sup> In 2015, for example, a Warrant Officer was convicted and sentenced to 5 years in prison for illegal detention.

following of the Criminal Procedure Code were not respected<sup>28</sup>. In this regard, the Supreme Court recalled in Judgment No. 72/P of 16 July 2015 in the matter between **Kingue Paul Eric vs Njombe-Penja Council**, the obligation to state the grounds for detention and to notify the accused of the ruling<sup>29</sup>. The application of the principle of liberty enabled accused persons to be released pending the hearing of their matters on the merits. Thus, out of **58,816** applications registered, **15,211** persons were released before trial proper.

**65-** In a bid to ensure the effectiveness of one of the guarantees provided for in the Criminal Procedure Code, the Chief Justice of the Supreme Court acknowledged, by Ruling No. 115 of 16 February 2016, the composition of the Commission for Compensation of Victims of Illegal Detention. At the end of May 2016, **16** applications were being examined by the said Commission.

**66-** Pecuniary awards through action for compensation that the State may initiate against State agents found guilty of illegal detention may be in the form of a request for the proper application of the provisions of the CPC on the protection of individual liberties. The enhancement of training initiatives and the permanent lookout in the implementation of corrective measures are challenges to be addressed with a view to rooting the reflex of legality in law enforcement staff to enable them to be more respectful of individual liberties.

## **Section 5: Right to Fair Trial (Article 7 (1) and Article 26) (Rec 5, 6, 7, 10)**

**67-** During the reference period, guaranteeing the right to fair trial continued to be one of the thrusts of the Justice Sector Strategy for the period 2011-2015 contained in the previous Report (§106)<sup>30</sup>. The recommendations made by the ACHPR following examination of the said Report (**Rec. 5, 6, 7, 10**) were streamlined in the major guidelines of the Strategy that focuses on enhancing the functioning of the Judiciary, improving on the material condition of the Judiciary and consolidating the judicial system.

**68-** In this regard, the organization of the Supreme Court was amended by Law No. 2017/14 of 12 July 2017 to amend and supplement some provisions of Law No. 2006/16 of 29 December 2006 to lay down the organization and functioning of the Supreme Court. The

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<sup>28</sup> See Judgments of the Court of First Instance of Mbalmayo in *The People and Mbabi Jean Moïse, Tsogo Amougou Marie vs Mbabi Jean Moïse, Ntyama Nkongo Julien Boris*, of 12 March 2015 (Cancellation of Report and subsequent acts for violation of the rights of the detainee (failure to notify him of the beginning and end of the detention); Judgment No. 5/COR of 8 January 2015 in *The People and Kemadjou Yantsio Emmanuel vs Nkono Armand* (the judicial police case file in issue did not contain the time at which the suspect was presented before the State Counsel, proof of the extension of the period of remand in police custody thus the casefile was annulled as well as subsequent documents pursuant to section 124 of the CPC); See also Judgment of the Yaounde Military Tribunal of 1 April 2015 in *The People and Nsangou Adamou vs Issa Bouba* (The Court on its own motion took note of the violation of section 124 of the CPC on remand in police custody due to the absence of the signature of the investigating Officer on the notification of report of the suspect, inexistence of the notification report of the end of the detention notifying **Issa Bouba** of the day and hours he was to be brought before the State Prosecutor in violation of section 124 of the CPC

<sup>29</sup>The Court holds [...] that it results from this legal provision that a remand in custody issued by the Examining Magistrate must contain a reasoned ruling to justify same and that the ruling must be notified to the accused; that such measure results from the need to justify any measure that affects liberty and to notify any such measure and its justification to the persons concerned; that besides, the legal provisions relating to this issue are a matter of public policy and that the consequence of failure to respect them is absolute nullity of the proceedings by virtue of section 3 of the CPC.

<sup>30</sup> This Strategy, one of the objectives of which was to consolidate the Rule of Law, was aimed at addressing the concerns raised following the audit of the judicial system in 2003.

amendment was to set up a Common Law Division under the Judicial Bench, to enhance access of litigants with a Common Law background to the Judge<sup>31</sup>.

**69-** In a bid to further ease access to justice, members of the Legal Aid Commission are appointed to courts of the judicial order. Although the optimal functioning of some of the Commissions was hampered by financial constraints, litigants continued to apply to them for legal aid (**Rec. 10**). During the period 2013-2017, out of 1,079 applications registered, 380 were granted full legal aid, 62 granted partial legal aid and 637 disallowed. The action of the Cameroon Bar Association through free legal advice given to indigent litigants within the framework of the Bar-Governance-Rule of Law Project (PBGE) implemented with the support of the European Union also helped ease access to justice.

**70-** With regard to legal aid granted vulnerable persons who are victims of violation of their civil and political rights, the Cameroon Bar Association launched an inventory of matters for which the parties did not have counsel before the following Regional Administrative Courts: Adamawa Region (9), Centre Region (31) East Region (6), Littoral Region (20), West Region (16) and South Region (9). In all, 91 out of the expected 150 files were identified. However, it should be noted that Far North Region and North Region did not have matters for which the parties did not have counsel in spite of the strong determination of the Lawyers to support the socially vulnerable persons before the courts.

**71-** The enactment of Law No.2017/12 of 12 July 2017 to lay down the Code of Military Justice consolidated the guarantees of fair trial before Military Tribunals. In this regard, innovations include the period of police custody which, henceforth, is 24 hours renewable twice in accordance with the CPC, the application of the *flagrante delicto* procedure and conferring on the State Prosecutor the powers to initiate public action in order to significantly speed up the processing of matters.

**72-** With a view to increasing the number of courts and oversee their equitable distribution throughout the national territory (**Rec. 6**), an identification process of sites for the construction of Courts of First Instance and Prisons is underway since the 2017 financial year nationwide. At the end of May 2018, some 37 communities in 9 Regions were selected for the identification of sites<sup>32</sup>. The selection was led by the following criteria: regular holding of assizes, thick population, significant economic activity, and the distance between the community and existing courts. Land was acquired in the following 2 Regions: South Region with land of 20 hectares for the Prison and 2 hectares for the Court in Mvengue; Littoral Region with land of 35 hectares for the Prison and the Court at Ngambe, 20 hectares for the Prison and 1 hectare for the Court in Ndom, and 20 hectares for the Prison and 10,000m<sup>2</sup> for the Court in Muanko. The achievement of this initiative depends on the size of the public investment budget.

**73-** On the whole, the financial resources allocated to the justice sector (**Rec. 5**) varied year on year. The table below does not contain the salaries of staff that remained static: (**APPENDIX No 3**)

**74-** Such allocations show that the budget of the justice sector between 2013 and 2017 represents about 1.34% of the State budget. Within the limits of available resources, the

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<sup>31</sup> Comprising Judges with a common law background, the Common Law Division shall as per section 37-1 of the Law “*have jurisdiction, in matters relating to Common law, to hear appeals against: - final decisions of tribunals; - judgments of courts of appeal.*”

<sup>32</sup> The communities include Ngaoundal and Belel in Adamawa Region; Okola, Sa’a, Ayaos, Makak, Botmakak, Dzeng, Esse and Yoko in Centre Region; Messamena, Nguelemdouka, Garoua-Boulai, Lomie, Betare-Oya and Mabang in East Region; Ngambe, Ndom and Mouanko in Littoral Region; Bafut, Oku, Jakiri, Misaje, Menchum-Valley, Babessi and Njinikom in North West Region; Penka-Michel in West Region; Mvangane, Mvengue, Ngoulemakong, Zoetele, Lolodorf and Mezesse (for a Customary Court) in South Region; and Ekondo Titi, Eyumujock, Mbonge and Fontem in South West Region.



above-mentioned projects will register great strides that will reduce infrastructural constraints that account for the extension of procedural time limits.

**75-** In addition to the infrastructural constraint and procedural time limits in some matters, human resources is another challenge the State addressed. Thus, 607 young Judicial and Legal Officers comprising 360 men and 247 women were integrated into the corps of Judicial and Legal Officers between 2012 and 2017. In 2012, 198 young Judicial and Legal Officers were integrated into the corps of Judicial and Legal Officers as against 194 in 2013, 54 in 2014, 100 in 2015, and 61 in 2017.

**76-** Furthermore, 70 Judicial and Legal Officers comprising 36 men and 34 women were as at 31 December 2018, awaiting integration into the corps of Judicial and Legal Officers. Similarly, between 2013 and 2016, 180 Registry Administrators comprising 91 men and 89 women were integrated into the corps of Registrars. In 2013, 37 Registry Administrators were integrated into the corps of Registrars as against 38 in 2014, 67 in 2015 and 38 in 2016. Meanwhile, between 2012 and 2016, 399 Registrars comprising 175 men and 224 women were integrated into the corps of Registrars. In 2012, 98 Registrars were integrated into the corps of Registrars as against 96 in 2013, 90 in 2014, 69 in 2015 and 44 in 2016. In addition, 172 Assistant Registrars comprising 57 men and 115 women were intergrated into the corps of Registrars. Since the office of Bailiff is vital in obtaining access to justice and in the execution of court decisions, 177 new offices for Bailiffs were established, bringing the number of Bailiffs<sup>33</sup> in 2016 to 507 comprising 358 offices for men and 149 for women as against 345 in 2013 comprising 257 men and 88 women, 522 in 2014 comprising 400 men and 122 women, and 510 in 2015 comprising 358 men and 152 women.

**77-** The number of Lawyers who are members of the Cameroon Bar Association increased from 1,926 in 2013 to 2,541 comprising 1,995 men and 546 women as at 31 December 2018<sup>34</sup>. Meanwhile, the number of pupil Lawyers stood at 827 comprising 593 men and 234 women.

**Table 1: Statistics on the number of lawyers for the period 2013-2018**

No. Year	Number of lawyers		Total
	Men	Women	
2013	1,334	228	1,562
2014	1,500	190	1,690
2015	1,400	522	1,922
2016	1,571	420	1,991
2017	1,577	421	1,998
2018	1,995	546	2,541

**Source:** Department of Judicial Professions/MINJUSTICE/BAR ASSOCIATION

**78-** In addition to the number, compliance with ethical rules by judicial staff in general and Judicial and Legal Officers in particular was a concern. Control and evaluation missions of the judicial activity of the Inspectorate General of Judicial Services and the Anti-Corruption Unit of the Ministry of Justice were conducted in the courts. At the end of then missions, the following sanctions were imposed: queries, letters of observation (11), 6 months suspension from office (3), demotion in rank or grade (2), warning (2), reprimand (1), delay in promotion (1), demotion (4), and dismissal (3). Litigants also sought judicial guarantees. Thus, out of the 244 applications filed, judgment was entered for 56 of them.

<sup>33</sup>. In 2017, the number was 505, that is, 356 men and 149 women.

<sup>34</sup> Figures as at 20 December 2018.

## **Section 6: The principle of the legality of the offence and punishment (Article 7 (2))**

**79-** Information contained in previous Reports<sup>35</sup> is still relevant given that sections 3 to 6 of the Penal Code that enshrine the constitutional principle of the legality of the offence and punishment were not amended with the reform of 12 July 2016.

## **Section 7: Freedom of conscience and religion (Article 8)**

**80-** Freedom of conscience, to exercise a profession and freedom of religion are guaranteed by the Constitution. Subject to the respect of public policy, no person shall be denied the enjoyment/expression of such freedoms. Freedom of religion has been characterised by the peaceful coexistence of Christian, Muslim and animistic communities in the context of the secular State. The number of religious associations still stood at 47 in spite of the spontaneous boom in Religious revival churches. Indeed, following the tragedies that occurred in some revival church groups, the State carried out reforms in the sector in 2015 beginning with an inventory and an evaluation of religious associations and religious movements operating without authorization. The goal of the reform was to cause them to regularise their situation.

**81-** Internal squabbles in religious associations likely to disrupt public order have often been mediated by public authorities within the framework of their police powers. In this regard, on 9 March 2017, the Governor of Centre Region issued a correspondence to appease the different factions resulting from the disagreement in the *Eglise Presbytérienne du Cameroun (EPC) Consistoire Ntem*, while recommending that they consult the judicial authorities the matter was referred to. In addition, by Decision No. 121/D/J06/SP of 13 October 2017, the Subdivisional Officer of Yaounde II Subdivision temporarily closed the *Eglise Evangélique du Cameroun (EEC)* Parish in Briqueterie II quarters in Yaounde to preserve public order relating in particular, to noise and disorganization in the religious association. The decision was uplifted by Hand-delivered Message No. 98/MP/J06/SP of 22 March 2018 following the dissipation of the crisis. However, no religious association has been dissolved since 1 January 2013.

## **Section 8: Freedom of Expression and Communication (Article 9) Rec 4**

**82-** The democratic opening in Cameroon and in other African States was accompanied by the liberalisation of the media with challenges relating to the learning and rooting of freedom of expression and communication. The current digital revolution helped push forward access of a large number of persons to new media. Indeed, the length of the fibre optic laid between 2015 and 2017 that increased from 11,000km to 16,400km enabled about 17% of the population to have access to the Internet with large bandwidth in Cameroon and 2.5% to the fixed Internet in 2017 although the service quality provided by the operators needs enhancement<sup>36</sup>. This changing environment has shaped the exercise of freedom of expression and communication that has constantly been characterised by media pluralism although guiding the authors to be responsible remains a challenge.

### **§1: Impact of Technological Development on Freedom of Expression**

**83-** Technological development led to the enactment of Law No.2015/6 of 20 April 2015 to amend and supplement some provisions of Law No.2010/13 of 21 December 2010 governing electronic communication in Cameroon and Law No.2015/7 of 20 April 2015 governing audiovisual activity in Cameroon. The first law makes it possible to grant concession in part

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<sup>35</sup> See 2<sup>nd</sup> Periodic Report, §109-1 and §109-2

<sup>36</sup>The situation obliged the State to order in March 2017, an audit of the quality of service delivered by telecommunications operators. The audit that was conducted by a Swedish Firm, Cybercom, revealed many loopholes. Government ordered the electronic communications operators to take appropriate corrective measures within a period of 6 months.

or in full, to one or more corporate bodies governed by public or private law, of activities comprising the establishment and exploitation of multiplex and broadcast networks, that fall under the audiovisual sector and that use electronic communication as a medium<sup>37</sup>. The law enables the concession holder to pay part of the tax not only to the Telecommunication Regulatory Agency but also to the National Information and Communication Technologies Agency.

**84-** The second law was enacted in the context of a changeover from analogous broadcasting to digital broadcasting recommended by the International Telecommunications Union (ITU). The law which was enacted in an environment characterised by the proliferation of TV channels of poor quality and content in terms of local production, lays down the legal systems applicable to audiovisual activity, the rights and obligations of operators in the sector, and the terms and conditions of service delivery. In a bid to support the development of audiovisual activity, the law has provided for a Special Development Fund<sup>38</sup>. It also contains a number of provisions that protect both the vulnerable public and consumers of audiovisual products.

## **§2: Maintaining Media Pluralism and Diversity**

**85-** The media landscape is occupied by an increasing number of media organs with a free editorial line. The number of media organs increased from 500 newspapers with private capital in 2013 to 535 in 2017, from 95 radio stations in 2013 to 314 in 2017, and from 22 TV stations in 2013 to 105 in 2017.

**86-** Most of the said media organs are located in the major towns with dense economic activity while community radio stations are located mainly in rural areas. The economic trend is also seen in the localisation of enterprises in the advertising sector that are located mainly in urban areas<sup>39</sup>. In this sector, 92 licences were issued in 2013, 111 in 2014, 103 in 2015 and 118 in 2016 comprising 46 consultant services and 72 advertising agencies<sup>40</sup>.

**87-** Income-generating advertising which is the sphere of press organs authorised to receive legal notices was extended to include both public and private press organs as per Decree No. 2013/324 of 18 July 2013 relating to regulate legal and court notices. Their number stood at 36 press organs<sup>41</sup> in 2014, 42 in 2015, 36 in 2016, 37 in 2017, and 35 in 2018.

**88-** In a bid to encourage media development, public assistance to private communication was maintained although the amount varied depending on available resources. Thus, the subvention that stood at CFAF270,000,000<sup>42</sup> in 2014 for 167 beneficiaries<sup>43</sup> dropped to CFAF243,000,000<sup>44</sup> in 2015 for 131 beneficiaries<sup>45</sup>, 240,000,000<sup>46</sup> in 2016 for 114

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<sup>37</sup>The activity was conferred on the Cameroon Radio Television (CRTV), the public TV and Radio Broadcasting organ.

<sup>38</sup>The establishment of the Fund resulted from a recommendation made during the National Communications Forum held from 5 to 7 December 2012.

<sup>39</sup>There are 22 consultant services in Douala, 4 in Yaounde and 2 in Limbe. Meanwhile, there are 25 advertising agencies in Douala, 22 in Yaounde, 3 in Garoua, 2 in Bafoussam, 2 in Buea, and 1 each in Tiko, Bamenda and Nkongsamba.

<sup>40</sup>The functions of an advertising agency and a consultant service are incompatible. See section 11 of Law No. 2006/18 of 29 December 2006 governing advertising in Cameroon. This legal requirement was recalled to potential candidates to avoid rejection of the files through a press release of 24 October 2016 by the Chairperson of the National Authorization Commission

<sup>41</sup> The bodies are set up by joint order of the Minister of Justice and the Minister of Communication.

<sup>42</sup> About 411 612.35 Euros

<sup>43</sup>That is, 42 community radio stations, 11 commercial radio stations, 5 TV stations, 3 producers, 71 written press enterprises, 29 professional organizations, and 6 printing press. There were 209 applications.

<sup>44</sup> About 365,13.53 Euros

<sup>45</sup>That is, 37 community radio stations, 10 commercial radio stations, 3 TV stations, 51 written press organs, 3 cyber press organs, 17 professional organizations, 3 producers, 1 global communication, and 6 printing press.

<sup>46</sup>About 366,104.80 Euros

beneficiaries<sup>47</sup>, and CFAF216,000,000<sup>48</sup> in 2017 for 111 beneficiaries<sup>49</sup>. In order to qualify for the assistance, the applicant must show proof of uninterrupted broadcasting of the radio or TV station; visibility and permanent activity on the information websites; compliance with publication periods for the written press organs and the printing press, and a taxpayer's card. This is in a bid to make them accountable and credible stakeholders, limit fraud and access of fictitious enterprises to the public assistance.

### **§3: Accountability of the Stakeholders**

**89-** During the reference period, accountability of the stakeholders was imposed as an imperative. A number of strategies were used to achieve same, including checking access to professions, regulating freedom, and judicial sanction as a last resort in cases of serious misconduct.

#### **A: Checking Access to the Profession**

**90-** Out of the multitude of newspapers referred to above, some 30 are published periodically and 19 of which are published regularly. Irregular publications are full of advertorial and their existence is characterised by serious ethical lapses that damage the whole sector. The audiovisual sector also has ethical loopholes concerning programme content.

**91-** In this context, the issuance of the press card which is the self-regulation tool of the profession became imperative to check access to the profession. In this regard, the body in charge of issuing the press card was relaunched by Order No. 1/MINCOM of 18 May 2015 to establish the composition of the Press Card Commission. The outcome was as follows: 863 press cards<sup>50</sup> were issued in 2016 out of 957 applications and 100 in 2017 out of 125 applications.

**92-** Regarding the advertising sector, the National Advertising Board established by Law No. 2006/18 of 29 December 2006 was launched by Order No. 1143/CAB/PR of 13 November 2014 to establish its composition<sup>51</sup>. The Board is an advisory body under the supervision of the Minister of Communication. It is in charge of assisting the Minister of Communication in preparing, implementing and monitoring Government policy on advertising. It also gives its opinion on applications for authorization to practice different advertising professions, and on all draft regulatory instruments governing the advertising sector, ensures compliance with professional ethics and the regulations on advertising, draws up reports on the functioning of the advertising sector, and makes proposals to the Minister on the balanced development of the advertising sector.

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<sup>47</sup>That is, 39 community radio stations, 7 commercial radio stations, 1 TV stations, 3 audiovisual producers, 53 written press organs, 3 cyber press organs, 5 professional organizations and printing press. There were 168 applications. The number of applications rejected for non-compliance (54) has also dropped.

<sup>48</sup>About 329,289.87 Euros

<sup>49</sup>That is, 53 written press organs, 8 commercial radio stations, 2 audiovisual producers, 3 TV stations, 2 printing press, 1 professional organization, 41 community radio stations, and 1 cyber newspaper. There were 150 applications submitted.

<sup>50</sup>The press card holder, subject to complying with the laws and regulations in force and the need to maintain order, has access to sources of information and on the whole, to all places where he/she is required to work. In the performance of his/her duties and at his request, he/she has the right to protection and assistance from the forces of law and order. It is a self-regulation tool of the profession (Decree No. 2002/2170/PM of 9 December 2002 to lay down the terms and conditions of issuance of the press card in Cameroon).

<sup>51</sup>The NCC comprises a Chairperson, the Minister of Communication, and 26 members comprising 12 from the Administrations, 2 from Councils, 11 from professions of which 3 from Advertising Agencies, 2 from Consultant Services, 2 from Advertisers, 2 from the audiovisual media, 2 from the written press; and 1 from the civil society.

## **B: Regulating the Media: a Gradual Process between Education and Sanctions**

**93-** In addition to the traditional regulatory challenges reflected by the activities of the National Communication Council (NCC), management of information in time of crisis was a major concern and raised reactions that combined education and sanctions.

### **1: Traditional Regulatory Challenges in the Activities of the NCC**

**94-** An analysis of the regulatory activity of the NCC shows the scope of the task with regard not only to the number of petitions, but also their origin and the grounds raised in them. From 2013 to 2018, the NCC examined 360 petitions of which 135 were filed by citizens, 86 by public authorities, 23 by professional associations, 7 by institutions, and 109 by the NCC.

**95-** During the same period, the NCC delivered 182 decisions of which 25 warnings, 102 temporary suspensions of not more than 6 months, 39 temporary suspensions of 6 months, 9 permanent bans<sup>52</sup>, and 7 non-suit. Besides, 27 decisions of the NCC were appealed against before administrative courts<sup>53</sup> of which 7 were upheld and 3 revised.

**96-** The most recurrent grounds for filing petitions before the NCC concern the publication of unsubstantiated, insulting and slanderous declarations, broadcast of shocking images, inciting hatred, violence and intolerance.

### **2: Special Challenge: Management of Information in Time of Crisis**

**97-** With regard to the improper processing of information, disinformation and manipulation of information on social cohesion, the NCC carried out awareness-raising actions in addition to its duty of regulation.

**98-** This approach was used considering the rise in excesses the components of which gradually came to the lime light from the social climate and especially from the 2 major crises the country faced during the reference period. Thus, although the duties of awareness-raising, the working method and the obligations of the NCC in terms of media coverage of elections characterised the period 2013-2014, information management in time of crisis was constantly topical during the following years with regard to the quality of information processing relating to the fight against *Boko Haram* and the crisis in North West and South West Regions.

**99-** Since the Internet was particularly mobilised by some stakeholders in the latter crisis to disseminate information stirring up hatred, violence, insurrection and secession, the NCC drew the attention of the media on their role in the promotion of a peaceful, just and inclusive society through 4 workshops organised with the support of the UN System in Cameroon. They included 2 capacity development workshops for journalists on media coverage of elections and promotion of peaceful polls in Cameroon held respectively in Douala from 3 to 5 July 2018 and in Bafoussam from 10 to 12 July 2018, a capacity development workshop for community radio officials and broadcasters on coverage of elections and promotion of peaceful polls in Cameroon held in Mbalmayo from 26 to 28 July 2018, and an awareness-raising workshop for Forces of Law and Order on the protection of media professionals during elections and in time of crisis held in Douala from 5 to 7 September 2018.

**100-** Government followed suit. Thus, after calling on citizens to be responsible during a campaign launched in January 2017 and dubbed “*Yes to Social Networks, but ... in a responsible manner*”, Government had to suspend the Internet in North West and South West Regions on 17 January 2017 due to the recurrent excesses referred to above. Since the

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<sup>52</sup> The grounds included repeated publication of unfounded, offensive and insinuating accusations that constitute violation of professional ethics in mass communication.

<sup>53</sup> 4 appeals for quashing in 2014, 9 in 2015, 8 in 2016, and 2 in 2017

conditions that caused the temporary suspension of the Internet had died down, on 20 April 2017, the Head of State instructed the re-connection of the Internet in the said Regions. The constant checking of such excesses and some developments warranted the NCC organising a seminar on 11 September 2017 on hate speech on the media.

**101-** Some injured persons chose to petition against media professionals before the courts in addition to the NCC.

### **C: Judicial Sanctions**

**102-** An analysis of proceedings initiated against media professionals shows the commission of press offences of ordinary law<sup>54</sup> thereby increasing the impact not only on the individual but also on the entire community as indicated above in the contexts of crisis. The courts before which individuals for the most part, brought matters relating to their honour and reputation and, sometimes by public authorities for concerns relating to collective interests of peace and social cohesion, either discharged and acquitted media professionals or convicted and sentenced them in accordance with the legal provisions especially of the Penal Code in force which was not amended with regard to the contextual elements mentioned above (**Rec 4**).

### **Section 9: Freedom of Association (Article 10)**

**103-** The legal framework in the exercise of freedom of association was contained in the previous Reports<sup>55</sup>. During the reference period, the association drive was consolidated thereby reflecting the different levels of the organizational capacity of the people to act on various issues of interest. Sometimes it was necessary to supervise the association drive in order to maintain cohesion and social balance.

**104-** Thus, regarding the declaratory system, some 100 associations are formed every month and are managed freely. In a bid to support associations involved in Human Rights, the NCHRF opened a register in which 433 associations were entered as at February 2017 against some 500 in 2013.

**105-** With regard to associations governed by the authorization system, the number of foreign associations increased from 306 in 2011 to 478 in 2014, and 488 at the end of June 2018. The number of authorised NGOs stood at 99 at the end of June 2018<sup>56</sup>. Freedom of association was also reflected at the political level with an increase in the number of political parties from 274 in 2011 to 298 in 2014, 303 in 2016, and 309 in 2017.

**106- Regarding trade unions,** their number stood at 812 in 2014. In a bid to enhance the quality of social dialogue, a reform of the trade union card index was initiated in October 2015 after a series of 14 meetings with professional organizations of workers and employers with the aim of making an inventory of the problems that undermine the functioning of trade unions and identify sustainable solutions.

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<sup>54</sup> The most recurrent offences were as follows: conditional threats, insults, defamation, false report, false pretences, and false news. Concerning community interests, the following offences were committed: spying, failure to report acts of terrorism, justification of acts of terrorism, resistance.

<sup>55</sup> See third Report, §121.

<sup>56</sup>The *Technical Commission in charge of examining applications for membership to the status of NGO* held 3 sessions every year in 2014, 2015, 2016, and 2 sessions in 2017. Out of the 262 applications received and examined by the competent services of the Ministry of Territorial Administration and Decentralization, 127 were approved by the Commission. At the end of the sessions, 16 NGOs were granted authorization. The most recurrent grounds of rejection of the other applications were as follows: failure to fulfil the conditions for obtaining the status of NGO, a recognised association not functioning for 3 consecutive years, non-transmission of files by channels recognised by the law, and incomplete application files.

**107-** Failure to comply with the law whether at the level of establishment or functioning of associations was sanctioned. In the former case, section 4 of Law No. 90/53 of 19 December 1990 on freedom of association provides:

*Associations the purpose of which is contrary to the Constitution, laws, and good morals, threaten security, territorial integrity, national unity, national integration and the republican form of the State shall be null and void.”*

**108-** In application of this provision, the Minister of Territorial Administration and Decentralization signed Order No. 9/A/MINATD/CAB of 17 January 2017 to declare the nullity of the following groups and prohibit their activities: Cameroon Anglophone Civil Society Consortium (CACSC) and Southern Cameroons National Council (SCNC). It should be noted that the ACHRP had already called on the SCNC to abandon secession, transform the group into a political party and undertake constructive dialogue with the State Respondent on constitutional issues and grievances and later take part in the political game.

**109-** In addition, the Bolifamba Cultural and Development Association formed on 30 October 2012 was dissolved on 4 October 2017 due to an internal conflict that went into recurrent excesses in the public square under conditions likely to seriously disturb public peace and order.

## **Section 10: Freedom of Assembly (Article 11)**

**110-** Freedom of assembly and public demonstration is guaranteed by Law No. 90/55 of 19 December 1990 to lay down regulations governing public meetings and processions as indicated in the previous Reports<sup>57</sup>. During the reference period, striking a balance between freedom and protection of collective interests characterised the exercise of freedoms under the system of declarations.

**111-** Restrictions in the exercise of freedoms most of the time for reasons of preserving public order, have in some cases stirred up the disapproval of some social stakeholders. Such concern that was the subject of discussions with officials of political parties<sup>58</sup> was on the agenda of the 2016 annual meeting of Regional Governors. During the meeting, the Minister of Territorial Administration and Decentralization instructed administrative authorities to adopt a balanced process in the monitoring of freedoms<sup>59</sup>, and undertake dialogue with the organisers of meetings and demonstrations so as to strike a compromise that is compatible with the constraints of each context and the requirements of the Rule of Law<sup>60</sup>.

**112-** Such guidelines fall in line with the Directives of the ACHRP on freedom of assembly, the essence of which was passed on to administrative authorities who benefited from capacity development activities on management of public freedoms, especially a training seminar on the *Rule of Law and Defending the Interests of the State before the Courts* organised from 20 April to 5 May 2017 by the Ministry of Territorial Administration for Senior Divisional Officers.

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<sup>57</sup> Third Report §109-1 and 109-2.

<sup>58</sup> A Delegation of the Cameroon Renaissance Movement led by its chairperson was received in audience on 25 April 2016 by the Minister of Territorial Administration.

<sup>59</sup> The Minister said: *It also seems that the imperative of complying with the requirements of the law is not compatible with the necessary preservation of public power. Public power is neither an unlimited power nor absolute power. Rather, it is power that is guided by law and at the service of the State in the interest of user citizens and for the socioeconomic progress and development of our country.* He added: *It becomes incumbent on the administrative authority that is depository of public power in its unit of command, to abide by the law and to learn to reconcile opinions at all times, in the exercise of its duties, security requirements with those relating to the expression and promotion of freedoms inherent in the Rule of Law.*

<sup>60</sup> Dialogue sometimes resulted in suggestions on adjustment in terms of space framework or time framework.

**113-** Some initiators of assemblies and demonstrations seised the courts in the event of refusal by the administrative authorities of the holding of same, while others organised undeclared demonstrations that were monitored by the Forces of Law and Order.

## **Section 11: Right to Free Movement and to Choose Residence, Leave a Country and Seek Asylum (Article 12) (REC 30, 31)**

**114-** Developments registered in the implementation of Article 12 of the Charter shall be relayed be they under the right of free movement and to choose residence, the right to leave any country including one's country and to return to same, and the right to seek asylum since no collective expulsion was registered. The expulsion of foreigners was conducted by virtue of decisions taken in compliance with the law.

### **A: Freedom of Movement and to choose one's Residence**

**115-** Since the previous Report, the principle of freedom of movement that was until then applicable only in the 4 countries of the CEMAC zone, is henceforth applicable in all the countries of the zone.

**116-** In a bid to guarantee freedom of movement nationwide, access to civil status documents as indicated below under the rights of the child or identification documents was facilitated. In this regard, the terms and conditions of establishment and issuance of the said documents were laid down by 2 Decrees signed on 4 August 2016, one relating to the establishment and issuance of the National Identity Card to nationals<sup>61</sup>, and the other relating to documents concerning foreigners<sup>62</sup>. A National Identification Documents Production Centre was established<sup>63</sup> to produce National Identity Cards, Residence Permits, or Refugee Cards. The establishment of the said Centre resulted in an amendment of the organizational structure of the General Delegation for National Security (DGSN) following which the Service for Immigration which formerly performed the tasks referred to above continued to issue travelling documents to Stateless persons<sup>64</sup>. The Centre that was inaugurated on 9 August 2016, can produce 600 identity cards with security features per hour with a special feature according to which the identity number is unique and tagged with the beneficiary for life. DGSN Services were deployed in the 350 identification stations and in the 50 mobile registration stations nationwide to take the identification stations closer to the people. Thus, 20 mobile kits were distributed to Regional Delegations for National Security and which could be used where and whenever necessary.

**117-** Restrictions in the freedom of movement aimed at guaranteeing the presence on the national territory, of persons involved in judicial proceedings or to preserve the security of persons in some Regions under administrative police powers. Such restrictions were conducted under a curfew instituted by the Governors of Far North Region, North West Region, and South West Region, and restriction of movement for motorcycles which is the main means of transportation used by *Boko Haram* to commit suicide and other attacks.

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<sup>61</sup> Decree No. 2016/375 of 4 August 2016 to amend and supplement some provisions of Decree No. 2007/255 of 4 September 2007 to lay down the terms and conditions of enforcement of Law No. 97/12 of 10 January 1997 on the characteristics of the National Identity Card, and the terms and conditions of establishment and issuance of same.

<sup>62</sup> Decree No. 2016/373 of 4 August 2016 to amend and supplement some provisions of Decree No. 2007/255 of 4 September 2007 to lay down the terms and conditions of enforcement of Law No. 97/12 of 10 January 1997 on the conditions of entry into, resident and leaving Cameroon of foreigners.

<sup>63</sup> See Decree No. 2016/374 of 4 August 2016 to lay down the organization, functioning and duties of the National Centre for the Production of Identity Documents.

<sup>64</sup> See Decree No. 2016/372 of 4 August 2016 to amend and supplement some provisions of Decree No. 2012/540 of 19 November 2012 to lay down the organization of the General Delegation for National Security.



## **B: Right to leave any Country including one's Country and the Right to return to Same**

**118-** One of the cruellest expressions of the migratory crisis was the inhuman treatment of migrants in some countries such as Libya. In a bid to facilitate the return of Cameroon migrants involved in the said crisis, Government and its partners set up some projects. In this regard, as part of the European Union-IOM Trust Fund for the Protection and Reintegration of Migrants in Cameroon (2017-2019)<sup>65</sup>, an Inter ministerial<sup>66</sup> Working Group coordinated by the Ministry of External Relations was formed to ensure the reception and reintegration of such migrants<sup>67</sup>. The Project, the initial goal of which was to support 850 migrants, enabled the repatriation from the very first year, of 2,124 persons. Other projects helped repatriate 222 persons of which 78 expectant mothers and 182 minors. Following the said repatriation, 813 persons benefitted from a vocational reintegration programme set up by the State in collaboration with the IOM.

## **C: Right to seek Asylum**

**119-** The persistent security crisis in the Central African Republic and the increase in the atrocities committed by *Boko Haram* resulted in a significant increase in the number of refugees in Cameroon during the reference period. In this regard, at as 31 December 2013, while 114,753 refugees and 8,337 asylum seekers were registered, the number stood at 341,856 refugees and 7,191 asylum seekers as at 31 March 2018. They live in camps in East Region, Adamawa Region, North Region, and Far North Region of Cameroon, in local communities or in Douala and Yaounde. At their arrival and after registration, they received from the UN High Commissioner for Refugees (UNHCR), identification documents to facilitate among others, their free movement nationwide and to protect them against judicial proceedings and expulsion for illegal immigration.

**120-** Since the production of refugee cards in compliance with the specifications laid down in Decree No. 2016/373 referred to above is near completion, the UNHCR in collaboration with local authorities, continues to provide refugees and asylum seekers with identity documents such as the Certificate of Family Composition for households, Refugee Identification Card for persons aged 18 years or more and unaccompanied minors, Attestation certifying that the holder has applied for asylum, for persons aged 18 years and above, and Travelling Documents of the Convention. Biometric operations were launched in 2015 and registration is ongoing in refugee host areas to check data and update the documents.

**121-** Capacity development activities were organised on the international protection of refugees, for Forces of Law and Order, administrative, judicial, penitentiary administration, council, traditional authorities, and lawyers, in collaboration with the UNHCR<sup>68</sup> to facilitate the proper understanding of the principles governing such protection by the said authorities and to help them be acquainted with the documents issued by the UNHCR.

**122-** During the reference period, the clause of cessation of refugee status was enforced against Rwandan refugees who had run away from their country between 1959 and 1998 following violence and the genocide of April 1994. Out of 832 persons identified by the

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<sup>65</sup> During celebrations to mark the 1<sup>st</sup> anniversary of the initiative, MINREX organised a press conference on 5 July 2018 on the awareness-raising of the risks of illegal immigration.

<sup>66</sup> In comprises officials from MINSANTE, MINAS, MINATD, and MINJEC.

<sup>67</sup> The emergency service package included access to medical care (300 migrants benefitted from such care), psychological support, accommodation for the first night, feeding, and return fare to the family. In addition to the immediate emergency services, financing of reintegration projects ranging from CFAF500,000 to CFAF1,000,000 was envisioned.

<sup>68</sup> In 2017, the UNHCR organised 12 sessions in East Region, and 3 in Yaounde mainly on the dissemination of legal instruments on refugee protection in Cameroon. A module on the rights of refugees was included in the capacity development seminars for stakeholders organised by the Ministry of Justice in 2016 and 2017.

UNHCR in 2017, some of them benefitted from the clause of exemption until 2020 while a list of 724 persons who applied for an alternative status was forwarded to Government by the UNHCR who also promised to provide financial support to the operation. Government proposed the following 3 options to Rwandan refugees: first, stay in Cameroon as a foreigner and obtain a resident permit; second, return to their country, and third, obtain naturalization. The UNHCR has promised to finance the issuance of resident permits.

**123-** The principle of voluntary return of refugees was respected. A tripartite agreement was thus signed between Cameroon, the UNHCR and Nigeria on 2 March 2017. The number of refugees who spontaneously returned to their country of origin cannot be determined because they leave the country freely without reporting their departure. However, 4,300 refugees expressed their desire to benefit from the voluntary return programme within the framework of the tripartite agreement referred to above. Although the Agreement with the Central African Republic was still under negotiation at the end of 2018, out of the 215 urban refugees, 88% voluntarily returned to their country of origin in dignity and under proper security with the support of the UNHCR.

#### **D: Protection against Collective Expulsion and Compliance with the Law on Expulsion of Persons**

**124-** Law No. 2005/6 of 27 July 2005 relating to the status of refugees in Cameroon raises the principle of non-admittance of persons who apply for asylum and of non-criminalization of their illegal entry contained in section 8 (1). The benefits of this provision were granted refugees or asylum seekers whose capacity was notified to the authorities concerned by the HCR after proceedings were initiated against them.

**125-** In this regard, only cases of individual expulsion concerning persons illegally resident in Cameroon were registered, in this case, after court proceedings or after verification of their status.

**126- With regard to the Nigerian population living in the Bakassi Peninsula (REC. 31),** it should be noted that since Cameroon obtained sovereignty on the Bakassi Peninsula on 14 August 2013<sup>69</sup>, it has continued to enforce international commitments, in particular the Greentree Agreement signed in 2006. In this connection, it refrained from applying its customs law and the immigration law on Nigerians living in the peninsula and shuttling between Nigeria and Bakassi to carry out their agricultural and fishing activities among others. They continue to benefit from land ownership, and enjoy more school, health and security services compared to the services they enjoyed during the occupation of the peninsula.

**127-** However, from 14 August 2013, Nigerians living in the peninsula are requested to apply for resident permit or Cameroon nationality. Besides, since 2015, they are bound to abide, as all nationals, by the national laws and regulations including payment of taxes and charges for those who carry out commercial activities.

#### **Section 12: Right to participate in the Management of Public Affairs (Article 13) (Rec 19)**

**128-** The State developed the national legal framework to guarantee the right to participate in the management of public affairs, in particular concerning the equal access of citizens without

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<sup>69</sup> Bakassi, with an area of 1000km<sup>2</sup>, rich in crude oil, gas and water resources, was at the centre of conflict between Cameroon and Nigeria since 1994 and the International Court of Justice entered judgment for Cameroon in 2002. Since the Agreement of 14 August 2008 according to which Nigeria formally handed over the territory to Cameroon authorities, the Bakassi peninsula was placed under transition administration, negotiated by Nigeria and Cameroon under the supervision of the United Nations Organization to facilitate the establishment of Cameroon Administrations.

discrimination, to public offices or elective positions during the different elections organised in 2013 and 2018. The deepening of the decentralization process was one of the levers in the strategy to enhance governance and the strategic management of the State contained in the Growth and Employment Strategy Paper (GESP). During the period 2013-2018, the decentralization process continued for a better involvement of the grassroots communities.

## **§1: Development of Inclusion in Public Jobs**

**129-** Considering the diversity of the people remained one of the determining factors in the management of the Public Service and included adjustments to correct some shortcomings.

**130-** In a bid to promote inclusive access to the management of public affairs, the policy of regional quotas enshrined in Decree No. 2000/696/PM of 13 September 2000 to lay down the recruitment system for administrative competitive examinations was maintained. In this connection, the results of the competitive examination for recruitment into the Public Service are quite illustrative. Out of 1,161 persons newly recruited into the Public Service in 2016, repartition per Region of origin was as follows: Adamawa Region (46); Centre Region (182); Far North Region (107); East Region (95); Littoral Region (93); North Region (53); North West Region (156); West Region (262); South Region (96); South West Region (71).

**131-** With regard to gender equality<sup>70</sup>, the figures of 2017<sup>71</sup> show that women represented 47% of candidates for competitive examinations for recruitment into the Public Service, representing 10,426 women as against 11,714 men in real terms, with an admission rate of 46%, representing 818 women as against 955 men in real terms.

**132-** Concerning the language of expression, in 2017, there were 2,691 English-speaking candidates and 19, 449 French-speaking candidates, respectively representing 12% and 88%. The results of the said examinations show that 349 English-speaking candidates were admitted as against 1,424 French-speaking candidates, representing 20% and 80% respectively. The constitutional requirement of equality of the 2 official languages led to adjustments in the sectors of Justice and Education<sup>72</sup>.

**133-** With regard to persons with disabilities, Decree No. 2018/6233/PM of 26 July 2018 to lay down the terms and conditions of enforcement of Law No. 2010/2 of 13 April 2010 on the promotion and protection of persons with disabilities upholds the principle of prohibition of disability-based discrimination (section 14 (2)). The obligation to create protected jobs<sup>73</sup> is incumbent on the State, and Councils. It is extended to the civil society and international organizations (section 16).

**134-** Recruitment conditions were relaxed through preferential measures such as exemption to the age limit for recruitment, with an extension ceiling of 5 years beyond the required age<sup>74</sup>, priority given to recruitment in case of equal qualification<sup>75</sup>. In order to achieve such, registration forms for recruitment into public offices should contain entries that will make it possible to distinguish between candidates with disabilities and candidates physically fit, since candidates with disabilities can only be given tests that are compatible with their condition.

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<sup>70</sup> Concerning the representation of women in Government and territorial command, see progress made under the Maputo Protocol.

<sup>71</sup>In 2017, there were 67 Direct Competitive Examinations, 15 competitive examinations into training schools, and 3 selection tests.

<sup>72</sup> See below, solutions to the crisis in North West and South West Regions.

<sup>73</sup> According to section 16 (2), a protected employment shall be a work station prepared taking into account functional possibilities and the performance capacities of the disabled person. Private employers may benefit from tax flexibility for the creation of protected employment.

<sup>74</sup>See Article 13 of the Decree

<sup>75</sup>See Article 14 of the Decree

**135-** Disability in itself cannot be a reason for loss of job. That is why an employer has the obligation to redeploy the employee with a disability that may hamper the discharge of the current task, to an office compatible with his disability or readapt his office (section 15).

**136-** In addition to guaranteeing access to employment, guaranteeing career management, in particular discipline, was readjusted to facilitate remedies at law. Regional Disciplinary Councils were set up in 2014<sup>76</sup>, and their decisions may be appealed against before Administrative Courts established in the Regions in 2012<sup>77</sup>. As an example, there is the **matter between Mengue Ekani Hélène Nathalie and State of Cameroon**. By Judgment No. 309/2018/TA-YDE of 18 September 2018, the Yaounde Administrative Court quashed Order No. 30/A/MINJUSTICE/CAB/SEAP/DAPEN/SDPP of 20 February 2015 of the Minister of State, Minister of Justice, Keeper of the Seals to delay the promotion of Mengue Ekani Hélène Nathalie, Senior Warder. The Court held that the ground of irregular absence in office used to justify the sanction was unfounded.

**137- In the Matter between Bayiha Nlend Moussa and the State of Cameroon**, the Administrative Bench of the Supreme Court, by Judgment No. 91/2013/CS/CA of 7 August 2013, reintegrated the Warder, Bayiha Nlend Moussa into the corps of civil servants of Penitentiary Administration following his dismissal.

**138- In the Matter between Ngando Julbert and State of Cameroon**, the Administrative Court of Yaounde, by Judgment No. 4/2015/TA-YDE of 13 January 2015, cancelled Order No. 401/A/MJ/CAB/SEAP/DAG/DAPEN/SDSP/SDPAP/SG2 of 7 December 2008 of the Vice-Prime Minister, Minister of Justice, Keeper of the Seals to regularise his administrative situation, place him on retirement and grant him retirement pension.

## **§2: The Participation Drive in the Management of Public Affairs through Elections**

**139-** The elections of Senators were organised in 2013 and 2018. In 2018, the election of the President of the Republic was organised. Due to an overlapping in the electoral calendar, the term of office of Members of the National Assembly and Municipal Councillors that also ended in 2018, was extended by one year<sup>78</sup>. During the elections which were organised by an independent body **Elections Cameroon (ELECAM)**, and the regularity of which was attested by both institutional mechanisms and electoral observation, the number of voters increased during the period 2013-2018. The elections further resulted in a slight change in the configuration of the political spectrum that conserved its multiparty characteristics.

**140-** In a bid to enable ELECAM to better organise the different elections, there was a change in its management in 2015, 2017 and 2018 while its operational capacities (human, material and financial) were enhanced at the technically with the introduction of biometrics. The State continued to provide support in terms of logistics and security, thereby enabling ELECAM to adapt to the context of crisis in Far North, North West and South West Regions with the delocalisation of some branch offices, delocalisation or reduction of some polling stations<sup>79</sup>.

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<sup>76</sup>Thus, for example, at the 2<sup>nd</sup> Session of the Regional Council of the Public Service and Administrative Reform for South Region held on 16 November 2017, disciplinary proceedings were initiated against 11,500 public agents especially for abandonment of work station, irregular absence, serious violation of ethics. Since their start of activities in 2016, Regional Disciplinary Councils have examined 141 matters.

<sup>77</sup>As per Decree No. 2012/119 of 15 March 2012. Judicial and Legal Officers were appointed thereto on 18 April 2012.

<sup>78</sup>Decree No. 2018/406 of 11 July 2018 to extend the term of office of Municipal Councillors and Law No. 2018/13 of 11 July 2018 to extend the term of office of Members of the National Assembly.

<sup>79</sup>The number of polling stations dropped from 2,100 in 2011 to 240 in 2018 in North West Region.

**141-** It also focused on adapting strategies to promote the participation of voters in the elections. ELECAM further integrated youths, women<sup>80</sup>, Cameroonians living in the Diaspora<sup>81</sup>, persons with disabilities into the electoral process. In this regard, it launched the Accessible Elections for Persons with Disabilities Project with the support of Sightsavers Cameroon, the United Nations Centre for Human Rights and Democracy in Central Africa. The aim was not only to increase the registration rate of persons with disabilities on the electoral register, but also to improve the conditions of their participation in the elections through adapted election material and access to polling stations. Decree No. 2018/6233/PM of 26 July 2018 referred to above upholds such measures by conferring on the State and Councils, the obligation to support persons with disabilities. Such support includes capacity development on participation in elections and on election procedures, provision of proper election equipment and material (Article 23).

**142-** Besides, the table below shows the number of women, youths and persons with disabilities entered on the electoral register for the period 2014-2017.

**Table No.2: Summary of registered voters for the period 2014-2017**

Year Gender	2014	2015	2016	2017
Women	2,671,556	2,764,421	2,922,390	2,984,445
Youths	2,548,662	2,565,742	2,583,182	2,701,650
Disabled persons	32,300	32,425	32,950	32,997
<b>Total</b>	<b>5,252,518</b>	<b>5,362,588</b>	<b>5,538,522</b>	<b>5,719,092</b>

**Source:** ELECAM

**143-** The deployment made by ELECAM resulted in an increase in the number of registered voters from 5,581,603 as at 31 December 2014 to 5,805,435 as at 31 August 2015<sup>82</sup> to 6,176,433<sup>83</sup> in 2016, to 6,326,696 as at 31 December 2017<sup>84</sup>, and 6,596,900 as at 31 August 2018.

**144-** The desire to organise elections in a peaceful environment led to discussions between ELECAM and stakeholders of the electoral process. At each session, stakeholders undertook to abide by the Code of Conduct adopted since 2011<sup>85</sup>.

**145-** In a bid to support the expression of political parties within the framework of the institutional set-up, public funds were allocated to political parties for election campaigns and later, to political parties represented in institutions. The sum of CFAF1,500,000,000<sup>86</sup> was distributed to 31 political parties from 2013 to 2018 depending on the results obtained in the elections organised in 2013.

<sup>80</sup> As at 31 December 2017, out of 6,326,696 registered voters, there were 2,984,445 women, representing 47.17%.

<sup>81</sup> Out of the country, registration was organised per ELECAM Focal Point at some diplomatic missions; this hampered biometric registration. *With regard to the election of the President of the Republic of 7 October 2018, there were 62 polling stations for 18,574 registered voters.*

<sup>82</sup> The figure comprised 224,065 new registered voters of which 134,439 men, representing 60% as against 89,626 women, representing 40%. Meanwhile, there were 119,631 young new registered voters between 20 and 35 years old.

<sup>83</sup> In 2016, the number of new registered voters stood at 510,362 comprising 306,755 men, representing 60.11% and 203,607 women, representing 39.89%. The number of young new registered voters between 20 and 35 years old stood at 367,435, representing 78% of new registered voters.

<sup>84</sup> Registered voters comprised 2,984,445 women, and 3,342,251 men. The number of Cameroon registered voters abroad stood at 12,585 comprising 4,492 women and 8,092 men. The number of disabled registered voters stood at 10 058 comprising 19,892 women and 29,950 men.

<sup>85</sup> The last meeting held on 6 September 2018.

<sup>86</sup> About 2,286,735.25 Euros

**146-** The regularity of the polls was evaluated by election observers accredited to the different polls<sup>87</sup>. The table below shows the number of election observers accredited from 2013 to 2018.

**TableNo.3: Number of election observers from 2013 to 2018**

Poll	Number of national observers	Number of international observers	Total number of accredited observers
Election of Senators 2013	3,661	127	<b>3,788</b>
Legislative and Council elections 2013	12,710	326	<b>13,036</b>
Election of Senators 2018			<b>58</b>
Election of President of the Republic of 7 October 2018	3,662	430	<b>4,092</b>

**Source:**ELECAM/MINAT

**147-** Electoral disputes were examined by the Administrative Bench of the Supreme Court for council elections<sup>88</sup>, and by the Supreme Court sitting as the Constitutional Council for legislative elections and the election of Senators of 2013. Following the effective set up of the Constitutional Council in February 2018, it examined electoral disputes of the Senatorial election of 25 March 2018 and those of the Presidential election of 7 October 2018. In addition to procedural issues, the electoral disputes gave the courts the opportunity to rule on issues relating to nationality, gender consideration in the drawing up of electoral lists<sup>89</sup> and the sociological composition of same, floor crossing of political parties<sup>90</sup> or the criminal jurisdiction of the Constitutional Council<sup>91</sup>.

**148-** At the end of the elections organised during the period 2013-2018, the configuration of the political landscape changed slightly. Thus, with regard to the Presidential election of 7 October 2018 which had a participation rate of 53.85%<sup>92</sup>, out of the 9 contesting candidates<sup>93</sup>, candidate BIYA Paul was elected with 71.28% of votes cast<sup>94</sup>.

**149-**During the Senatorial election of 25 March 2018, the participation rate stood at 97.72% as against 98.95% in 2013<sup>95</sup>. During the 2013-2018 term of office, the number of political

<sup>87</sup>During the Senatorial election of 2013, MINATD accredited 69 CSOs and diplomatic missions comprising the Embassy of the United States of America, and the Election Observation Mission of the European Union, and 3,788 observers of which 3,661 national observers and 167 international observers.

<sup>88</sup> 35 political parties took part in the council elections of 2013 with 753 lists of candidates.

<sup>89</sup>The Matter between MDR and ELECAM heard during the court session of the Supreme Court sitting as the Constitutional Council of 28 March 2013.

<sup>90</sup> The Matter between Silatchoum Edouard (UPC) and ELECAM relating to the challenge of the candidature of Kayo Patrice of the SDF list was heard on 19 August 2013 by the Administrative Bench of the Supreme Court.

<sup>91</sup> The Matter between Ngoudem Jules (CDU) and SDF, ELECAM and MINATD, heard by the Supreme Court sitting as the Constitutional Council on 26 April 2013.

<sup>92</sup> Out of 6,596,900 registered voters, 3,590,681 persons voted.

<sup>93</sup>There was a female candidate among the 25 candidacies received by ELECAM. However, no female candidate was among the 9 candidates validated by the Constitutional Council, whereas in the Presidential election of 2011, 2 female candidatures were validated.

<sup>94</sup>The other candidates had the following results: Garga Haman Adj:1.55%, Kamto Maurice: 14.23%, Libi Li Li Ngue Cabral: 6.28%, Matomba Serge Espoir: 0.56%, Akere Tabeng Muna:0.35%, Ndam Njoya Adamou: 1.73%, Ndifor Afanwi Franklin: 0.67%, Joshua Osi Nbangi:3.36%.

<sup>95</sup> Out of 9,889 registered voters, 9,785 voted.

parties represented at the Senate remained at 7 although the distribution of seats changed<sup>96</sup>. The number of female Senators increased from 21 in 2013 to 26 in 2018, representing 26%.

**150-** During the double legislative and municipal polls of 2013, 25 political parties took part with a participation rate of 76.79%.

**151-** At the National Assembly, the number of political parties increased from 5 to 7 in comparison to the previous legislative period. The MDR, MRC, and UPC<sup>97</sup> sat in the National Assembly for the first time with 1 member each for MDR and MRC, and 3 members for the UPC, together with the CPDM (148 member as against 153 in the previous legislative period), SDF (18 as against 16), NUDP (5 as against 6), and CDU (4 as against 4). The number of women increased from 20 in the previous legislative period to 56, representing 31.12%.

**152-** In the councils, 22 political parties obtained 10,632 Councillors with a renewal rate of Councillors of 68.33%, representing 246 out of 360 Mayors.

### **§3: Deepening the Decentralization Process**

**153-** The process of transferring powers to councils that started in 2010 ended in 2016 with the transfer of powers in 63 areas<sup>98</sup>. In a bid to support the exercise of such powers, resources were also transferred<sup>99</sup>. The Global Decentralization Allocation earmarked since 2010<sup>100</sup> made it possible to avail councils of an annual amount that increased from CFAF7,500,000,000<sup>101</sup> to CFAF10,000,000,000<sup>102</sup> and to CFAF10,500,000,000<sup>103</sup>, representing an average of 0.28% of the State budget for needs evaluated at more than double<sup>104</sup>. In addition, financial resources to the tune of CFAF238,635,360,000<sup>105</sup> were transferred by Ministries from 1 January 2010 to 31 December 2016, including CFAF600,000,000,000<sup>106</sup> worth of the local taxes collected in 5 years by State services and the Special Council Support Fund (FEICOM) and transferred to the councils.

**154-**As at the end of 2017, a total of 1,105 out of 1,305 files were processed while 200 other files were pending. Thus, 11,805 Municipal Councillors received a total of CFAF2,225,400,000<sup>107</sup> representing their emoluments for the 2017 financial year.

**155-** In addition to financial resources, focus was on the training<sup>108</sup> on the technical capacities of decentralization stakeholders. Besides, a *Study on the Impact of the Decentralization Policy*

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<sup>96</sup> The progression in the number of seats won by political parties at the Senate in 2013 and 2018 is as follows: CPDM: 87 as against 82; SDF: 7 as against 14; NUDP: 2; UPC: 1; ANDP: 1; MDR: 1; and FSNC: 1.

<sup>97</sup> The MDR and UPC were returning to the National Assembly while the CRM a political party legalised in 2012 was sitting at the National Assembly for the first time.

<sup>98</sup> The last powers transferred in 2016 concerned the local organisation of literary and art contests, opening and management of libraries or public reading rooms; electrification of needy areas; sanitary inspection in food products manufacturing, processing, storage, and distribution establishments; land development, and literacy skills.

<sup>99</sup> It includes the windscreen licence, land tax, a quota of the additional council tax, a quota of the annual Timber Royalty.

<sup>100</sup> In 2010, the first year of the Allocation, the amount stood at CFAF9,694,000,000 of which CFAF5,000,000,000 for current budget votes and CFAF4,694,000,000 for investment. It increased to CFAF7,000,000,000 in 2011, representing CFAF5,000,000,000 for current budget votes and CFAF2,000,000,000 for investment; CFAF7,500,000,000 in 2012, representing 5,000,000,000 for current budget votes and CFAF2,500,000,000 for investment.

<sup>101</sup> In 2013

<sup>102</sup> In 2014, 2016, 2017, 2018

<sup>103</sup> In 2015

<sup>104</sup> In 2010, the needs expressed stood at CFAF23,155,813,000 and in 2011, at CFAF22,065,721,500.

<sup>105</sup> About 364 328 793.89 Euros

<sup>106</sup> About 916,030,534.35 Euros

<sup>107</sup> About 3.397.557 euros

<sup>108</sup> The following can be mentioned: organization of regional training and capacity development seminars from 11 May to 16 June 2016 for 1,900 local decentralization stakeholders. The outcome of the seminars was the

on Cameroon People from 2010 to 2015 was conducted. It highlighted the need to step up local public actions through the preparation and implementation of a Decentralization Operational Strategy based on Council Development Plans, the GESP, and on the budget-programme requirements needed by the financial regimes of the State and Councils.

**156-** The ongoing preparation of the National Decentralization Strategy and the *codification of decentralization* will help define and better explain the implementation of corrective measures to the identified challenges.

**157-** Henceforth, the process is supervised at the institutional level by the Ministry of Decentralization and Local Development<sup>109</sup> set up by Decree No. 2018/190 of 2 March 2018 to supplement some provisions of the Decree of 9 December 2011 to organise the Government. The new institutional stakeholder shall speed up decentralization and boost local development for the people.

### **CHAPTER 3: IMPLEMENTATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**158-** The GESP has become the strategic framework within which the economic policy of Cameroon was deployed during the period 2013-2018. Enhancement of the standard of living of the people was at the centre of the implementation of both the growth strategy and the employment strategy, the cross-cutting strategy on enhancing governance and the strategic management of the State that has the duty of establishing a proper environment for the production of wealth. Since the deployment of overarching projects of such strategies requires a huge mobilisation of land resources, the issue of land law and especially land ownership has become a central development challenge. Focus was also on human resource development with the promotion of health, education and vocational training, and fine tuning the social protection and national solidarity system. In spite of the many challenges, the actions carried out had a varied impact on the standard of living of the people. Thus, in line with the recent developments mapped out by the ACHPR, this Report will discuss developments made concerning the right to food, right to water and sanitation, and right to housing, in addition to the rights concerning the aspects referred to above.

#### **Section 1: Right to Ownership (Article 14)**

**159-** In addition to the relevant information contained in the previous Reports<sup>110</sup>, it should be noted that the need to lift the land constraints in order to facilitate development has revealed the imperative requirement to further increase the legal security of occupation in a context of increasing pressure on lands. Securing access to land and protection against violation of land rights while integrating vulnerability situations constituted the major points in the protection of the right to land ownership.

##### **§1: Securing Access to Land**

**160-** As part of **securing access to land**, actions were taken to ensure the rational distribution of land, proper understanding of the technical variables and the enhancement of procedures.

**161-** With regard to the rational distribution of land, the State initiated a programme to map out land reserves. As at 19 October 2018, some 812,217ha 5a 72ca were mapped out as land reserves. Besides, in 2013, some 417,400ha of which 417,000ha were allocated as State-

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setting up of mechanisms necessary for the payment of remuneration of Municipal Councillors and the effective transfer of some CFAF18,500,000,000 to councils as local taxes subject to equalization for the first quarter of 2016.

<sup>109</sup>Its duties included preparation of the laws and regulations on the organization and functioning of Councils; and monitoring and evaluation of the implementation of decentralization. At the local level, it ensures the promotion of socioeconomic development and good governance of Councils.

<sup>110</sup> See §180-182 on the constitutional provisions and the legal provisions of the 1970s and 1980s.



owned plots and 400ha to low-cost housing<sup>111</sup>. Government chose the option of proximity regarding land development. This is contained in Decree No. 2016/1246/PM of 23 May 2016 to lay down the terms and conditions of exercising some powers transferred by the State to Councils regarding land development<sup>112</sup>.

**162-** Concerning enhancement of the technical guarantees of reliability of the land title, computerization was undertaken with the short-term goal of computerizing 120,000 land titles and set up a database of 240,000 parcels of land in Yaounde, Douala, Garoua and Maroua in December 2017. In this regard, 91,277 technical files of the Surveys Department and 235 land registers were computerized in Mfoundi Division and 107,233 technical files in Wouri Division. In addition, with a view to establishing a reliable geodetic reference frame, from 2016 to 2018, 25 reference pillars, 510 basic pillars, and 2,439 points<sup>113</sup> of the national geodetic network were planted in 48 Councils and 30 towns. Moreover, 30 Total petrol Stations<sup>114</sup> were acquired in 2015 and 12 in 2016.

**163-** With regard to enhancing procedures, in addition to the simplification and clarification of administrative procedures, supervision of the acquisition of vast land and the protection of vulnerable people constituted a major challenge in the preparation of a legal and regulatory framework. Concerning the first point, one-stop shops<sup>115</sup> were established, the number of which increased from 7 in 2013 to 11 in 2018, each Regional headquarters having a one-stop shop in addition to Kribi. Besides, a programme to reduce transaction costs and time limits in the same Regional headquarters was launched. The procedures were clarified in many works. In this regard, the Procedure Manual and the User's Guide were produced and distributed. The procedure concerning sale, free transfer or exchange of a building between individuals is contained in Decree No. 2016/1431/PM of 27 May 2016 on private land transactions.

**164-** Consideration of the need to protect vulnerable people as part of the normative framework was reflected in the fight against land grabbing and consultations with customary and native authorities. Thus, in the face of significant request for heavy investments from both nationals and foreigners on vast areas of land and in a bid to avoid any form of speculation and land grabbing, the Prime Minister, Head of Government signed Circular Letter No. 1/CAB/PM of 1 April 2014 relating to the provisions applicable to access by investors to land in Cameroon. The instrument tries to strike a balance between achieving economic development projects and the social and cultural interests of the people by consolidating the control of the distribution of land on the basis of lease or concession. The power is distributed between the Ministry in charge of State Property for land that varies between 100m<sup>2</sup> and 49ha, and the Head of State for lands with area higher or equal to 50ha. Resettlement and retrocession measures were taken as part of the allocation of land resources to foreign investors.

**165-** As part of the ongoing land reform, different discussions conducted with representatives from local councils and representatives of the native people<sup>116</sup> (**Rec. 24 and 25**) resulted in the

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<sup>111</sup>It should be noted that 400,000ha were earmarked for agro-industry.

<sup>112</sup> Without prejudice to the responsibilities incumbent on the State, Councils are also in charge of preparing and implementing general urban rules, land use and construction; preparing protection measures and the security perimeter to take into account in urban documents, the right to visit building sites and the right to communication of documents; supervision and technical control of construction of art works, strategic studies on land development operations.

<sup>113</sup>Out of a total of 20,025 points to be achieved.

<sup>114</sup> An apparatus that makes it possible to measure the angles and the distances during surveys.

<sup>115</sup> Ngaounere, Maroua, Ebolowa, Bamenda, Kribi, Garoua, Bertoua, Bafoussam and Buea in 2016

<sup>116</sup> The following initiatives can be highlighted:

- Government/Parliament dialogue on land reform, with the participation of traditional leaders and CSOs held at the National Assembly from 11 to 12 June 2013;
- a brainstorming workshop bringing together Traditional Leaders and Leaders of indigenous peoples on rural land in Cameroon, under the theme: *A proposal by Traditional Leaders on Rural Land Reform in Cameroon*, organised in Yaounde from 11 to 12 December 2013 with the support of the Traditional

formation of an Ad hoc Committee in charge of examining proposals<sup>117</sup> by the traditional leaders of Cameroon on the land, forestry and mining reform as per Order No. 1/PM of 18 January 2015 of the Prime Minister, Head of Government.

**166-** Rights on land in addition to the right of ownership per se were also protected. Decree No. 2014/3209/PM of 29 September 2014 therefore lays down the minimum price of annual occupation charges of public land while Decree No. 2014/3210/PM of 29 September 2014 lays down the terms and conditions of allocation of lease and payment of charges on public land in business areas. For its part, Decree No. 2015/3580/PM of 11 August 2015 lays down the terms and conditions of registration and the guarantee and safety system applicable to concessions and lease on public lands.

**167-** With regard to the involvement of native peoples in mining and forestry reforms, see below (§ 673 and el.).

## **§2: Protection against Violation of the Right to Land**

**168-** Effective guarantees were implemented against violation of land rights, be it violation by individuals against judicial guarantees or legitimate violation within the framework of projects of general interest where compensation was paid.

### **A: Judicial Protection of the Right of Ownership**

**169-** Judicial courts or administrative courts examined many matters that aim to protect land rights. In this regard, as part of administrative disputes, from 2013 to August 2018, out of 14,298 applications against administrative decisions received beforehand by MINDCAF<sup>118</sup>, 9,624 were processed<sup>119</sup>. During the same period, 957 decisions were delivered for the State<sup>120</sup> and 337 for petitioners<sup>121</sup> by administrative courts.

### **B: Compensation in the event of Expropriation for Purpose of Public Utility**

**170-** From 2015 to 2018, 82 Compensation Decree were signed for projects for a total of CFAF43,910,950,236<sup>122</sup>

**171-** Challenges raised during the different compensation operations sometimes led to corrective measures. Thus, as part of the Chad-Cameroon Pipeline Project, 7 supplementary Decrees to Decree No. 2000/825/PM of 19 October 2000 and concerning 7 Ministries were signed on 5 January 2013. With regard to the Kribi deep seaport, a new compensation Decree

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Leaders Network for Biodiversity Conservation and Sustainable Management of Ecosystems in the Congo Basin (ReCTrad) and Organizations such as the Centre for Environment and Development (CED) and Rights and Resources Initiatives (RRI); and

- an audience granted on 12 December 2013 by the Minister of State Property, Surveys and Land Tenure to a Delegation of the National Traditional Leaders Council of Cameroon, the following CSOs: CED, COMINDSUD, *Foi et Justice*, and REFACOF, and representatives of forest indigenous peoples (Bagyeli and Baka) during their handing over of their proposals on the rural land reform in Cameroon.

<sup>117</sup>The proposals include recognition of the right of the village to collective ownership of traditional land that is not transferable, all of this without any special formality; granting ownership to all the villages through a deed signed by Government; recognition of the validity of customary law in the management of village land; not requiring development of land as a prerequisite to having access to land ownership.

<sup>118</sup>That is, 1,882 in 2013; 2,301 in 2014; 2,636 in 2015; 2,722 in 2016; 2,925 in 2017; and 1,832 up till 23 August 2018.

<sup>119</sup> That is, 1,933 in 2013; 1,521 in 2014; 1,754 in 2015; 1,429 in 2016; 1,712 in 2017 and 1,275 up till 23 August 2018.

<sup>120</sup> That is, 96 in 2013; 81 in 2014; 68 in 2015; 217 in 2016; 263 in 2017 and 148 up till 23 August 2018.

<sup>121</sup> That is, 56 in 2013; 11 in 2014; 60 in 2015; 81 in 2016; 76 in 2017 and 53 up till 23 August 2018.

<sup>122</sup> That is, 67,161756.1 Euros

was signed on 5 August 2013 for the sum of CFAF 14,329,752,889<sup>123</sup>. Payment kicked off on 12 September 2013. Concerning the Yaounde-Nsimalen Highway construction Project, a new Decree<sup>124</sup> was signed on 1 November 2017 for the sum of CFAF 808,528,346.

## **Section 2: Right to Decent Work (Article 15) (Rec 13)**

**172-** The rate of underuse of the labour<sup>125</sup> force of persons aged 15 years or more dropped from 19.8% in 2010 to 17.8% in 2014, representing 2 points. The rate of informal jobs stood at 88.6% in 2014 as against 90.3% in 2017 representing an increase of about 2 points in the modern sector of the economy driven mostly by the public sector rather than the private sector. The combined rate of unemployment and potential labour force stood at 5.9% in 2014 as against 6.6% in 2010.

**173-** In a bid to address the situation that also showed an activity rate of persons aged 15 years or more in urban areas that stood at 66.9% in 2014 and a poverty rate of female workers of about 50% that has not significantly evolved since 2007 according to the International Labour Office (ILO), Cameroon signed the Decent Work Country Programme (DWCP) for the period 2014-2017 in October 2014 with the ILO. Since the evaluation in 2017 of the Programme showed an implementation rate of only 65%, it was extended to 2019. The Programme has the following 4 thrusts: decent jobs, social dialogue, social protection, and promotion of international labour standards. It is in this context that the State continued to deploy the employment strategy by integrating specific measures for women and youths (**Rec. 13**), developing guarantees on fair and equitable labour conditions while working towards extending social security.

### **§1: Deployment of the Employment Strategy**

**174-** During the period 2013-2018, the employment strategy focused on the following 3 thrusts: increasing the employment offer, balancing demand for employment, and enhancing the efficacy of the labour market.

#### **A: Increasing the Employment Supply**

**175-** During the period 2013-2018, a total of 20,004 public jobs were created<sup>126</sup>. Since the absorption capacity into the Public Service is not infinite, Government continued to encourage self-employment and private job offers. In this regard, the link between economic boost and job creation accounted for the adoption of measures to facilitate the establishment of enterprises, support enterprises and set up special tax incentives to investors that promote access to employment. Besides, the employment potential was exploited within the framework of major projects.

**176-** As part of the drive to facilitate the establishment of companies, the minimum registered capital for private limited companies was reduced to CFAF 100,000<sup>127</sup> with an option to use a Notary Public as per Law No. 2016/14 of 14 December 2016 to fix minimum registered capital and conditions for using Notaries Public in the establishment of private limited companies in Cameroon. The procedure to authenticate articles of association was also simplified as such authority was conferred on the Head of the Business Establishment Formalities Centre (BEFC). The Head has a period of 24 hours after submission of the articles

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<sup>123</sup> About 21, 877,485.33 Euros

<sup>124</sup> Decree No. 2017/10 964/PM of 1 November 2017 on further compensation, for the villages of Toutouli and Minkan, persons who lost their land right or whose properties were destroyed in the context of the construction of the Yaoundé-Nsimalen highway in the Mfoundi Division.

<sup>125</sup> The under use of workforce is a measure that combines unemployment, underemployment related to potential workforce.

<sup>126</sup> About 3,459 in 2013; 2,727 in 2014; 2,972 in 2015 (1,912 men, 1,060 women); 2,893 in 2016; 2,774 in 2017 and 5,179 in 2018.

<sup>127</sup> About 152,67 euros

of association<sup>128</sup> to authenticate same. In this regard, the BEFC registered 13,343 SMEs established in 2017 as against 15,219 SMEs<sup>129</sup> in 2016 and 13,374 SMEs in 2015. More than half of companies registered focused on handicraft and the digital including services in education, health and agro-industry and were established by persons younger than 40 years (**Rec. 13**).

**177-** With regard to the support given to SMEs, and considering the increase in the number of Approved Management Centres (AMC) from 7 in 2016 to 11 in 2017, the number of SMEs that migrated from the informal sector to the formal sector increased from 1,000 in 2016 to 1,500 in 2017. Besides, the State made a priority settlement of the debt it owed SMEs<sup>130</sup>.

**178-** Concerning tax incentives, as per Law No. 2017/15 of 12 July 2017 to amend and supplement some provisions of Law No. 2013/4 of 18 April 2013 to lay private investment incentives in the Republic of Cameroon<sup>131</sup>, a tax credit may be granted an investor who employs at least 5 young graduates per year. Thus, in 2017, 137 investment agreements<sup>132</sup> were signed with promoters in different sectors especially agro-industry, iron and steel industries, chemical industry, energy, low-cost housing for 50,000 direct employment projects<sup>133</sup>.

**179-** Concerning the number of job seekers registered at the National Employment Fund (NEF)<sup>134</sup> and whose number increased from 34,455 in 2013 to 51,727 in 2017, NEF sort employment for 280,575 job seekers for the period 2013-2018 in both remunerated jobs and project-generated jobs. It also organised vocational training and financed projects as shown in the table below:

**Table 4: Annual job results by National Employment Fund**

Year	Reception and orientation	Paid jobs	Vocational training	Project financing	Project-generated jobs	Total (paid + project-generated)
<b>2013</b>	38,455	41,681	6,089	4,044	8,269	49,950
<b>2014</b>	47,607	44,693	11,779	9,033	8,269	63,263
<b>2015</b>	51,330	48,124	10,281	8,618	17,294	65,418
<b>2016</b>	50,999	46,521	2,034	24	36	46,557
<b>2017</b>	51,727	50,547	4,077	2,306	4,840	55,387

**Source:** National Employment Fund

**180-** Altogether, the number of jobs created between 2013 and 2018 stood at 2,291,363, including 224,712 in 2013, 400,390 in 2016, 473,303 in 2017, and 493,533 as at 15 November 2018.

<sup>128</sup> Decree No. 2017/877/PM of 28 February 2017 supplemented the mechanism by laying down the terms and conditions of authentication of articles of association of private limited companies in the Business Establishment Formalities Centres in Cameroon.

<sup>129</sup> Some 1,049 companies were established online with the “my business.cm” application.

<sup>130</sup> See address of the Head of State to the Nation on 31 December 2017.

<sup>131</sup> See section 8 (new) of Law No. 2017/15 of 12 July 2017 to amend and supplement some provisions of Law No. 2013/4 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon

<sup>132</sup> See Law No. 2013/4 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon.

<sup>133</sup> The global amount of the agreement is estimated at CFAF2,322,000,000,000 (About 3,539,634,146.3 Euros).

<sup>134</sup> The budget allocated to NEF globally increased between 2013 and 2018 representing CFAF7,000,000,000 (About 10,671,341.21 Euros) in 2013, CFAF6,500,000,000 (About 9,923,664.12 Euros) in 2014; CFAF7,500,000,000 (About 11,433,676.29 Euros) in 2015; CFAF8,000,000,000 (About 12,213,740.5 Euros) in 2016; CFAF10,000,000,000 in 2017, and the same amount in 2018.

## **B: Balancing Job Applications and Vocational Training**

**181-** In addition to clarifying the choice of the national policy, preparation of the vocational training normative framework done in 2018 falls in line with the determination to consolidate the vocational training institutional environment, stepping up the public and private vocational training offer and the implementation of incentives and appropriate attendant measures.

### **1: Vocational Training as a National Priority**

**182-** Section 2 (1) of Law No. 2018/10 of 11 July 2018 governing vocational training in Cameroon provides: “The State shall grant vocational training a national priority status.” The intention, through balancing training and employment, is to meet the priorities of the national economy.

**183-** The guiding principles in the implementation of the national vocational training policy include equal access and training opportunities at the social level, equity with the inclusion of women and persons with disabilities, vocational flexibility and permeability of fields or transparency of the vocational training system, involvement of partners of the socio-professional areas in the their preparation, validation and implementation.

**184-** In a bid to promote the increase and diversification of the vocational training offer, the law provides that private partners be able to provide support through either financing or establishment of vocational training facilities. Besides, in the preparation and consistency of the said policy, the law referred to above provides for the establishment of a National Orientation and Vocational Training Council in charge of monitoring-evaluation of the implementation of the vocational training policy and strategies.

### **2 : Reorganization of the National Employment and Vocational Training Observatory (NEVTO)**

**185-** Order No. 109/PM of 22 September 2016 reorganised NEVTO by transforming it into a real information structure on employment and vocational training in Cameroon. NEVTO comprises operational structures<sup>135</sup> that enable it to guide the decision-making body, and it is henceforth financed by different sources<sup>136</sup>. The budget of NEVTO wavered between CFAF61,900,000,000<sup>137</sup> in 2013, CFAF59,000,000,000<sup>138</sup> in 2014 and CFAF57,000,000,000<sup>139</sup> in 2015.

### **3: Consolidation of Public and Private Vocational Training Offer**

**186-** Balancing training and economic needs was implemented through the professionalization of education at the secondary school and university levels (see analysis on

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<sup>135</sup>The Steering Committee that meets at least twice a year in ordinary sessions, brings together representatives from different administrations in charge of the development sector where demand for labour is recurrent; institutions in charge of statistics, vocational training, job placement; representatives from chambers of commerce; and representatives from professional organizations and trade unions. The permanent secretariat comprises 3 units: a Unit for Studies and Research, a Unit for Cooperation, Documentation and Broadcast, and a Unit for Administration and Finance. Besides, to guarantee the effectiveness of a reliable information system in the area of employment and vocational training, NEVTO has a national data collection network that comprises ministerial, regional and divisional focal points.

<sup>136</sup> As per Order No. 7/PM of 13 February 2002, NEVTO comprised representatives of different stakeholders in charge of monitoring issues relating to employment and vocational training. It also had a Secretariat. The current budget votes of NEVTO were borne by the budget of the Ministry of Employment and Vocational Training (MINEFOP)

<sup>137</sup>About 94,503,816.8 Euros.

<sup>138</sup>About 242,748,92 Euros.

<sup>139</sup>About 87,022,900.8 euros.

the right to education, § 274 and el. below), and through increase in the quantitative and qualitative offer of vocational training in special structures.

**187-** The public supply of vocational training is illustrated by the progressive upgrading of SAR/SMs to Occupational Training Centres (OTC) especially in Guider, Kribi, Jakiri and Abong Mbang, the ongoing construction of Sector Vocational Training Centres (SVTC) in Douala and Edea, the establishment of Vocational Training Centres of Excellence (VTCE) in Douala, Limbe and Sangmelima, the opening of the Vocational Training Centre for Industrial Trades in Nkongsamba, and the continued establishment of Vocational Training Centres adapted to the realities of the national economy<sup>140</sup>. The construction of the National Institute for Training of Trainers and Programme Development in Yaounde will be completed in 2019. The administrative staff of the Institute was recruited in 2018.

**188-** The approval of 730 structures has resulted in the increase of private vocational training supply from 172 in 2014 to 144 in 2015, and 188 in 2017. In a bid to support private supply, the State allocated CFAF50,000,000,000<sup>141</sup> each year.

#### **4: Special Actions for Women, Young Graduates and Vulnerable Persons**

**189-** The topmost priority of the DWCP comprised increase in decent jobs and income-generating activities especially for women (see § 830 and al. below), young graduates ((**Rec. 13**) and vulnerable groups. With regard to the socioeconomic integration of socially vulnerable persons, projects such as the Pygmy Development Plan/Forest-Environment Sector Project as part of Phase III of the National Community-driven Programme (2016-2019)<sup>142</sup> and the Agricultural Competitiveness Enhancement Programme (2013-2015)<sup>143</sup> were implemented.

**190-** Concerning youths, the National Youth Employment Plan of Action (PANEJ) and the Special Three-year Youth Plan (PTS-JEUN) were adopted to consolidate civic education and youth integration. In addition, the National Youth Integration Fund (FONIJ) and the National Youth Observatory (NYO) were set up. Bursaries were also granted to some youths.

##### **(a) The National Youth Employment Plan of Action (PANEJ)**

**191-** PANEJ that was adopted in 2008 was updated to cover the period 2016-2020 in order to fall in line with the new development frameworks. The Plan with an estimated

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<sup>140</sup>-They include:

- construction of sector-based vocational training centres in Bandjoun, Maroua, Ndop, and Ebebdia;
- conduct of technical studies for sector-based vocational training centres in industrial maintenance, Transport/Logistics in Edea and Agro-industry in Douala;
- conduct feasibility studies for the establishment of 6 vocational training centres in the railway sector in Ngaoundere, water sector in Akomnyada through Mbalmayo, mining sector in Abong Mbang, leather and textile sector in Mokolo, clean and renewable energy sector in Bamenda, industrial maintenance sector in Bafoussam, and the update of the development study of the vocational training centre for Industrial trades in Pitoa; and
- signing of MOUs to continue the project to construct vocational training centre for trades in Nanga Eboko with the support of the Republic of Austria, the establishment of the vocational training centre of excellence with Turkey.

<sup>141</sup>About 68,702.29 Euros.

<sup>142</sup> Thus, in the Labour-intensive Programmes of Phase III of the National Community-driven Programme, 1,089 youths were trained and employed while 1,131 jobs were created.

<sup>143</sup> The Agricultural Competitiveness Enhancement Project has a framework for actions geared towards vulnerable indigenous peoples drawn up with a view to consolidating and diversifying their production capacities in the agricultural areas identified and increasing their income and thereby, their contribution in boosting the growth of the national economy. The budget of the Project stood at CFAF500,000,000 over the period 2013-2015.

CFAF135,000,000,000<sup>144</sup> focuses on the following strategic thrusts: matching employment to training, enhancing the employment information system, promoting decent work for youths, promoting and developing youth entrepreneurship, and promoting labour market governance for youths.

**192-** During the execution phase, in 2017, PANEJ enabled the establishment of the Green Jobs Promotion Programme (2018-2022) with the aim of creating 108,500 jobs although there was insufficient financial mobilisation<sup>145</sup>.

### **(b) Special Youth Emergency Plan (PLUS-JEUN) for the Consolidation of Civic Education and Youth Integration**

**193-** The Special Three-year Youth Emergency Plan<sup>146</sup> launched on 11 January 2017 with a budget of CFAF102,000,000,000<sup>147</sup>, is a Government Programme for youth economic integration that aims at supporting 1,500,000 youths. It has 3 components.

**194-** The first component is related to the establishment of a National Youth Observatory (NYO) that will serve as an intermediary between youth employment demand and youth employment supply service based on an inventory of their real aspirations.

**195-** In this regard, the NYO was instituted by Decision No. 9/2016/D/MINJEC/CAB of 23 February 2016 and placed under the supervisory authority of the Ministry of Youth Affairs and Civic Education (MINJEC). The NYO that was established within the Youth Promotion Multi-purpose Centres (YPMC) Project, is a platform for mapping, mobilisation and guidance of youths towards appropriate channels for the achievement of their needs. The duty of the NYO is to facilitate the access of youths to institutions and programmes/projects that have a direct impact on their civic education, social integration, and economic promotion. It is an institution that welcomes, registers and listens to youths, provides them with information and guidance towards Government non-government programmes and projects developed for them.

**196-** The second component concerns specialization and capacity development of existing operational programmes or some other youth programmes on their civic education and national integration. In this regard, national training programmes on citizenship and national integration were organised by the National Civic Service Agency for Participation in Development. Youths were registered for voluntary services to use their skills and experience for national development. Financing was also provided to youths either individually or in groups for their self-employment in promising new areas.

**197-** Thus, FONIJ, an instrument to finance and guarantee youth projects was established by Decision No. 10/2016/D/MINJEC/CAB of 23 February 2016. It results from the financial sustainability of the Rural and Urban Youth Support Programme (PAJER-U) and the Youth Socioeconomic Integration Project for the establishment of micro-enterprises for the manufacture of sports material (PIFMAS). The goal of the Fund is to promote youth integration into production channels through the financing of their projects, and remuneration of intermediary organizations that prepare and guide youths towards self-employment and entrepreneurship.

**198-** The third component focuses on socio-educative infrastructure development with the construction and equipment of YPMC. As at 20 December 2018, the number of YPMCs stood at 434.

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<sup>144</sup> About 206,106,870 Euros.

<sup>145</sup> The Programme is estimated at CFAF21,000,000,000.

<sup>146</sup> The goal was to set up a mechanism that matches demand to supply and that enables youths through mobilisation, orientation and supervision, to join the labour market depending on their needs and the different opportunities available. Besides, such matching resulted from the determination to record the efficiency and impacts of Government action towards youths.

<sup>147</sup> About 155,725,190 Euros

**199-** A Steering and Monitoring Committee of the Special Three-year Youth Emergency Plan was formed by the Prime Minister. The Committee that is chaired by the Secretary-General of the Prime Minister's Office validates all the procedures and tools necessary for the different activities of the Plan.

**200-** As at 25 January 2018, an evaluation of the first year of implementation of the Plan revealed that 500,000 youths from rural and urban areas, and the Diaspora were registered at the NYO either from YPMCs or through the Digital Platform accessible at [www.onjcameroun.cm](http://www.onjcameroun.cm). In addition, 3,835 youth projects either for individuals or groups were designed and hatched after all their promoters had conducted activities geared towards civic and moral rearmament. Some 2,150 of the said projects were financed to the tune of CFAF3,300,000,000<sup>148</sup> and 847 other projects on micro-activities or junior enterprises were examined by the Committee for financing.

### **(c) Bursaries for Vocational Training**

**201-** Youths were granted bursaries for training in sectors such as computer sciences, food industry, building and construction. The table below shows bursaries allocated to youths between 2013 and 2017.

**202-** The challenges of vocational training were mainly on consolidating the legal framework, coordinating stakeholders and monitoring post-training learners.

### **C: Efficacy of the Labour Market**

**203-** Transparency in the labour market is one of the main thrusts of the employment policy as contained in Law No. 2018/10 of 11 July 2018 referred to above. In this regard, Circular No. 67/LC/MINEFOP/CAB of 29 April 2013 relating to the periodic production of employment information by enterprises, public sector and private sector Programmes and Projects obliges target entities to publish employment offers through legal channels. A forecast management mechanism for jobs, trades, and skills in enterprises nationwide (GPEC-T) was set up to provide information in real time on employment opportunities available on the labour market.

**204-** NEVTO continued to provide the public with information on employment and vocational training through the following publications:

- 6 months speculations that made it possible to obtain 473,303 jobs during the last 6 months of 2017 out of the estimated 400,000 jobs in 2017; and
- statistical yearbooks on employment and vocational training through which as at 15 November 2018, an inventory of 494,533 jobs out of the estimated 700,000 jobs in 2018 was made.

**205-** During the reference period, NEF continued its intermediation activities. The number of private job placement offices increased from 14 in 2013 to 27 in 2017 and dropped to 15 in 2018. Within the framework of overarching projects, 6,225 nationals were recruited of which 4,454 for the Africa Cup of Nations work sites.

### **§2: Development of Fair and Equitable Working Conditions**

**206-** In addition to equal opportunities and treatment, the increase in the Guaranteed Minimum Inter-professional Wage (SMIG), guaranteeing health and safety at work and guaranteeing freedom of expression of the worker through the right to freedom of trade unionism, constituted the main aspects of Government action in providing fair and equitable working conditions to workers.

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<sup>148</sup> About 5,038,167 Euros



## **A: Guaranteeing Equality and Non-discrimination**

**207-** In addition to equal opportunities in job openings for youths and women, allegations of discriminatory treatment in enterprises were of concern to the courts. Thus, in the matter between **Massango Epie vs Herarkles Farms**<sup>149</sup>, the High Court of Fako holden at Buea concluded that there was discrimination on the ground that the candidate profile of the white person who, in January 2013 replaced the Plaintiff at the position of Senior Vice-President Finance and Office Operations of the American Company, Herarkles Farms based in Cameroon, did not reveal, in contrast to the Plaintiff, prior experience in internal audit, transparency, mastery of spreadsheets and agricultural projects. Indeed, at the time of his recruitment in December 2012, the Company had verified the certificates of Plaintiff and had even dissuaded him from accepting an offer from Banjul Oxygen Limited Company. The Court consequently awarded Plaintiff general damages for discrimination<sup>150</sup>, and wrongful termination<sup>151</sup> as well as special damages<sup>152</sup> (See Judgment in APPENDIX 5)<sup>153</sup>.

**208-** In **The matter between Okala Roger vs World Wide Fund (WWF)**<sup>154</sup> relating to discrimination in salaries, the High Court of Mfoundi holden at Yaounde rejected the application of Plaintiff on the ground that the Employer had applied the same conditions in the processing of the salaries of the other colleagues of the same level, including seniority, rank, level of responsibility in WWF (see Judgment in APPENDIX 6)<sup>155</sup>.

## **B: Increase in the Guaranteed Minimum Inter-professional Wage**

**209-** In response to the fuel price hikes and to prevent any social crisis in 2014, negotiations were undertaken with social partners to identify palliative measures to the high cost of living. Thus, in the private sector and pursuant to Decree No. 2014/2217/PM of 24 July 2014, SMIG was increased from CFAF28,216<sup>156</sup> to CFAF36,270<sup>157</sup>, representing an increase of 28.54%. In the Public Service sector, the salaries of civil servants and State agents were increased by 5% as per Decree No. 2014/253 of 7 July 2014 to revalorise the monthly basic salaries of civil servants and military staff.

## **C: Guaranteeing Health and Safety at Work**

**210-** In 2017, some 300 Committees on Hygiene and Safety at Work still known as Health and Safety Committees were established. They were increased by 200 in 2018. Evaluation of the functioning of the said Committees was conducted in 65 enterprises in Centre, Littoral, and South West Regions. In addition, 6 training and capacity development manuals for Labour Inspectors and members of the Committee on Hygiene and Safety at Work<sup>158</sup> were drawn up. The inspection system of international labour standards was further consolidated

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<sup>149</sup>High Court FAKO, Judgment No. HCF/L.8/2013 of 13 December 2013.

<sup>150</sup>2 000 000 000 FCFA about 3 053 435, 11 euros.

<sup>151</sup>13 346 400 FCFA about 20 376, 18 Euros.

<sup>152</sup>21 242 117 FCFA about 32 430, 71 Euros

<sup>153</sup>This Judgment was appealed against and the matter is pending before the Court of Appeal of the South West.

<sup>154</sup>Judgment No. 69/SOC of 15 October 2012 delivered by the High Court of Mfoundi.

<sup>155</sup> Plaintiff in his capacity as Programme Administrator, Senior Finance Officer claimed damages worth CFAF51,355,558 representing the sum he claimed he would have received on an equal basis with staff occupying, like him, positions of responsibility with regional and international scope by virtue of the system of remuneration in force at the WWF.

<sup>156</sup> About 43.078 Euros.

<sup>157</sup> About 55.37 Euros.

<sup>158</sup> Order No. 10/MINTSS of 17 February 2017 to appoint officials in Regional Delegations of the Ministry of Labour and Social Security; and Order No. 11/MINTSS of 17 February 2017 to appoint officials in Divisional Delegations of the Ministry of Labour and Social Security.

with the increase in the number of Labour Inspectors from 50 in 2016 to 130 in 2017<sup>159</sup>, 244 in 2018, and 42 Service Heads for Health and Safety at Work who rank as Inspectors. Some 2,558 inspections were conducted in 2018.

## **D: Guaranteeing the Worker Freedom of Association**

### **1: Institution of Social Dialogue Monitoring**

**211-** As part of promotion of social dialogue, an institutional framework enabling the expression of the ILO tripartite mandates was set up by Order No. 67/CAB/PM of 14 July 2014. It is the Social Dialogue Consultation and Monitoring Committee, a tripartite body (Government, Employers, Workers) under the authority of the Minister of Labour and Social Security. The duty of the Committee is to oversee the effective implementation of the measures taken by Government as part of social dialogue<sup>160</sup>. Indeed, the body consolidates the already existing mechanism in the promotion of social dialogue, comprising the National Labour Advisory Commission and the National Health and Safety at Work Commission.

**112-** At the different sessions of the Social Dialogue Consultation and Monitoring Committee, discussions focused, among others, on the socioeconomic impact of tensions in North West and South West Regions, and procedures on tripartite negotiations to appease the social climate in other situations<sup>161</sup>. Discussions also resulted in the signing of 2 collective agreements in 2017: the National FEICOM Enterprises Collective Agreement and the National Cameroon Radio Television (CRTV) Collective Agreement. In 2018, 3 other agreements were signed.

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<sup>159</sup> Order No. 10/MINTSS of 17 February 2017 to appoint officials in Regional Delegations of the Ministry of Labour and Social Security; and Order No. 11/MINTSS of 17 February 2017 to appoint officials in Divisional Delegations of the Ministry of Labour and Social Security.

<sup>160</sup> The Social Dialogue Consultation and Monitoring Committee in in charge of:

- promoting relations between the different social dialogue partners with a view to preventing all types of social conflicts;
- collecting, discussing, examining, and ruling on claims by professional organizations in order to seek negotiated solutions;
- diligently proposing precautionary solutions to strike actions;
- promoting and encouraging consultations between Government and social partners on all issues relating to the social climate;
- giving opinions that will anticipate social crisis situations; and
- monitoring and ensuring the effective implementation of measures approved by Government geared towards the restoration of social peace.

The Committee meets once every 3 months.

<sup>161</sup> In 2017, the following claims were made by workers in the following sectors:

- education sector: claims focused on the holding of a National Education Forum and the absorption into the Public Service of the 2005-2006 Batch of trained Teachers and Teachers recruited on contract basis. A consultation forum chaired by the Prime Minister, Head of Government was held on 5 December 2017, at the end of which the Minister of Public Service and Administrative Reform, the Minister of Secondary Education, the Minister of Basic Education and the Minister of Higher Education were on the express directives of the Head of State, exhorted to lay the groundwork for the organisation of the said Forum;
- transport sector: claims by workers of the *TIC LE BUS* Company focused among others, on payment of salary arrears, the non-payment of social contributions, the non-payment of family allowances, and non-payment of the social benefits of former employees. Tripartite discussions resulted in the disbursement of CFAF835,490,528 for the payment of the social benefits of employees of *TIC LE BUS*.
- major projects sector: claims focused on the failure to apply the National Collective Agreement of Building and Construction, non-payment of salaries, wrongful termination, and non-payment of housing allowance. The outcome was the strike action by workers of the China First Highway Engineering Corporation, and JTEGC Construction Company in charge respectively of the construction of the Yaounde – Douala motorway, and re-asphalting of the Kumba – Mamfe road

## 2: Expression of the Freedom of Trade Union

**213-** Government intended to update the trade unions card index since October 2015<sup>162</sup> to have an updated inventory of professional organizations for a better organization of social dialogue. The operation helped identify 717 trade unions and 12 employers' confederations in 2018. Besides, the employers' representation mechanisms were effective. In this regard, 7,480 staff delegates affiliated to 11 trade union federations were chosen following elections organised on 1 March and 8 April 2016 nationwide<sup>163</sup>.

### §3: Protection of Workers against Wrongful, Unjust, unjustified Termination and Forced Resignation

**214-** The information contained in the previous Report (§210-213) is still relevant. However, it should be noted that courts sitting on labour matters regularly ruled on matters of wrongful dismissal. In cases, for example, where workers formerly linked to an enterprise by an open-ended contract, refused following the change of the form of the enterprise to a private limited company, to sign fixed term contracts proposed to them by the employer, the Court of Appeal of the North holden at Garoua held that in fact it was a dismissal<sup>164</sup>, considering that substantial amendments to employment contracts should be negotiated and during the negotiations, common ground should be reached by the parties by mutual agreement<sup>165</sup>.

**215-** The non-compliance with procedural formalities in matters of dismissal was also sanctioned by the courts. The Court of Appeal of the Adamawa holden at Ngaoundere upheld a judgment of the trial court that had considered that a letter notifying the worker that he was no longer a staff of the company was a letter of dismissal served on him in violation of the provisions of section 34<sup>166</sup> of the Labour Code.

## Section 3: Right to Health (REC. 14 to 18)

**216-** During the reporting period the strategic framework for the health sector was strengthened. Government took measures to improve on the availability of and accessibility to healthcare services including sexual and reproductive health. The control of diseases was also a priority.

### §1: Strategic Framework

**217-** Progress was made concerning the strategic framework as a new Health Sector Strategy (HSS) (2016-2027) was validated on 27 June 2017. The National Health Development Plan

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<sup>162</sup> 36 trade unions were formed in 2013, 12 in 2014, and 27 in 2015.

<sup>163</sup> Order No. 2016/101/MINTSS/SG of 11 July 2016 to lay down the national classification of the confederation of trade unions.

<sup>164</sup> Court of Appeal of the North (Garoua), Judgment No. 6/SOC of 1 September 2016 in the matter between *La Pharmacie de Garoua SARL* and **Moussa Tanko**; Judgment No. 7/SOC of 1 September 2016 in the matter between *La Pharmacie de Garoua SARL* and **Djayou Oumarou**; Judgment No. 9/SOC of 1 September 2016 in the matter between *La Pharmacie de Garoua sarl* and **Djikam Rikiatou**.

<sup>165</sup> Court of Appeal of the North (Garoua), Judgment No. 6/SOC of 1 September 2016 in the matter between *La Pharmacie de Garoua SARL* and **Moussa Tanko**.

<sup>166</sup> Judgment No. 21/SOC of 6 July 2015 delivered by the Court of Appeal of the Adamawa in the matter between the *Secrétariat à l'Education de l'Eglise Evangélique et Luthérienne du Cameroun* (SEDUC-EELC) and **Adamou Silas**. Court of Appeal Judgment upholding Judgment No. 9/SOC of 23 April 2013 delivered by the High Court of Vina holden at Ngaoundere. The employer was convicted and ordered to pay Plaintiff damages for wrongful termination and issue him a labour certificate. See also Judgment No. 22/SOC of 6 July 2015 by the same Court of Appeal in the matter between **Yakoubou Paul** and *Secrétariat à l'Education de l'Eglise Evangélique et Luthérienne du Cameroun* (SEDUC-EELC).

(NHDP) (2016-2020) which is the implementation instrument for the Health Sector Strategy was published in August 2016.

**218-** The HSS (2016-2027) was drawn up following an evaluation of the HSS (2001-2015). The evaluation showed that progress was made in the reduction of infant mortality, HIV prevalence and Malaria control. However, efforts have to be made in areas such as maternal mortality and health district servicing among others.

**219-** The vision of the HSS is formulated as follows: “Cameroon, a country where universal access to qualitative health services is guaranteed all classes of people by 2035, with the full involvement of communities”.

**220-** The goal of the HSS is to enhance the development of human capital for growth and sustainable development in compliance with the recommendations of the GESP, and align with the Sustainable Development Goals by speeding up the establishment of the universal health coverage.

**221-** The HSS has the following 4 thrusts:

**222- Health promotion:** the goal is to cause at least 50% of the population to adopt health-friendly conduct<sup>167</sup>.

**223- Disease prevention:** Cameroon intends to reduce by one-third, by 2027, the proportion of persons with risk factors of avoidable diseases especially for vulnerable targets comprising mother and child<sup>168</sup>.

**224- Health care:** the objective is to reduce by 50%, mortality specific to priority diseases such as malaria, high blood pressure and tuberculosis<sup>169</sup>.

**225- Consolidation of the health system:** the comprehensive goal is to develop the health system capacities in order to sustainably guarantee quality health care and services<sup>170</sup>.

**226-** The NHDP (2016-2020) defines guidelines for a period of 5 years for the implementation of the HSS, emphasizing key interventions in the priority areas including maternal, new-born, child and adolescent health, control of the main diseases through greater community partnership and consolidation of the health system pillars.

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<sup>167</sup> The action will focus on (i) stepping up health promotion in public policies and plans of action, and the taking into account of social health determinants in health care and service delivery; (ii) enhancement of the standard of living of the people; (iii) consolidation of community participation in the resolution of health problems; and (iv) promotion of health-friendly conduct.

<sup>168</sup> In this regard, priority shall be given to (i) prevention of chronic non-communicable diseases; (ii) prevention of major communicable diseases (AIDS, TB, Malaria); (iii) prevention of all Potentially Epidemic Diseases (PED) but more of those that can be avoided through immunization and (iv) prevention of mother-to-child transmission (MTCT) of HIV.

<sup>169</sup> The actions include (i) improvement of health care of cases of communicable and non-communicable diseases and their complications; (ii) proper implementation of high impact curative actions on the health of the mother, newborn, the child, and the adolescent; (iii) stepping up infrastructure supply at the operational level and equipment of health facilities; and (iv) consolidation of advanced and mobile strategies as a condition for service delivery.

<sup>170</sup> In this regard, concern is on (i) stepping up the supply, storage system and use of quality drugs at all levels; (ii) enhancing availability of health care and service provision both in hospitals and communities; (iii) developing strategies to ensure the availability and optimum use of quality human (regular presence at work station); (iv) enhancing financial access of the people to health care and services while giving priority to the provision of health care and services to the poor; (v) developing the financing strategy based on performance as a condition for the financing of health care and service provision; and (vi) enhancing the availability and use of quality health information.

## **§2: Availability of Health Facilities and Human Resources**

**227- (REC. 15)** As at August 2018, the health map of Cameroon was expanded to reach 201 Health Districts including 7 General Hospitals of the Category I; 8 Central Hospitals of Category II; 14 Regional Hospitals of Category III; 189 District Hospitals of Category IV; 234 Subdivisional hospitals of Category V, and 1,981 Integrated Health Centers of Category VI.

**228-** Some new health facilities that went operational during the reference period include the Referral Hospital of Sangmelima, the Gynaeco-Obstetrics and Pediatric Hospital of Douala, the Emergency Centre of Yaounde, and the Gynaecological Endoscopic Surgery and Human Reproduction Teaching Hospital of Yaounde.

**229-** The State continued to train medical staff and recruit same. In this regard, some midwifery schools which had been closed were reopened and as at 2017, there were 10 midwifery schools nationwide and their graduates were recruited into the Public Service. In order to improve on the working conditions of healthcare staff, the Prime Minister signed Decree No. 2016/6447/PM of 13 December 2016 to lay down the terms and conditions of allocation of bonuses calculated from paid services to some medical and paramedical staff working in public health facilities.

**230-** In addition, Decree No. 2017/80 of 6 March 2017 to grant allowances to State medical and paramedical staff governed by the Labour Code and Order No. 561/MINSANTE/CAB of 16 February 2017 to lay down the terms and conditions of provision of care and medical fees not charged on the Service of public health staff were signed. From 2012 to 2017, the number of staff under the Ministry of Public Health stood at 5,489. Recruitment of staff over the years did not fill the gap created in a context where the health system has already recorded a severe shortage of staff. Indeed, there are 3,996 new members of staff recruited by the Ministry of Public Health. However, there is still a staff shortage of 1,493.

**231-** In 2016, the Doctor/population ratio stood at 1:16,000 compared to the World Health Organization (WHO) standard which is 1:2000. Between 2016 and 2017, there were 2,842 medical doctors, 80% of who were general practitioners and 20% specialists.

**232-** In a bid to ensure that staff is evenly distributed across the country, the Project to retain staff in the most staff-deficient health facilities was initiated. In 2016, 318 staff working in remote and enclaved areas in South West Region and the northern regions of the country were offered financial incentives. In 2017, 269 staff were concerned. These incentives paid quarterly helped reduce the imbalance in the distribution of staff in Health Districts.

## **§3: Accessibility to Healthcare Services**

**233-** Accessibility to healthcare services generally was improved and measures taken to enhance access to reproductive health services including family planning and sexual education

### **A: Accessibility to Healthcare Services Generally**

**234-** In order to improve on accessibility to healthcare services, on 22 April 2016, the Minister of Public Health issued Directives on consultation procedures of patients in Public health facilities. These Directives were issued as a result of findings on challenges encountered by patients in accessing healthcare. The Directives require functional reception and orientation desks for patients and users and visible orientation plan of services and signposts to guide patients and users. Concerning treatment of patients, the Directives provide that in the event of an emergency, treatment should be immediate and without any prior condition of payment, thus, life-saving drugs and consumables must be available 24 hours a day at Emergency Wards.

**235- (Rec. 15)** Health facilities were provided with a budget to take care of patients from low income families. Other initiatives were taken including making available free healthcare as was the case with the acceptance of the Mercy Ships Hospital mission in Cameroon between August 2017 and June 2018 which was an opportunity for low income families to receive care free of charge. The State is in the process of setting up a Universal Health Coverage (UHC) to provide quality care and equity in access to health services and protect people from financial hardship.

**236-** The UHC is in line with the objective of the National Health Development Plan 2016-2020 as regards strengthening of the health system which targets a reduction by at least 10% of direct payments by households through an equitable and sustainable financing policy among others.

**237-** The National Technical Group in charge of establishing the UHC system set up in 2015 defined the basic elements to enable political decision-making as to its implementation. Thus the validation of the benefit package for the UHC was disclosed on 12 December 2017 by the Minister of Public Health. Some 185 diseases and public health interventions including 101 sub interventions have been selected for the basic health package for the inception phase

**238-** The drug policy was centred on providing the people with quality drugs at affordable cost. Hence there is list of essential medicines in Cameroon which is revised from time to time as the need arises, the last been in 2017 and contains 474 medicines. During the reporting period, some medicines were subsidized and some others were distributed free of charge. In this connection, anti retrovirals for HIV/AIDs and tuberculosis medicines continued to be distributed free of charge in tuberculosis diagnosis and treatment centres. The average number of stock-out days for tracer drugs moved from 15 days in 2014 to 13.69 days in 2015 and to 10 days in 2017.

**239- (Rec. 15) Concerning access to healthcare services by Children,** those below 5 years were screened free of charge for HIV/AIDS and there was significant progress as regards the percentage of HIV-positive pregnant women who received antiretrovirals to prevent transmission of HIV to their children. It increased from 32.7% in 2013 to 84% in 2015 then dropped to 75.7% in 2016 and rose to 85.8% in 2017. Children born to HIV positive mothers were given prophylactic antiretroviral treatment.

**240-** The Expanded Programme on Immunization offered vaccination against diseases such as tuberculosis, measles, whooping cough, neo natal tetanus, diphtheria, Hepatitis B, yellow fever and poliomyelitis. In 2017, Immunization coverage in penta 3 (protects against Diphtheria, whooping cough and Tetanus) was 85% while that for BCG was 90.9%. Cameroon remained a non polio exporting country in 2017. All vaccines of the Programme are given to children free of charge.

**241-** As regards diabetes, following cooperation with Novo Nordisk Laboratories, diabetic children up to the age of 21 continued to be treated free of charge in 2016 within the framework of the programme “*changing diabetes in children*”.

**242-** Treatment of malaria in children below 5 years continued to be free. The proportion of children offered free treatment for simple malaria rose from 30% in 2011 to 68% in 2014 but dropped to 59% in 2015, 47.03%, in 2016 and 41% in 2017. The percentage of children who received free treatment for severe malaria dropped from 51% in 2015 to 49.08% in 2016. There was provision of care at specialised units in hospitals and by Ambulatory Nutrition teams to children suffering from malnutrition.

**243-** The neonatal mortality rate stood at 25.7 deaths per 1,000 live births in 2013.

## **B: Access to Health Services by Women**

**244-** As regards access to health services generally by women, one of the strategic axes of the National Gender Policy Document is enhancing access of women to health services especially reproductive health.

**245-** The Cameroon HSS intends by 2027, to facilitate access of women to medical care through the following actions:

- Enhancement of demand for family planning services through the development of interpersonal and mass communication actions on family planning, and consolidation of the involvement of men as partners in the promotion of family planning in particular; and
- enhancement of family planning service supply through the extension of integrated service delivery, availability of inputs, consolidation of the technical facilities in health structures in the area of service delivery (training of human resources and provision of equipment)

## **C: Sexual and Reproductive Health (Rec. 17), Article 14 (1) of the Maputo Protocol**

### **1: Strategic framework**

**246-** (Rec.17) The National Strategic Plan for Reproductive, Maternal, Newborn and Child Health (2014-2020) was adopted with the major objective of reducing maternal and infant mortality. The expected outcome of the Plan includes increasing use of modern contraceptive methods from 16% to 30% by 2020, screening and treating of cases of obstetric fistula, reducing early pregnancies and improving on the management of infertility. Within the framework of the implementation of the Plan, the Operational Plan for Family Planning in Cameroon (2015-2020) whose general objective is improving on family planning services was also adopted which includes the reduction of the prevalence of early pregnancies in adolescents between 15 and 19 years from 25.2% to 12.5%.

**247-** Furthermore, in 2014, the National Multi-sector Programme for Combating Maternal and Child Mortality was set up with the aim of reducing maternal mortality which stood at 782 per 100,000 births in 2011 by 29%, infant mortality by 27% and neonatal mortality by 23% by the year 2020.

### **2: Strengthening the availability of and Accessibility to Reproductive health Services reproductive health services including reduction of maternal mortality (Article 14 (1) (a) and (b))**

**248-** (Rec. 17) (Article 14 (1) (a) and (b) of the Maputo Protocol Reproductive health facilities were strengthened including the opening of the Hospital Centre for Endoscopic Surgery and Human Reproductive Research and Application on 7 May 2016. The hospital is in charge of providing high level health care in endoscopic surgery, human reproduction, including medically assisted procreation, and high risk pregnancy management. By 2016 there were some 13 Adolescent Clinics where youths aged between 10 to 19 years consult on health issues including HIV/AIDS, contraception, management of early pregnancy, baby care, and management of rape. A new maternity was inaugurated on 22 February 2016 at the Laquintinie Hospital in Douala.

**249-** (Rec. 17) (Article 14 (1) (a) and (b) of the Maputo Protocol A mechanism to reduce the price of childbirth was put in place. This consists of obstetric kits (normal delivery kits and caesarean kits) which contain everything needed for normal delivery or cesarean section

are subsidised and sold at CFAF6000<sup>171</sup> and CFAF40 000<sup>172</sup> respectively. Considering that this mechanism is limited only to care during the time of childbirth, in 2014 the Health Voucher (*Cheque Santé*) was introduced. The Health Voucher provides care for women during pregnancy, at childbirth and thereafter for a period of 42 days. The cost of participation in the Health Voucher Programme is CFAF6000 but the actual cost of care is at least CFAF60,000<sup>173</sup> (the services covered by the Health Cheque include consultations, tests, drugs, healthcare for expectant mothers). Due to actions undertaken in the area of pregnancy-related care, the number of deliveries attended by a health staff rose. It increased, for instance, from 54.69% in 2013 to 63% in 2015.

**250-** The Delivery Plan which was published by the National Multisector Programme for Combating Maternal and Child Mortality in January 2017 was given to every pregnant woman during her first Prenatal Consultation. The goal of the Plan is to help future mothers prepare for childbirth including identifying warning signs.

**251-** Concerning capacity development activities, in 2015 for example, 4,455 health staff and 180 traditional midwives were trained on Sexual and Reproductive health and 617 health staff were trained on family planning techniques.

**252- (Rec. 17)** Also, the capacity of health staff was enhanced in Emergency Obstetric and Neonatal Care including 500 in 2016.

**253-** As regards medical abortion, it is authorized under Section 339 of the Penal Code, where it is performed by a qualified person in order to save the mother from grave danger to her health as well as in case of pregnancy resulting from rape.

### **3: Management of some Reproductive Health-Related Disorders**

**254- (Rec. 18) Article 14 (2) (a)** Action was taken for the management of reproductive health related disorders including Obstetric Fistula. Within the framework of the National Strategic Plan for the Fight against Obstetric Fistula (2005-2015) and other policy documents, the Government has favoured a participatory and intersectoral approach by tackling early marriages, early pregnancies and striving to improve access to reproductive health services.

**255-** With the support of its partners, Government took measures for the clinical management of obstetric fistula. Health staff was trained on its management, including 200 in 2016. Surgical operations were done during regular consultations at health facilities and special campaigns as was the case for example in 2014 at the Protestant Hospital Ngaoundere wherein 107 women benefitted from surgery. Furthermore, during the Mercy Ships Hospital mission in Cameroon between August 2017 and June 2018, 165 women were operated upon.

As regards control of cancer of the cervix and breast, see § 4 on Disease control.

### **4: Family Planning and Sexual Education**

**256- Rec. 17** The capacity of health staff was strengthened in family planning. In 2017, for example, the capacity of staff of 3165 health facilities out of 4285 was strengthened in family planning, giving a coverage rate of 73.09%. A wide range of contraceptive methods was available at health facilities, commercial pharmacies as well as at some specialised civil society organizations. Contraceptives were made more affordable through the reduction of prices in public health facilities from 2014.

**257-** Some 20% of health facilities have at least 1 service provider trained in contraception technology. Besides, 71.3% of health facilities provide short-term contraceptive methods;

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<sup>171</sup> About 9,6 Euros

<sup>172</sup> About 61 Euros.

<sup>173</sup> About 91.60 Euros.



19.4% in addition to the short-term methods of implants; 18.8% of the Intra-Uterine Device and 4.5% of Voluntary Surgical Contraception. In 2017,

**258-** some 3,165 out of 4,285 public/private health facilities were provided more family planning facilities, representing a coverage of 73.09%.

**259-** Sexual and family planning education was done within the framework of adopted reproductive health policies and protection against sexually transmitted infections, including HIV/AIDS in the context of the National HIV/AIDS and STDs Control Strategic Plan (2014-2017).

**260-** Pregnant women were educated on family planning during antenatal consultation and also sensitised on HIV/AIDS, syphilis and hepatitis B. The State's partner GiftedMom, which is a leading mobile health solutions provider, gave pregnant women and new mothers access to health information and strengthened linkages to antenatal care. This was done through a mobile telephone application which enabled subscribers both in rural and urban areas to receive in real time advice from medical staff. The Application has 70000 users.

**261-** At the level of basic education, sexually-related issues were discussed as part of lessons on reproduction.

#### **§4: DISEASE CONTROL**

**262-** Measures were taken to prevent and treat diseases with priority given to the most recurrent ones.

**263-** With regard to malaria, the National Malaria Control Strategic Plan (2011-2015) endorsed the distribution of insecticidal nets and the availability of antimalarial drugs as strategies to fight against malaria (**Rec. 16**). Hence for example 11,837,295 Long Lasting Insecticidal Nets were distributed free of charge between 2015 and 2016. In order to reduce malaria-related mortality and morbidity for pregnant women from the fourth month and children below 5, treatment for malaria has been free for them since 2011. In addition, long lasting insecticidal nets were distributed to pregnant women free of charge as part of a nationwide campaign for distribution of nets to families.

**264-** Within the context of the implementation of the National HIV/AIDS and STDs Control Strategic Plan (2014-2017), new Directives on HIV were given in May 2016 which tie in with the 90-90-90 UNAIDS target to help end the AIDS epidemic.

**265-** In addition to awareness-raising activities during popular events condoms were distributed to prevent transmission of HIV: A total of 30,276,849 were distributed in 2016 as against 33,305,441 in 2015 and 38,002,917 in 2014. Some 2,346,604 female condoms were also distributed in 2016 as against 2,344,157 in 2015 and 2,469,464 in 2014.

**266-** To fight against HIV/AIDS among youths, every year, an "*AIDS-free Holidays*" campaign is organised. During the 15<sup>th</sup> Edition in 2017 that lasted 21 days, 7,628 educational talks, 13,251 individual interviews were conducted and 4,170 persons volunteered to be screened for HIV.

**267-** Sustained sensitization activities led to a constant rise in the number of people screened for HIV. By way of example, in 2014, a total of 667,770 people were screened as against 538,252 in 2013 representing an increase of 24.1%. In 2016, some 2,418,139 persons were screened. Pregnant women were screened for HIV at antenatal consultation centres free of charge. In 2017 for example, a total of 678 646 of them were screened representing 99.7% of the 680 202 expected. Moreover, the HIV prevalence rate dropped from 4.3% in 2011 to 4% in 2014 and 3.4% in 2018.

**268- (Rec 15)** In a bid to guarantee treatment, antiretrovirals continued to be free and the test and treat option was also adopted. Some 253,715 Persons Living With HIV/AIDS (PLWHA) were receiving antiretrovirals in 2017 including 174,284 women, 70 704 men and 8,727 children compared to 205,382 in 2016. The coverage rate of pregnant women who received anti retrovirals increased from 32.7% in 2013 to 85.8% in 2017 approved care units and treatment centres for people living with HIV/AIDS (PLWHIV in both rural and urban areas were decentralized<sup>174</sup>, and the number of such units and centres increased from 164 in 2014 to 166 in 2015 and 254 in 2016 distributed in the 189 Health Districts.

**269-** With regard to HIV control at the workplace, the VCT@WORK initiative enabled the conduct of 300 screening campaigns in workplaces (formal and informal) in the 10 Regions of the country, the screening of 48,239 persons in 2014 (including 32,325 men and 15,914 women) of which 1,672 persons tested positive. Out of this number, 1,554 persons were referred to medical care structures. In 2015, 61,048 persons including 37,345 men and 23,703 women were screen and 1,206 tested positive of which 1,087 were referred to medical care structures while 119 (9.86%) could not be traced for treatment. In all, the VCT@WORK initiative has enabled the screening of 180,000 workers and members of their family of which 4,200 tested positive and undergoing treatment. This figure goes beyond the 5,000 workers target assigned to Cameroon.

**270-** In a bid to guarantee free treatment, approved care units and treatment centres for people living with HIV/AIDS (PLWHIV in both rural and urban areas were decentralized<sup>175</sup>, and the number of such units and centres increased from 164 in 2014 to 166 in 2015 and 254 in 2016 distributed in the 189 Health Districts.

**271-** An evaluation of the implementation of the National HIV/AIDS and STDs Control Strategic Plan (2014-2017) showed among other things, a need to strengthen HIV prevention for key populations, youth and adolescents and to increase the availability of ARVs and other medical inputs.

**272-** Concerning cancer control, National Cancer Control Committee focused on prevention; early detection and treatment. It organised sensitisation campaigns for schools and the public and carried out free screening of for women for breast and cervical cancer and men for prostate cancer. In 2016, for instance 1,096 women were screened for breast and cervical cancer and 335 men for prostate cancer free of charge. In 2017 a total of 17,162 of girls aged 9 to 13 were vaccinated against the Human Papilloma.

**273-** As regards tuberculosis, treatment continued to be free. The cure rate for new pulmonary smear positive tuberculosis was 82.9% in 2015 as against 82% in 2014. In 2016, the cure rate was 82%. Tuberculosis treatment is included in the comprehensive HIV treatment. Total Number of tuberculosis screening and treatment centres stood at 230.

#### **Section 4: Right to Education (Article 17 (1) REC. 32, 33, 34**

**274-** The importance of human capital in the development process caused the State to lay special focus on the education sector during the reference period. The budgetary allocations from 2013 to 2018 to the different Ministries<sup>176</sup> in charge of education, representing 13.34% of the State budget are illustrative of the vital importance of the education sector. Policies relating thereto were implemented in compliance with the GESP vision (par. 3<sup>rd</sup> Report) with the goal of

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<sup>174</sup>Other care units were set up by Decision No. 3/MINSANTE/CAB/CNLS/GTC/SP of 4 January 2016

<sup>175</sup>Other care units were set up by Decision No. 3/MINSANTE/CAB/CNLS/GTC/SP of 4 January 2016

<sup>176</sup>The Ministry of Basic Education (MINEDUB) in charge of nursery and primary education, the Ministry of Secondary Education (MINESEC) in charge of secondary education, and the Ministry of Higher Education (MINESUP) in charge of universities, the Ministry of Employment and Vocational Training (MINEFOP), and the Ministry of Youth Affairs and Civic Education (MINJEC).

training Cameroonians rooted in their culture, open to the world and capable of responding to the development needs of Cameroon, since every level of education (primary, secondary, higher education or vocational training) has a special mission in the achievement of the said goal discussed under the right to decent work. In addition, cross-cutting reforms were also undertaken. ( **APPENDIX 7**).

## **§1: Cross-cutting Reforms in the Education Sector**

### **A: Adoption of a new School Book Policy**

**275-** In a bid to address the inconveniences observed in primary and secondary education, the unique manual policy was instituted by Decree No. 2017/11737/CAB/PM of 23 November 2017. In this regard, by Circular No. 6/A/426/MINEDUB/CAB, the Minister of Basic Education instructed Regional and Divisional Delegates, Sub divisional Inspectors, National Secretaries of Education, Founders of School, Heads of public and private Nursery to comply with the use of school books contained in the official book lists for the 2018/2019 academic year.

### **B: Syllabus Reform**

**276-** As part of the syllabus reform, many activities were carried out, among which the following:

- submission of draft syllabuses to all the stakeholders of the pedagogic chain;
- training on the new syllabuses targeting newly contractualised teachings organised in the headquarters of the 10 Regions;
- training on new syllabuses bringing together National Inspectors, Officials of the Inspectorate General of Education and Officials in the pedagogic supervision chain in the Regional Delegation of Basic Education for Centre Region; and
- continuous awareness-raising and training activities organised in the 10 Regions with a view to obtaining a better definition of the techniques in drawing up teaching and assessment methods of the new syllabuses.

## **§2: Developments in Basic Education**

**277-** Demand at the level of basic education has remained high. Significant efforts made in consolidating basic education supply were underpinned by the determination to promote access of a large number of persons to basic education by combating different disparities and enhancing quality in terms acquisition of fundamental skills.

### **A: Extension of Access by combating Disparities**

**278-** At the level of primary education, the reduction of economic, geographical gaps and inclusion concerns were integrated in Government action.

#### **1: Measures taken to reduce Geographical Gaps**

**279-** At the level of nursery education, since there was a significant gap between rural and urban areas, adjustment measures taken comprised extension of nursery education coverage from the community experience. Nursery education supply increased (**Rec. 34**). In this regard, there was an increase in the number of Community-based Nurseries especially in rural areas with 206 nurseries registered as at 31 August 2018 as against 230 in the 2016/2017 academic year. The number of nurseries increased from 8,267 in the 2013/2014 academic year to 9,175 in the 2014/2015 academic year, 9,660 in the 2015/2016 academic year then decreased to 8,914 in the 2016/2017 academic year, respectively representing 3,983, 4,379, 4,607, and 4,247 in rural areas. The number of constructed classrooms dropped from 17,489 (6,045 in rural areas) in the 2015/2016 academic year to 16,118 (5,474 in rural areas) in 2016/2017 academic year. The number pupils increased from 465,237 in the 2013/2014 academic year to

517,493 in the 2014/2015 academic year, 526,947 in the 2015/2016 academic year and 555,810<sup>177</sup> in the 2016/2017 academic year. The number of teachers to supervise these pupils dropped from 10,686 (5,365 in rural areas) in 2015/2016 to 10,260 (5,077 in rural areas).

**280-** At the level of primary education, the number of schools stood at 18,135 in the 2013/2014 academic year (representing 5,465 in urban areas as against 12,670 in rural areas), 19,136 in the 2014/2015 academic year (representing 5,922 in urban areas as against 13,214 in rural areas), 19,711 in 2015/2016 academic year (representing 6,132 in urban areas and 13,579 in rural areas), 18,758 in the 2016/2017 academic year and 18,596 in the 2017/2018 academic year (representing 5,812 in urban areas as against 12,784 in rural areas) (**Rec. 34**).

**281-** The number of pupils on roll increased from 4,136,912 in the 2013/2014 academic year (representing 1,527,727 students in urban areas) to 4,369,988 in the 2014/2015 academic year (representing 1,609,315 students in urban areas), 4,481,235 in the 2015/2016 academic year (representing 1,640,715 students in urban areas), then dropped to 4,346,811 in 2016/2017 academic year (representing 1,602,812 students in urban areas).

**282-** The staff strength in public primary education increased from 60,357 teachers in the 2013/2014 academic year (representing 19,712 teachers in urban areas) to 67,878 teachers in the 2014/2015 academic year (representing 20,802 teachers in urban areas), then decreased to 66,264 teachers in the 2015/2016 academic year (representing 20,016 teachers in urban areas), and 61,040 teachers in the 2016/2017<sup>178</sup> academic year (representing 19,087 teachers in urban areas).

**283-** In addition to the gap between urban areas and rural areas, Priority Education Areas (PEA) that include East, North, Adamawa and Far North Regions benefited from the following special measures within the framework of the Project to Support Schooling in Priority Education Areas<sup>179</sup>:

- curricula reform through development of new programmes based on competency approach;
- enhancement of access to Basic Education, and school environment through the construction of school infrastructure in 40 schools, representing a total of 240 classrooms, 40 administrative structures, 40 houses for Head Teachers, 80 houses for teachers, 80 latrines, 40 security fences, 28 solar panels in 14 schools, 24 connections to the electricity network, 4 connections to drinking water network, and 32 boreholes with hand-operated pumps;
- equipment of 40 schools referred to above with school furniture and office furniture including 7,200 2-seat benches, 240 chairs for teachers, 40 stools and 40 tables for Head Teachers, 40 chairs and 40 tables for the secretariat, and 160 reception chairs;
- equipment of houses for Head Teachers with 40 7-seat lounge chairs, 40 4-seat worktables, 120 beds for 2 with mattress;
- equipment of houses for teachers with 80 4-seat worktables and 160 beds for 2 with mattress; and
- training of National Pedagogic Inspectors on the drawing up digital didactic resources.

## **2: Measures to support Economic Accessibility**

**284-** As contained in previous Reports, public primary education was free in order to limit private financing by parents with insufficient financial capacity. In this regard, more attendant

<sup>177</sup> Some 207,053 for the public nursery (103,468 girls and 103,583 boys) and 348,757 for the private nursery (174,401 girls and 174,356 boys).

<sup>178</sup> The number of teachers estimated was 36,792 in private primary schools in 2016/2017 academic year as against 39,444 in 2015/2016

<sup>179</sup> The areas in this action include Adamawa, Centre, East, Far North, Littoral, North; North West, South, and South West Regions.

measures of the policy of free primary education and measures to check its effectiveness were taken.

**285-** In a bid to support free public primary education, and considering the challenges in the implementation of the provision of the minimum package<sup>180</sup>, the Ministry of Basic Education (MINEDUB) has since 2010, allocated the following amounts to Councils: 2013, 2014, 2015: CFAF2,085,553,000<sup>181</sup>; in 2016: CFAF2,094,102,000<sup>182</sup>; in 2017: CFAF2,086,072,000<sup>183</sup>; in 2018: CFAF3,936,144,000<sup>184</sup> for the purchase of the minimum package to support the transfer of powers relating to decentralization. Besides, current budget votes are allocated to public primary schools annually, the amount of which varied as follows: CFAF4,842,120,000<sup>185</sup> from 2012 to 2014; CFAF4,835,204,000<sup>186</sup> in 2015 and 2016; CFAF4,748,764,000<sup>187</sup> in 2017; and CFAF6,764,373,000<sup>188</sup> in 2018. In addition, 3,250,000 essential school books (English, French, and Mathematics) were distributed free of charge to pupils during the 2013/2014 and 2015/2016 academic years. The activity was financed by the World Bank<sup>189</sup>.

**286-** Furthermore, the contractualisation of Parents/Teachers Association (PTA) teachers continued with a view to supporting free education by reducing the financial charges that were still borne in some areas by families. In this regard, 9,000 teachers of which 3,000 PTA teachers were recruited in 2016, some 2,982 PTA teachers recruited in 2017, and 3,018 holders of *CAPIEM* recruited in 2018.

**287-** Besides, economic accessibility was also supported with the provision of school books and teaching aids to pupils and teachers of nurseries including 250,995 Drawing books, 252,207 Mathematics books, and 250,818 Colouring books during the 2016/2017 academic year.

**288-** In a bid to combat the collection of illegal fees (**Rec. 32**) and to guarantee the effectiveness of free education, control missions were conducted in schools and sanctions imposed on defaulter Head Teachers, in addition to awareness-raising activities organised for stakeholders. Between 2011 and 2015, a total of 12,502 out of 12,533 earmarked primary schools were effectively controlled by the Anti-Corruption Brigade of MINEDUB<sup>190</sup>, representing 99.75%, and 28 cases of corruption were identified.

**289-** Furthermore, in 2016 and 2017, the National Anti-Corruption Commission (NACC) Rapid Results Initiatives (RRI) showed that the illegal fees collection rate during school reopening of the 2017/2018 academic year, out of the 11,260 Head Teachers controlled, 2 were wanting, representing 0.017%. With regard to sanctions, one of them was dismissed from office while the other was ordered to reimburse the misappropriated funds.

**290-** In addition, Government also supervises PTA activities.

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<sup>180</sup> MINEDUB allocates to Councils, an amount that corresponds to the necessary needs for the purchase of didactic material for public primary schools in the form of the minimum package. The amount stands at CFAF14,278,666 broken down as follows: CFAF2,072,066,000 in 2010; CFAF1,778,897,000 in 2011; CFAF2,085,551,000 in 2012.

<sup>181</sup> About 3 184,050 Euros.

<sup>182</sup> About 3,197 Euros.

<sup>183</sup> About 3,184,842 Euros.

<sup>184</sup> About 6,009,380 Euros.

<sup>185</sup> About 7,392,549 Euros.

<sup>186</sup> About 7,381,990 Euros.

<sup>187</sup> About 7,250,021 Euros.

<sup>188</sup> About 10,327,287 Euros.

<sup>189</sup> As part of the Global Education Partnership (GEP) financed by the World Bank, MINEDUB signed an agreement the purpose of which is to distribute school books in 2 phases: 1,300,000 books for Class 1/*SIL* and Class 2/*CP* with the aim of reducing school book possession ratio from 1 book for 12 pupils to 1 book for 3 pupils or even 1 book for 1 pupil, and 1,950,000 books for Class 2/*CP* and Class 3/*CEI*.

<sup>190</sup> Created by Decision No.2336/B1/1464/MINEDUB/CAB of 16 August 2011

### **3: Promotion of fair Access of Girls, Persons with Disabilities and Indigenous Peoples to Education**

**291-** In a bid to guarantee the schooling of all children without discrimination, incentives were granted to promote the education of the girl child (**Rec. 33, see below Maputo Report, § 762 et al.**), support inclusive education and take into account the specific needs of indigenous peoples.

**292-** In order to consolidate the prohibition of disability-based discrimination enshrined in the law<sup>191</sup> and, in the continuity of measures already taken and recalled in previous Reports, that aim at providing access of persons with disabilities to schools, the terms and conditions of application of the said right were clearly stated in 2018 by regulation thereby focusing on the achievements made till then.

**293-** The Education and Vocational Training Sector Strategy Paper (2013-2017) had provided for the development of a programme that aims at adapting the school framework (schools, equipment, didactic tools, teaching aids, specific training, and teaching practice) to the development of a specialised education that takes disability into account.

**294-** In order to achieve such, a national inclusive education policy was adopted. It was implemented by the drawing up of training modules for teachers, the development of specific modules in the initial training programme for trainers, the establishment and opening of 68 pilot primary schools from the 2015/2016 academic year in the Regional Headquarters and in secondary communities, staff training in the area of inclusive education, and recruitment of holders of the *CAPIEMP* with skills in inclusive education.

**295-** Besides, specialised pilot schools were equipped with specialised teaching aids such as braille brushes, braille writing boards, white canes for the blind, braille boards for Mathematics and braille slates. In addition, special mechanisms such as access ramps and playgrounds were developed in the said schools.

**296-** Decree No. 2018/PM of 26 July 2018 to lay down the enabling conditions of Law No. 2010/2 of 13 April 2010 on the protection and promotion of persons with disabilities contains 10 sections (sections 3 to 12) and a whole chapter on the education and vocational training of disabled persons.

**297-** The instrument contains the achievements of the policies referred to above. It comprises the development of a training framework either in classical schools and training centres or in specialised schools and training centres established or subsidised by the State, depending on the nature or level of deficiency. They also focus on adapting the contents and pedagogic approaches, positive discrimination measures such as age waiver, special provisions for examinations or financial, didactic and pedagogic assistance and support. The instrument further obliges Heads of School to make an inventory of their needs and forward a Report 2 months into the academic year at the latest, to hierarchy to enable it to envision adjustment measures.

#### **B: Enhancement of the Acquisition of Quality Fundamental Skills (Rec.34)**

**298-** In a bid to enhance the quality of learning in primary education by taking into account the rooting of cultural values and opening up to the world, Phase I of the curricula reform was implemented, new pedagogic approaches were developed, the teaching of national languages continued, and school health, the teaching of ICTs and Human Rights promoted.

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<sup>191</sup> Sections 5 and 7 of Law No. 98/4 of 4 April 1998 to lay down Guidelines on Education in Cameroon; section 28 of Law No. 2010/2 of 13 April 2010 on the protection and promotion of persons with disabilities.

## 1: Implementation of Phase I of the Curricula Reform

**299-** At the level of basic education, the State undertook a curricula reform to step up the development of basic skills, adapt training to the modern changing world, and train increasingly creative children through decreasing dogmatic teachings. In 2016, Phase I of the reform was implemented through the validation of the framework-document and the drawing up of a more practical programme of studies. The programme contains 10 subjects<sup>192</sup>. The aptitude of pupils to communicate in the 2 official languages and in at least 1 national language is one of the strategic thrusts of the reform<sup>193</sup>.

## 2: Development of New Teaching Methods

**300-** In order to enable a large number of pupils to attain the “satisfactory” skills threshold in the major subjects such as Mathematics and languages<sup>194</sup>, new teaching methods were developed especially in Mathematics. In this regard, many challenges were identified such as capacity development in the proper understanding of the strategy and methods to facilitate the teaching of Mathematics, display of new tools targeting better teaching/learning of the said subject, and the upgrading of the level of the pupils in the said subject.

## 3: Teaching of ICTs

**301-** The learning of ICTs has become an important factor in economic and intellectual development, and an opportunity for opening up to the world. Considering such reality, actions were taken at the pedagogic level through experiments on the pedagogic integration of XO computers in pilot schools and the training of teachers on the pedagogic integration of ICTs.

## 4: Experimenting the Teaching of National Languages

**302-** Within the framework of the experiment, different actions were taken especially the production of teaching aids for reading and writing, training of 93 teachers in the teaching of national languages, the designing and establishment of national language teaching project on a pilot basis in 360 public primary schools, representing 1 school per Council, and the organization of a diagnostic evaluation of the performance of pupils in the pilot schools.

**303-** In addition, partnership with *ELAN CAMEROON*, a national language promotion experience was launched during the 2015/2016 academic year in 150 multilingual classes in 50 public primary schools nationwide, representing 5 schools per Region.

**304-** During the 2016/2017 academic year, as part of the teaching of national languages, focus was on defining the national base of national language skills and capacity development of the links in the pedagogic supervision chain. Phase I of the ongoing experiment<sup>195</sup> in the teaching of national languages in 4 Regions in the country covers 28 schools with 36 teachers and includes the following 4 national languages<sup>196</sup>: *Ewondo* for Centre Region, *Ffulde* for North Region, *Ghomala* for West Region, and *Bassa* for Littoral Region as shown in the table in the

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<sup>192</sup> They include French, Literature, English, Science and Technology, ICTs, Social and Human Sciences, National Languages and Cultures, Mathematics, Physical Education and Health, Personal Development, and Arts.

<sup>193</sup> The other thrusts include: teacher training, preparation of syllabuses using a participatory approach, test application on a small sample of schools in urban and rural areas in the French subsystem and the English subsystem, involvement of all categories of teachers in the drawing up of the said syllabuses (higher education, teacher training, primary and nursery education).

<sup>194</sup> An evaluation conducted in 2014 showed that a large number of primary school pupils do not attain the “satisfactory” language skills threshold (70.3% at the start of the cycle and 51.2% at the end of the cycle) and in Mathematics (44.7% at the start of the cycle and 64.6% at the end of the cycle). PASEC 2014, p.149

<sup>195</sup> The second phase that started in 2018 saw an increase in schools to 41 with a 5<sup>th</sup> national language, Douala

<sup>196</sup> *Ewondo* for Centre Region, *Ffulde* for North Region, *Ghomala* for West Region, and *Bassa* for Littoral Region

**APPENDIX 8.** Phase II that started in 2018 has registered a slight extension to include 41 schools and an addition of a 5<sup>th</sup> national language, *Duala* (APPENDIX 9).

## **5: Promotion of School Health**

**305-** Since 2013, the following actions were taken to promote school health:

- organization of deworming for children of school-going age in collaboration with MINSANTE and with the support of Hellen Keller International and COUNTERPART (both NGOs);
- awareness-raising and training of pupils and teachers on STI/HIV/AIDS control in school in Centre, East, North West and West Regions for a global cost of CFAF257,000,000<sup>197</sup> in partnership with the Chantal BIYA International Reference Centre (CIRCB) and UNESCO;
- dental health campaigns in nursery and primary schools nationwide ;
- distribution of schistosomiasis control material in schools and Water And Sanitation Hygiene (WASH) kits comprising brooms, mops, buckets, bleach, and soap in target schools.

**306-** In 2014, some 7,528,000 children were dewormed against helminthiasis and schistosomiasis. The action continued in 2015 as well as screening campaigns on cardiac diseases, continued operation WASH and the distribution of 50,000 books on basic skills on HIV and STDs control in schools. In 2018, some 6,800,000 children were dewormed nationwide.

**307-** In 2017, screening, immunization and medical consultation campaigns were organised for children of vulnerable people in EPAs. In 2018, the awareness of 450,000 pupils was raised in 67 Subdivisions in 4 targeted Regions and 3,000 primary school teachers were trained.

## **6: Teaching of Human Rights**

**308-** As part of the implementation of its obligations as per Article 25 of the Charter, the State continued to teach Human Rights through a National Human Rights Education Programme in primary and secondary schools. The NCHRF provided MINEDUB with 667 pedagogic books and guides and supported the organization of training workshops for Regional Pedagogic Inspectors of the Ministries in charge of education on the use of the said tools. Human Rights is taught since 2014 as part of the lessons on citizenship.

## **§2: The Drive at the Level of Secondary School**

**309-** Enhancement of the education supply at the level of secondary school comprised the concerns of equity while progressively adapting secondary education to the needs of the national economy.

### **A: Enhancement of Education Supply while streamlining Equity**

**310-** Increasing intake capacity made it possible to supervise an increasing number of students by qualified teachers while maintaining measures to ease access to education.

#### **1: Increase in Intake Capacity**

**311-** At the level of secondary education, infrastructure continued to be developed with the establishment or upgrading of many public schools, authorisation on the opening or extension of private schools were signed, schools were constructed and buildings rehabilitated. With regard to equipment, workshops were provided with didactic material and heavy-duty equipment, and many classrooms were also provided with benches.

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<sup>197</sup> About 332,366 Euros.



**312-** During the period 2013-2017, the secondary school map was extended from 3,353 schools in 2012/2013 academic year to 3,987 schools in the 2015/2016 academic year, including 2,685 public schools and 1,302 private schools. In 2017, new public schools were not opened in a bid to further rationalise the extension of the school map. The evolution of the school map according to the different types of schools and Regions is shown in the table in the APPENDIX 10.

## **2: Increase in the Number of Qualified Teachers and Rational Management of Human Resources**

**313-** Batches of teachers trained in the different teacher training colleges of the country were integrated into the corps of secondary school teachers the number of which increased from 67,826 including 41,308 men and 26,518 women in the 2014/2015 academic year to 73,144 including 44,335 men and 28,809 women in the 2015/2016 academic year, to 81,825 in 2016/2017 academic year, and to 84,556 including 50,602 men and 33,954 women in the 2017/2018 academic year.

**314-** New teacher training colleges were opened<sup>198</sup> to address the shortage in staff.

**315-** With regard to continuous training, capacity development activities were organised for teachers, pedagogic facilitators and Regional coordinating Inspectors.

**316-** In a bid to guarantee the right to education in rural areas, the Ministry of Secondary Education (MINESEC) undertook to rationalise the postings and transfers of teachers. In 2017, the decongestion policy of major urban centres enabled the transfer of 3,706 teachers, two-thirds of who were transferred to rural areas. The same obtained for graduates from the Higher Teacher Training Colleges, 70% of who were posted mostly to schools in the hinterland.

**317-** In a bid to maintain teachers in their corps considering the high drift of teachers into other sectors, the Prime Minister undertook to rationalise professional migration by subjecting same to the approval of the user Minister. The rapid and effective financial absorption of new graduates from higher teacher training colleges is a challenge that has sometimes resulted in dissatisfaction and to which the State is providing efficient solutions which, in addition to other incentives<sup>199</sup>, will help maintain teachers in their work station. One of the measures referred to above was the signing by the Prime Minister of Decree No. 2014/3/PM of 16 January 2014 to lay down the terms and conditions of granting Academic Achievements Awards. is Under the Law MINESEC Chairs the National Academic Achievements Awards Board and Order No. 69/CAB/PM of 6 August 2015 lays down the characteristics of awards. Since 2015, during celebrations to mark the World Teachers' Day on 5 October, teachers were raised to Knight of Academic Achievements nationwide since all the education orders were concerned.

**Table 5:** Number of teachers awarded the medal of Knight of Academic Achievements

<b>Year</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>TOTAL</b>
<b>Number of recipients</b>	1,217	1,164	883	964	<b>4,228</b>

**318-** In addition, within the framework of the MINESEC Award of Excellence instituted by Decision No. 188/17/D/MINESEC/IGE of 25 April 2017, 108 teachers received the Award during the first edition held in October 2017 while 99 others received same during the second edition held in September 2018.

<sup>198</sup> ENSET Ebolowa, ENS Bertoua, ENSET Kumba.

<sup>199</sup> Institution of Academic Achievements since 2015

### 3: Measures to Ease Access to Education

**319-** During the reference period, some measures were taken to ease access to education and encourage sound emulation between learners. This is the case of illegal collection of fees, and assistance to students.

**320-** Considering the persistent unwarranted collection of PTA fees and other undue fees by some Principals, the Minister of Secondary Education signed Circular No. 25/13/LC/MINESEC/CAB of 23 July 2013 to remind Principals to respect the regulations on management of PTA fees by not increasing any fees thereto. In addition, Principals were requested to refrain from collecting any undue fees and from authorising the sale of objects in the school premises.

**321-** The implementation of the said instructions was monitored under controls conducted on the administrative<sup>200</sup> and financial<sup>201</sup> management of schools and the financial management and running of PTAs by the Minister of Secondary Education<sup>202</sup> and the Rapid Results Initiative (RRI) of National Anti-Corruption Commission. In comparison to the 2014/2015 academic year when the RRI was launched, the 2016/2017 academic year recorded an increase of 78.83% in the execution of practicals in technical schools.

**322-** As part of assistance, bursaries were regularly granted to deserving students and to some students with disabilities or socially vulnerable students. Besides, the MINESEC Award of Excellence referred to above was instituted. The 1<sup>st</sup> edition was organised on 16 October 2017 with 293 awards granted to laureats of the 2017 session of examinations, of which 34 laureats won at the national level and 259 at the regional levels. During the 2<sup>nd</sup> edition that was held on 16 September 2018, 556 prizes were awarded of which 457 to laureats. It should be noted that the amount allocated to the awards varied for the 2 editions between CFAF100,000 and CFAF300,000<sup>203</sup>. The table in APPENDIX 11 shows what was done during the reference period

**323-** Some CFAF1,500,000,000<sup>204</sup> was allocated to promoters of private education as part of assistance from 2013 to 2018.

### 4: Increase in Student Enrolment

**324-** The different actions carried out helped increase student enrolment in schools. The enrolment increased from 1,812,849 students in the 2012/2013 academic year to 2,205,778 students in the 2015/2016 academic year, with a progression rate that varied between 4.6 and 10.1 %. (APPENDIX 12)

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<sup>200</sup> The dysfunctionings concerning administrative management include poor management of staff punctuality and regular presence in school, staff classification, irregular functioning of the school council, violation of laws and regulations, non-respect of the standards and procedures for the award of public contracts, non-respect of the standards and procedures in the preparation of steering documents and poor keeping of documents.

<sup>201</sup> The dysfunctionings concerning financial management include collection of undue fees, violation of procedures on the collection and security of public property and a lot of procedural irregularities in spending.

<sup>202</sup> The dysfunctionings concerning PTA management include failure to legalise the associations, illegitimate executive bureaux, lack of funds, poor collaboration between members of the executive bureau on the one hand, and the said members and officials of the school administration on the other hand, and the execution of works ordered by the PTA on credit.

<sup>203</sup> About 458,015 Euros.

<sup>204</sup> About 2,290,076 euros.

## **B: Progressive Streamlining of Secondary Education to the Needs of the National Economy and the Society**

**325-** The professionalization of education, promotion of bilingualism and the teaching of national languages reflect the determination to progressively streamline secondary education to the needs of the national economy and the society.

### **1: Professionalization of Education**

**326-** Syllabus reform, diversification of vocational training supply and the establishment of links between the education system and the professional world fall in line with matching training to employment.

#### **a: Syllabus Reform**

**327-** Syllabus reform started in 2013. It consisted either in complete amendment (for general education) or some adjustments (for teacher training and technical education) of study programmes with the aim of providing effective solutions to the requirements of the modern world and technical and technological development.

**328-** General education is henceforth geared towards education according to the Skills-Based Approach (SBA). The reform that stated in 2014 with 6<sup>ème</sup> (Form I), was extended to 2<sup>nde</sup> (Equivalent to Form IV) with the signing of the Order of 23 August 2018 by the Minister of Secondary Education to define series and subjects studied in High School. The Order contains the obligation to conduct orientation and specialization. It enshrines the advent of Social Sciences and Cinematic Arts, and the teaching of Philosophy from 2<sup>nde</sup>.

**329-** The technical education reform focused on the rooting of 2<sup>nd</sup> year, 3<sup>rd</sup> year and 4<sup>th</sup> year programmes and the dissemination of the 21 training benchmarks of the 1<sup>st</sup> Cycle of Technical Education validated in 2014, preparation of the draft CAP regulations for its institutional validation and the technical validation of 8 programmes with specialization in Economic and Social Sciences and Trade<sup>205</sup>. Besides, there is the introduction of specialization in Maintenance of Heavy-duty Vehicles and Car Assembly that will be implemented along the Douala-Bangui corridor and Douala-Ndjamena corridor. In Tourism specialization, 2 study programmes have been validated comprising tourist accommodation and tourist entertainment as minor subjects.

**330-** With regard to teacher training, 2 new study programmes were implemented and 4 training benchmarks drawn up.

#### **b: Diversification of Vocational Training Supply**

**331-** Vocational training supply was diversified in technical high schools. The Technical Agricultural High School Yabassi was opened in January 2017 with 134 students. It resulted from the Agreement signed between MINADER, MINEDUB, and MINESEC to implement the Streamlining of Education and Agricultural and Rural Training into school syllabuses in Cameroon. Provision of the state-of-the-art equipment for workshops continued in promising new areas such as Auto mechanics, Sheet Metal Processing, Jewellery-making in Government Technical High School Bertoua; Surveyor-Topographer in Government Technical High Schools Bafia, Bagante, and Nkambe; Industrial Chemistry, Hairdressing and Aesthetics in Government Technical High School Douala-Akwa; Electronic Systems Installation and Maintenance in Government Technical High Schools Bertoua, Garoua, and Nkolbisson; and Sanitary Installations in Government Technical High Schools Mbalmayo, and Molyko.

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<sup>205</sup>The programmes concerned the following subjects: Economic and Social Sciences, Business Economics, Applied Mathematics, Economics-based Applied Computer Sciences, Sales, Trade, Commercial Techniques and Vocational Practice.

## **c: Development of Entrepreneurship in Schools**

**332-** In a bid to root schools in the business world, more than 410 Teachers did practicum in companies with the aim of obtaining better professionalization of education. Besides, 1,025 students from promising areas underwent school/company sandwich training in 2017. In this regard, 3 agreements were signed with the following companies:

- Nachtigal Hydro Power Company to enhance the efficiency of the training mechanism in Civil Engineering, Electrical Engineering and Mechanical Engineering through the development of infrastructure, equipment and material in Technical Schools in the Nachtigal Hydroelectric Project area;
- African Institute of Mathematical Sciences-Next Einstein Initiative to implement AIMS & MASTERCARD Foundation Programmes on training of Secondary Schools Mathematics Teachers in Cameroon; and
- Inter Professional Group of Cameroon (GICAM) to lay down the conditions of Technical Education adapted to labour market needs: paid jobs and self-employment.

## **2: Bilingualism and Teaching of National Languages**

**333-** The promotion of bilingualism continued with the implementation of the Special Bilingual Education Programme in 99 pilot schools. In June 2016, the first students to do the programme sat for the *Baccalauréat* examination for the 2015/2016 academic year. The programme will be evaluated in the 2018/2019 academic year.

**334-** The teaching of national languages was reflected through the progressive generalization of national languages and cultures with an increase in the number of schools concerned from 77 in the 2013/2014 academic year to 112 in the 2014/2015 academic year.

## **C: Promotion of Equity**

**335-** During the reference period, some 200 students were registered in secondary school. In 2016, there was an increase in the number of Baka candidates for the *Baccalauréat* (6), *Probatoire* and *BEPC* (10) examinations in the different examination centres in East Region. With regard to infrastructure, a dormitory was built for young Baka students in at Lomie. Government through the National Community-driven Programme, signed an Agreement with the Diocese of Eseka to ensure the education of children of indigenous peoples for 4 years from primary to secondary schools.

## **§3: Enhancement of Access to Higher Education**

**336-** The high growth of demand in higher education resulted in an adaptation of supply considering the high enrolment of students while the desire for external efficiency of the system resulted in the option of diversifying technological and professional fields.

## **A: Streamlining Supply to match the High Enrolment of Students**

**337-** During the period 2013- (2018), the university map was extended to include 79 public and 248 private establishments as at 31 October 2018.

**338-** The intake capacity of 295,128 students was far below the demand of 450,000 students, representing an average of between 25,000 and 30,000 new students every year. Considering such constraints, a decentralization of supply was undertaken with the establishment of Annexes to some Faculties<sup>206</sup>. Distance learning was also developed by resorting to digital assistance. In a bid to support such development, the free distribution of 500,000 computers to students is underway. The 8 State Universities have already been served and the distribution is

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<sup>206</sup>Annexes to the Faculty of Law and Political Sciences of the University of Yaounde II, Soa were opened in Bertoua and Ebolowa, Annexe to the sister Faculty of the University of Ngaoundere in Garoua and the Annexe to the Faculty of Agricultural Sciences of the University of Dschang in Bafia.

ongoing in private institutes. The Ministry of Higher Education continued its policy of extension of the university map through the opening of many new establishments<sup>207</sup>, and the upgrading of some professional schools of higher education<sup>208</sup>.

**339-** With regard to the training of students, there were 4,027 higher education teachers in 2014, representing a ratio of 1 teacher to 93 students. The number increased to 5,020 teachers in 2015 for a ratio of 1 teacher to 70 students.

**340-** Due to the fact that some retired lecturers were not replaced, the number of lecturers dropped to 4,450 in 2016 thereby negatively affecting the teacher/student ratio that stood at 1 lecturer for 102 students, worsening the deficit in higher education teachers. In a bid to address the situation, Government has launched the recruitment of 2,000 permanent lecturers who are holders of the PhD through a period of 3 years from 2019.

**341-** In order to support the access of children from vulnerable groups to higher education, special actions were taken comprising assistance programmes, and award of bursaries. In the same vein, 100,000 students from State Universities and Private Higher Education Institutes have benefitted from the Award of Excellence of CFAF50,000<sup>209</sup> for a number of years now.

**342-** Besides, Circular No. 8/6/LC/MINESUP/MINAS of 8 July 2008 relating to the enhancement of registration conditions for students with disabilities or vulnerable students into State Universities in Cameroon provides for incentives for students with disabilities.

**343-** In 2016, statistics on some State Universities (University of Yaounde I, University of Buea, University of Bamenda, University of Ngaoundere) show that there were 188 Mbororo students of which 4 were at the level of the PhD and 1 in the Faculty of Medicine and Biomedical Sciences. In addition, at the level of professional training, 15 Pygmies were trained in 2013 especially in the sectors of forestry, water resources and health.

**344-** In a bid to promote the quality of higher education, the working conditions of teachers continued to be improved through the university research modernization allowance granted them. The amount of the allowance has continued to increase over the years and now stands at CFAF9,600,000,000<sup>210</sup>. In addition, each year, some 15 teachers benefit from the mobility allowance or refresher courses abroad.

## **B: Diversification of Professional and Technological Fields**

**345-** Considering the relatively low level of professional integration of Higher Education graduates, the option of professionalising education continued.

**346-** Thus, the extension of the university map integrated professional fields. In this regard, in addition to the development of training in Laws to take into account the two legal cultures of the country<sup>211</sup>, training in the classical faculties was readjusted to include professionalisation

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<sup>207</sup> It includes, ENSET of Ebolowa, ENS of Bertoua, Faculty of Medicine and Biomedical Sciences of Garoua, the Polytechnique School of Bamenda, Faculty of Medicine and Pharmaceutical Sciences of the University of Dschang, Faculty of Law of the University of Buea.

<sup>208</sup> The upgrade of the Institute of Mines and Petroleum Industries of the University of Maroua to the Faculty of Mines and Petroleum Industries; and the upgrading of the National Advanced School of Post and Telecommunications to the National Advanced School of Post, Telecommunications and Information and Communication Technologies.

<sup>209</sup> About 76 Euros.

<sup>210</sup> About 14,656, 488 Euros.

<sup>211</sup> Order No. 17/34/MINESUP of 21 April 2017 to establish a Department of English Law at the Faculty of Law and Political Sciences of the University of Douala; Order No. 17/33/MINESUP of 21 April 2017 to establish a Department of English Law at the Faculty of Law and Political Sciences of the University of Maroua; Order No. 17/37/MINESUP of 21 April 2017 to establish a Department of English Law at the Faculty of Law and Political Sciences of the University of Ngaoundere; Order No. 17/35/MINESUP of 21 April 2017 to establish a Department of English Law at the Faculty of Law and Political Science, University of Dschang; Order No. 17/38/MINESUP of 21 April 2017 to establish a Department of French Private Law at the Faculty of Law and

although the university institutions established during the period 2013-2017 (2018) had essentially professional fields.

**347-** With regard to training in Education, the number of teacher training colleges stood at 8, representing 4 for teacher training colleges in general education (ENS) and 4 for teacher training colleges in technical education (ENSET).

**348-** Public medical training was consolidated with the opening of the Faculty of Medicine and Biomedical Sciences at the University of Garoua, the Faculty of Medicine and Pharmaceutical Sciences at the University of Dschang thereby bringing the number of Faculties of Medicine to 7 in the country in addition to approved private institutions (Higher Institute of Health Sciences of the *Université des Montagnes* of Bangangte, Higher Institute of Medical Technology of Yaounde and the Faculty of Medicine and Health Sciences of Ebolowa; Faculty of Pharmaceutical, Medical and Health Sciences of Ebolowa. The quality of the supply was of major concern. That is why a National Medical Examination for graduates from all public and private medical schools is organised and supervised by the National Commission on Medical Pharmaceutical and Dentistry Training that was formed in 2013<sup>212</sup>.

**349-** In the area of technology, the Polytechnique School of Bamenda and the Annexe to the Faculty of Agricultural Sciences of the University of Dschang in Bafia were opened as already referred to above. The status or name of some schools was modified to mark the emphasis on technology.

**350-** Private higher education supply was encouraged. Thus, there are 248 higher education private institutes the majority of which, (about two-thirds) offer short-term training leading to the *Brevet de Technicien Supérieur (BTS)* and the Higher National Diploma (HND) as shown in the number of candidates sitting for national professional examinations.

**351-** In a bid to appreciate the efficiency of such option, an Observatory of Trades of Higher Education Graduates was set up to provide the national economy with an adequate number of quality human resources to efficiently and sustainably support the development of Cameroon's economy.

## **Section 5: Right to Culture (Article 17 (2))**

**352-** In order to guarantee the right of everyone to freely take part in the cultural life of the community and in line with its membership of the Charter of Cultural Renaissance, on 24 May 2017, the State took measures to protect cultural properties and products and the interests of cultural stakeholders.

### **§1: Development of a Proper Framework for the Expression of Cultural Diversity**

**353-** With a view to promoting the expression of cultural diversity, the institutional framework was readjusted, cultural infrastructure developed and cultural identity promotion initiatives taken.

#### **A: Readjustment of the Institutional Framework**

**354-** In order to highlight the multicultural nature of the State and ensure the implementation of inclusive policies, a National Commission on Bilingualism and Multiculturalism was formed by Decree No. 2017/13 of 23 January 2017<sup>213</sup>. The Commission is in charge of

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Political Science, University of Bamenda; Order No. 17/36/MINESUP of 21 April 2017 to establish a Department of French Private Law at the Faculty of Social and Management Sciences of the University of Buea;

<sup>212</sup> As per Order No. 55/PM of 10 June 2013 to establish and Lay down the organization and functioning of the National Commission on Medical, Pharmaceutical and Dentistry Training.

<sup>213</sup> Members of the said Commission were appointed on 15 March 2017 as per the following 3 Decrees:

working towards the promotion of bilingualism and multiculturalism in Cameroon with a view to maintaining peace, consolidating national unity and stepping up the willingness and daily practice of living together of its peoples.

## **B: Development of Cultural Infrastructure**

**355-** Pursuant to Decree No. 2014/881/PM of 30 April 2014, the National Museum was renovated and opened to the public in November 2014 after having been temporarily closed in 2008 for renovation works. In addition, the contemporary Art Gallery of Yaounde was renovated and opened to the public on 20 May 2017 while the National Institute of Arts and Culture in Mbankomo and the Cultural Hall in Yaounde are under construction.

## **C: Promotion of Culture and Cultural Identity**

**356-** Promotion of culture and cultural identity was reflected through the establishment of frameworks for the expression and support to artistic creation and cultural events, as well as the inclusion of cultural values in the education system and the teaching of national languages (See analysis on the rights of indigenous peoples, (§ 649 et al.).

### **1: Establishment of Expression Frameworks**

**357-** In a bid to highlight the importance of the cultural dimension in development policies of the Nation and to bring together the initiatives of different stakeholders of the cultural world, an annual cultural reopening was instituted in 2016. It is organised rotatively in each Region with a view to developing and promoting the different cultural areas of the country<sup>214</sup>.

**358-** In addition, pursuant to Decree No. 2014/1001/PM of 15 May 2014 to lay down the organization and functioning of the National Ensemble, the institution was conferred the mission of promoting culture through festivals, events, exhibitions, and other forms of cultural expression.

**359-** Besides, the organization of the 1<sup>st</sup> edition of the *Traditional Music and Patrimonial Dance Festival* from 2 to 6 August 2017 under the theme: *Traditional Music and Patrimonial Dance: Vectors of Multiculturalism and National Integration* was an opportunity to reflect on how to preserve, promote and disseminate traditional music with the aim of entertaining and celebrating the immense cultural resources of the country.

**360-** Such initiatives complete the existing expression frameworks such as the National Festival of Arts and Culture, the 8<sup>th</sup> and 9<sup>th</sup> Editions of which were held from 7 to 13 November 2016 in Yaounde and from 16 to 22 July 2018 in Bertoua respectively.

### **2: Organization and Support to Cultural Events and Artistic Creation**

**361-** Artistic and literary creation was encouraged through the *Earmarked Account for the Support of Cultural Policies* by which each year, the Ministry of Arts and Culture grants multiform support to cultural creators and promoters of cultural festivals. Thus, as support for the organisation of different cultural activities, the Ministry of Arts and Culture (MINAC)

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- Decree No. 2017/95 of 15 March 2017 to appoint the Chairperson of the National Commission on Bilingualism and Multiculturalism;
  - Decree No. 2017/96 of 15 March 2017 to appoint the Vice-Chairperson of the National Commission on Bilingualism and Multiculturalism;
  - Decree No. 2017/97 of 15 March 2017 to appoint members of the National Commission on Bilingualism and Multiculturalism;
  - Decree No. 2017/166 of 25 April 2017 to appoint the Secretary-General of the National Commission on Bilingualism and Multiculturalism

<sup>214</sup>The 1<sup>st</sup> cultural reopening held in Yaounde from 19 to 22 January 2016, the 2<sup>nd</sup> in Ebolowa from 1 to 4 February 2017 under the theme: “*Cultural Heritage and Cultural Development in Cameroon*”, and the 3<sup>rd</sup> held in Ngaoundere on 25 January 2018 under the theme: “*Cultural Diversity and National Unity*”.

disbursed CFAF42,465,000<sup>215</sup> in 2015, CFAF 541,885,419<sup>216</sup> in 2016, CFAF217,600,000<sup>217</sup> in 2017 and CFAF221 900 000<sup>218</sup> in 2018. The desire to rationalise the allocation of such support led the Minister of Arts and Culture to form a Commission on Arts and Letters (CAL)<sup>219</sup> on 26 October 2015. The Commission is an advisory body.

**362-** Furthermore, 2017 marked the publication of the first directory of cultural events in Cameroon. Its objective is to increase visibility of cultural events in the 58 divisions of the country and thereby promote cultural tourism.

**363-** Free access to major national cultural events organised by the MINAC such as the National Festival of Arts and Culture, the International Book Fair of Yaounde, the Traditional Music and Patrimonial Dance Festival, and the Heritage Arts and Archaeology Fair were guaranteed.

## **§2: Protection of Cultural Properties and Interests of Cultural Stakeholders**

**364-** Preservation and development of heritage, combating violation of cultural, national natural heritage were the major aspects in the protection of cultural properties while reform of the institutional framework of the collective management of copyright and neighbouring rights was the main concern in the protection of the interests of artists.

### **A: Preservation and Development of Heritage**

**365-** Law No. 2013/18 of 18 April 2013 governing cultural heritage, guarantees the conservation, protection, promotion and transmission of the national cultural heritage. In this regard, the State developed cultural sites and a partnership approach as part of conservation of cultural heritage<sup>220</sup>. Thus, the historic site of Bimbria, classified under the National Cultural Heritage in 2013 is undergoing restoration. It was the subject of an exhibition in 2016<sup>221</sup>.

**366-** The involvement of private promoters and traditional chiefdoms was characterised by the signing of a partnership agreement between MINAC and the National Council of Traditional Leaders, and the technical and financial support given to the Maritime Museum and museums of 15 Traditional Chiefdoms. Since 2014, MINAC grants an annual subvention of CFAF100,000,000<sup>222</sup> to all Traditional Chiefdoms for their renovation, construction or even the establishment of cultural structures.

**367-** The first cultural, material and immaterial heritage inventory was produced in 2014. The operation continued in 2015 in South Region where more than 200 heritage elements were identified. In 2017, more than 300 cultural sites were identified in the 10 Regions of the country.

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<sup>215</sup> About 6, 832 .61 Euros.

<sup>216</sup> About 827 305 Euros.

<sup>217</sup> About 332 213 Euros.

<sup>218</sup> About 338,778 Euros.

<sup>219</sup> Decision No. 123/MINAC/CAB of 26 October 2015 to lay down the composition of the Commission of Arts and Letters (CAL). The Commission is in charge of examining and giving its opinion on applications for financial support addressed to the Minister of Arts and Culture by songwriters, artists, cultural associations, enterprises, professional associations, spouses and ascendants of deceased artists who depend on the earmarked account for the support of cultural policies.

<sup>220</sup> Temporary authorizations were granted to 2 Museums including the Millenium Ecological Museum in Ntouessong V village, Soa Subdivision, and “*Elembe*” in Nkombassi village in Nkoabang, Nkolafamba Subdivision. See Decision No. 2/MINAC/SG/DAJ/CER and Decision No. 3/MINAC/SG/DAJ/CER of 5 January 2017.

<sup>221</sup> « *Bimbria :Mémoire de l’esclavage et de la traite négrière au Cameroun* », National Museum, 23 February 2016.

<sup>222</sup> About 152 671 Euros



**368-** The archaeological heritage was not neglected. Agreements for its preservation were signed with the stakeholders of major projects<sup>223</sup> while a *Heritage Arts and Archaeology Show* was organised in Yaounde from 20 to 24 December 2017 under the theme: “*Roots and Cultural Identity for a Creative Cameroon*”.

**369-** Furthermore, Decree No. 2014/882/PM of 30 April 2014 lays down the organization and functioning of the National Archives. The National Archives is in charge of collection, preservation, communication and control of documents drawn up or received by natural persons or corporate bodies governed by public or private law. Digitalisation of archives was launched in 2017 to preserve cultural properties.

## **B: Combating Violation of Cultural, Natural and National Heritage**

**370-** Section 187-1 of the Penal Code adopted on 12 July 2016 punishes different damages to national culture and national heritage including degradation, destruction, posting of notices or installation of advertisement equipment on classified monument, refusal to classify or trafficking of national culture and national heritage. In a bid to develop the capacities of stakeholders, a workshop on trafficking of cultural property was organised in Yaounde from 5 to 6 September 2018 with the support of UNESCO.

## **C: Protection of the Material and Moral Interests of Artists Completion of the Reform on Collective Management Bodies of Copyright**

**371-** Following the persistent conflicts in the collective management of copyright and neighbouring rights, the State engaged discussions in July 2015 within the framework of Copyright Management Monitoring Committee<sup>224</sup>. The discussions resulted in the harmonization of the process to establish collective management bodies in order to guarantee an effective control of their administrative and financial management. Thus, the enabling conditions of Law No. 2000/11 of 19 December 2000 on copyright and neighbouring rights are contained in Decree No. 2016/4281/PM of 21 September 2016<sup>225</sup>.

**372-** At the institutional level, an Audit Commission for Collective Management Bodies<sup>226</sup> and an Arbitration Commission<sup>227</sup> were set up in 2016. In this new environment, an authorization was granted the Cameroon National Music Corporation (SONACAM) on 21 December 2017<sup>228</sup> in Category B “Musical Art” and the Civil Neighbouring Rights Society, the pioneer collective management organization in Category E “Neighbouring Rights”.

**373-** *Société Nationale Camerounaise de l'Art Musical SONACAM*, the new collective management body of the "B" category (musical art) was authorised by Order No. 0012/MINAC of 21 December 2017 of the Minister of Arts and Culture while *Société civile des Droits Voisins SCDV* was granted authorisation for the collective management of

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<sup>223</sup>They include the signing on 15 November 2012 of a Memorandum of Understanding between Electricity Development Corporation (EDC) and MINAC relating to the implementation of the preservation of the cultural heritage of the Hydroelectric Power Plant Project of Lom Pangar and an Amendment of the Cooperation Agreement between EDC and COTCO, under the supervision of MINAC; the signing on 27 January 2017 of a Memorandum of Understanding between EDC and MINAC relating to the preservation of cultural and archaeological heritage within the framework of the Hydroelectric Power Plant Development Project of Mekin.

<sup>224</sup> Decree No. 58/PM/CAB of 8 July 2015 to set up and lay down the organization and functioning of the Copyright Management Monitoring Committee.

<sup>225</sup> Decree No. 2015/3979/PM of 25 September 2015 to lay down the enabling conditions of Law No. 2000/11 of 19 December 2000 on copyright and neighbouring rights

<sup>226</sup> Order No. 90/CAB/PM of 29 September 2015 to lay down the organization and functioning of the Audit Commission for Collective Management Bodies

<sup>227</sup> Decree No. 2015/3978/PM of 25 September 2015 to lay down the organization and functioning of the Arbitration Commission formed by Law No. 2000/11 of 19 December 2000 on copyright and neighbouring rights.

<sup>228</sup>See Decision No. 12/MINAC of 21 December 2017 and Decision No. 13/MINAC of 21 December 2017 by the Minister of Arts and Culture.

copyright in the “E” category (neighbouring rights to copyrights) by Order No. 0013/MINAC of 21 December 2017.

**374-** Since 11 June 2018, the Plastic and Graphic Arts Civil Society (Category D), the Audiovisual and Photographic Arts Civil Society (Category C), and the Civil Society for Literature and Dramatic Arts Rights (Category A) were granted authorization.

### **Establishment of a National Card Index of Holders of Copyright and Neighbouring Rights**

**375-** In 2017, the national card index of holders of copyright and neighbouring rights comprised 9,824 artists as follows:

- Category A (literary and dramatic arts): 1,836 artists;
- Category B (musical art): 3,072 artists;
- Category C (audiovisual and photographic arts): 1,177 artists;
- Category D (graphic and plastic arts): 503 artists; and
- Category E (related rights): 3,236 artists.

**376-** A team in charge of monitoring the update of the national inventory of holders of copyright and neighbouring rights was formed.

**377-** Actions were taken to promote the languages of indigenous communities in collaboration with partners of the Government. For instance, within the framework of the *Intercultural Multilingual Education (IME)* component of the *Baka Rights and Dignity Project* of Plan International Cameroon, the teaching of Baka children to read and write in their native language (Baka) first, before being initiated into the 2 official languages of Cameroon was experimented between 2015 and 2017. At the end of the Project in 2017, the number of beneficiaries in the 32 communities covered stood at 19,984.

## **Section 6: Right to Housing (Rec 29)**

**378-** In addition to the development of the normative and regulatory framework referred to above (section on right to property), the strategic framework that will help guarantee the right to decent housing is under amendment. Besides the National Sustainable Territorial Development Scheme under preparation<sup>229</sup>, the National Urban Policy also under preparation since 2016<sup>230</sup> with the support of UN-HABITAT<sup>231</sup>. While waiting for the completion of these strategic documents, the State continued to carry out initiatives with a view to increasing the supply of building plots and housing, executing projects that aim at enhancing the standard of living, and supporting demand for housing.

### **§1: Initiatives aimed at Increasing the Supply of Building Plots and Housing**

**379-** The initiatives aimed at increasing the supply of building plots and housing continued to focus on construction projects and development of building plots.

#### **A: Construction Projects**

**380-** Demand for housing of all standings (high, average and low standings) remained high and averagely stood at about 1,000,000 units with an annual increase in demand assessed at nearly 100,000 new houses. In a bid to address such high demand, and as already stated in the

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<sup>229</sup>The Report on Territorial Prospects was the subject of a Validation Workshop held on 27 April 2017. It falls under Phase II of the process since Phase I was devoted to territorial diagnosis.

<sup>230</sup>The launch took place during the visit to Cameroon of the Executive Director of UN-HABITAT from 15 to 17 February 2016. The scoping meeting of the Policy was held in April 2017.

<sup>231</sup>The goal is to promote thickly populated towns that are socially inclusive, with a better connected and integrated town and territory system for the promotion of a sustainable town planning resilient to climate change.

previous Report (§414), public housing supply was included mainly as part of the programme to build 10,000 houses and develop 50,000 building plots begun in 2009. Although the execution of this project recorded all types of challenges including financial, land and operational challenges, some 2,475 houses were available at the end of 2017; that is, 1,300 in Yaounde (Olembe) and 1,175 in Douala (Mbanga-Bakoko). As part of the programme, out of the 1,800 houses to be built through cooperation with China<sup>232</sup>, 1,520 were completed at the end of 2017 in 6 towns<sup>233</sup>.

**381-** In addition, as part of the Three-year Emergency Plan to Accelerate Economic Growth (PLANUT)<sup>234</sup>, the construction of 100 houses in every Regional Headquarters excluding Yaounde and Douala is underway.

**382-** A Project dubbed “*Cité des Cinquantenaires*” was also launched. At the end of 2017, the construction of 530 houses out of the 1,050 earmarked for Douala had kicked off and the construction of 500 houses out of the 900 planned for Yaounde was ongoing<sup>235</sup>.

**383-** In a bid to address the financial challenge that sometimes had a negative impact on the progress of public programmes to promote real estate, land bases allocated to low-cost housing were earmarked for land reserves defined by the State (See § 161 above).

**384-** With regard to private housing supply, in 2016, real estate promoters built 1,200 houses and developed 15,000 plots.

## **B: Development of Building Plots**

**385-** Development of building plots is one the actions carried out by the State to enhance the livability of houses. In this regard, in 2014, Government executed Phase I of the development of 1,104 building plots in Yaounde (Olembe and Mbalngong) and in Douala (Bwang Bakoko I and II) and the construction of low-cost houses at Olembe and Mbanga Bakoko by MAETUR.

**386-** Development works were carried out at the Ekoko II site (16 ha) with a view to resettling expropriated people for public utility under the Yaounde-Nsimalen Superhighway Programme. Works on the resettlement site of Ngolzock (100 ha) were launched in 2017.

**387-** In addition, vast new areas will be acquired soon, and they are in Lobo (400 ha), Mbankomo (200 ha) and Massoumbou (500 ha).

**388-** As part of the Constitution of Land Reserves Project, development works spread over 739,360 ha and concern Ndian, Faro and Deo, Mbere, and Djerem Divisions. At the end of 2017, more than 60% of works were executed on each of the sites.

## **§2: Actions to enhance the Standard of Living**

**389-** Enhancement of the standard of living was carried out within the framework of renovation and urban restructuring operations.

### **A: Enhancement of the Urban Environment**

**390-** As part of renovation and restructuring of quarters with precarious habitats, projects were carried out with the aim of increasing access of the people of the said quarters to basic infrastructure and services. The projects include the Urban Sectors Development and Water

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<sup>232</sup> The amount of this section of the Programme stood at CFAF33,500,000,000 (About 51,145,038.16 Euros) including Cameroon's contribution of more than CFAF5,000,000,000 (About 7,633,587.78 Euros).

<sup>233</sup> Yaounde, Douala, Limbe, Bafoussam, Bamenda and Sangmelima.

<sup>234</sup> Progress rate stands as follows: Ebolowa 80%, Bertoua 25%, Buea 29%, Bafoussam 20%, Ngaoundere 30%, Garoua 27%, Maroua 25% and Bamenda 6.1%.

<sup>235</sup> This is Phase I of the Project dubbed “*Cité des Cinquantenaires*”.

Supply Project in Yaounde, Bamenda, Douala, Mbalmayo, and Maroua, the Shanty towns Participatory Development Programme in Kribi (Afan Mabe), Yaounde (Nkolbikok, Melen), Bamenda (Sisia Quarters), Garoua (2013-2017 results), or the Inclusive and Resilient Town Development Project<sup>236</sup>.

**391-** Furthermore, in 2016, MINHDU and MAETUR signed the Framework Agreement relating to the restructuring and renovation of poorly planned quarters of Cameroon. The Agreement was under implementation in 2017 and included restructuring operations in the following towns:

- Yaounde, around the Special Council Support Fund (FEICOM) (50 ha), Mimboman quarters: execution rate: 90%;
- Garoua (150 ha): Padama, Haoussare, Souari Manou, Souhari dépôt, Yela, Toupourire, Bamilekere quarters: execution rate: 90%;
- Bafoussam (150 ha): Kouogouo A and Kouogouo B, Djeleng 5 quarters: execution rate: 90%;
- Douala (700 ha): Makepe-Missoke, Bonaloka, Makepe Maturité, Ndogpassi, Sic Cacao, Bobongo, Cité des Berges, Grand Hangar Bonabéri quarters: execution rate: 53%.

## **B: Road and Other Networks**

**392-** With regard to the improvement of the urban environment, Phase II of the Yaounde Sanitation Project planned for a duration of 36 months was launched in January 2016. At the end of 2018, 92% of the 14 km of the estimated drain was executed.

**393-** Besides, development works on the access road to the new Olembe-Yaounde town are completed and include an interchange and an urban road network of 6 ways providing access to new settlements<sup>237</sup>.

**394-** In addition, out of the 39 km of the planned drain, there is 50% of work progress in Douala while 120 street light equipment are under construction in Bafia, Batouri, Kaele, Douala and Dschang.

**395-** Between 2013 and 2016, as part of the Urban Transport Infrastructure Development Programme, 594 km of road were rehabilitated while 81,791 km of road have been constructed. More so, in 2015, funds disbursed from the Road Fund in 2014 enabled the construction of 19,069 km of urban road network.

## **§3: Supporting Demand for Housing (Rec. 29)**

**396-** During the reference period, the number of cement companies stood at 4 with the arrival of new operators. The Ministry of Trade began discussions with a view to stabilising the price of a bag of cement at CFAF4,700<sup>238</sup>. In addition to building materials, support to the demand was through financing and the implementation of projects for low-income earners.

**397-** Since the 2016 Finance Law, tax exemptions have been granted first-time homebuyers of low-cost houses<sup>239</sup>. The Housing Loan Fund (CFC), an institution in charge of financing

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<sup>236</sup>It covers 10 Councils (Ngaoundere II, Yaounde V, Yaounde VII, Douala III, Douala V, Batouri, Maroua I, Maroua II, Maroua III, Kousseri, and Kumba II) distributed in 6 Regions (Adamawa, Centre, Littoral, East, Far North, and South West Regions). The Project aims at addressing the following inclusion issues: (i) space inclusion by enhancing access of the people living in under equipped quarters to urban services; (ii) economic inclusion by promoting access to economic opportunities especially for youths; and (iii) social inclusion through mechanisms that facilitate the participation and commitment of communities in decision-making and local management.

<sup>237</sup>The 2.5 km road comprises a jet, 2 boulevards, a round about, cycle lanes, pavements, and car parks.

<sup>238</sup>About 7.17 Euros.

<sup>239</sup>It concerns natural persons with stable and sustainable income comprising the following: ordinary classical land loan of a duration of 25 to 300 months at an interest rate of 5.032% excluding taxes; conventional land loan

housing based on its loan policy granted loans to its young first-time homebuyers at preferential rates and without down payment, subject to their borrowing capacity. This was the classical housing loan for youths. The institution further supported Government's 10,000 low-cost houses Programme through loans at preferential rates to purchasers of houses of the said Programme.

**398-** In addition, the sales price of the houses that are fixed in compliance with the Low-cost Houses Programme defined in Chapter III of Order No. 9/E/2/MINDUH of 21 August 2008 to lay down the standards of low-cost houses, is largely below the real building cost.

**399-** Between 2013 and 2018, the CFC granted more than CFAF102,000,000,000 in loans for the construction of houses for individuals, including CFAF25,000,000,000 in loans to women directly. In 2014, the CFC granted 401 loans worth CFAF13,955,803,104<sup>240</sup> of which 76 as part of the Government Programme worth CFAF1,358,000,000<sup>241</sup>. The number increased to 475 loans in 2016 worth CFAF19,739,612,376<sup>242</sup> out of the 543 applications for loans received, while 22 applications were pending financing. In 2017, the number of loans dropped to 466 worth CFAF19,357,376,309<sup>243</sup> which enabled the financing of 1,748 houses.

**400-** MAETUR benefitted from the financial support of some CFAF10,000,000,000<sup>244</sup> for the relaunch of its activities. The funds were used to acquire land and construct primary road and other networks.

## **Section 7: Right to Social Security (Article 16 (2))**

**401-** The answers provided in §222-227 of the previous Report devoted to social security reform by Government remain relevant. In this regard, between 2013 and 2018, the process to extend social security continued with an impact on the payment of benefits to insured persons some of who sort remedies at law to preserve their rights.

### **A: Extension of Social Security**

**402-** In a bid to obtain social security coverage for a large number of persons, persons who are not subject to compulsory insurance were included pursuant to Decree No. 2014/2377/PM of 13 August 2014 to lay down the terms and conditions of management of voluntary contributors to the old-age and disability pensions, and death benefits<sup>245</sup>. In addition, the ceiling of contributions was raised from CFAF300,000<sup>246</sup> to CFAF750,000<sup>247</sup> while the amount of family allowance and other social benefits were also increased pursuant to Decree No. 2016/34 of 21 January 2016 to increase the amount of family allowance paid to workers.

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of a duration of 25 to 300 months at an interest rate of 4.193% excluding taxes; a classical social land loan of a duration of 25 to 300 months at an interest rate of 4.193% excluding taxes; a classical purchaser land loan of a duration of 25 to 360 months at an interest rate of 5.032% excluding taxes; the classical youth loan without personal contribution of a duration of 25 to 300 months at an interest rate of from 3.145% to 3.355% excluding taxes

<sup>240</sup> About 21 306 569 Euros

<sup>241</sup> About 30,136,812.79 Euros

<sup>242</sup> Soit 30 136 812,79 euros.

<sup>243</sup> About 29, 528, 451. 39 Euros

<sup>244</sup> About 15 267 175 Euros.

<sup>245</sup> In the meaning of the instrument, voluntary insured persons include:

- persons who are capable of contributing but who are not subject to compulsory contribution against old age, disability and death risks;
- workers who do not fulfil the conditions of affiliation to the general scheme of State personnel, or not affiliated to any special social security scheme;
- formerly insured persons who continue to fulfil the conditions of the general scheme.

<sup>246</sup> About 458,015 Euros.

<sup>247</sup> See Decree No. 2016/72 of 15 February 2016 to fix the social contribution rates and remuneration ceilings applicable to family allowance, old age and disability pensions, and death benefits, industrial injury and occupational diseases benefits managed by the National Social Insurance Fund (NSIF).

Thus, the amount of family allowance increased from CFAF1,800<sup>248</sup> to CFAF2,800<sup>249</sup> per month per child. Antenatal and maternity allowances were also increased from CFAF16,200<sup>250</sup> to CFAF25,200<sup>251</sup> and from 21,600<sup>252</sup> to CFAF33,600<sup>253</sup> respectively.

**403-** The number of new persons with the compulsory insurance policy dropped from 82,054 persons in 2014 to 72,992 in 2015, and from 74,487 persons in 2016 to 59,104 in 2017. With regard to voluntary insurance, the number increased from 250 persons in 2014 to 92,324 in 2015, and from 43,994 in 2016 to 44,588 in 2017.

**404-** With the number of newly insured persons, the total number of insured active employers stood at 51,677 and the number of insured persons at 686,746 as at 31 December 2014. The number of insured persons rose to 802,032 in 2015. and to 5,267 new employers, 2017, representing a regression rate of 8.1% in comparison to 2016. The number of active employers stood at 38,722 in 2017.

**405-** Insured persons regularly received their allowances, the global amount of which stood at CFAF62,000,000,000<sup>254</sup> in 2014, CFAF75,000,000,000<sup>255</sup> in 2015, CFAF80,510,941,848<sup>256</sup> in 2016, and CFAF86,000,000,000<sup>257</sup> in 2017.

## **B: Settlement of Social Security Disputes**

**406-** Social security disputes concerned persons under social insurance obligation, recovery of social security contributions and settlement of social security benefits by NSIF.

**407-** With regard to the first group of disputes in 2017, out of the 50 motions *ex parte* by employers challenging recovery decisions taken by NSIF, 6 were re-examined as part of investigation and 44 were implicitly rejected. In addition, in the same year, out of the 221 contentious applications by employers filed before Administrative Courts, 35 judgments were delivered that became final<sup>258</sup>, of which 34 were entered for NSIF and 1 entered against same. At the end of the year, 151 applications were still pending.

**408-** Concerning the second group of disputes, out of the 243 complaints filed in 2017 by insured persons before the Committee on motions *ex parte*, 32 were reconsidered during investigation, 43 were heard by the Committee and 42 decisions delivered for NSIF, 1 for an insured person, and 125 implicitly rejected. Regarding contentious applications filed before the Regional Social Insurance Disputes Commissions by insured persons, out of the 50 matters enlisted and heard by the said Commission, 14 decisions were delivered, of which 10 for NSIF and 4 for insured applicants. At the end of 2017, 36 applications were still pending.

## **Section 8: Right to Food**

**409-** The implementation of agricultural policies aimed at achieving Goal 5 of the Sustainable Development Goals (SDG) which targets the reduction of hunger to level zero by 2030 was hampered in recent years by different challenges, the most symbolic of which were security challenges in some major production basins, lack of quality plant material, overlapping of agricultural programmes and projects, post-harvest losses, insufficiency and inadaptation of

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<sup>248</sup> About 2,7 Euros

<sup>249</sup> About 4.27 Euros

<sup>250</sup> About 24.7 euros.

<sup>251</sup> About 38.5 Euros.

<sup>252</sup> About 33 Euros

<sup>253</sup> About 51.3 Euros

<sup>254</sup> About 9,465, 488.5Euros.

<sup>255</sup> About 114 503 817 Euros.

<sup>256</sup> About 122 917 468 Euros.

<sup>257</sup> About 131 297 710 Euros.

<sup>258</sup> See section 116 of Law No. 2006/22 of 29 December 2006 to lay down the organization and functioning of Administrative Courts.

the factors of production and their marketing, inadequate market system vis-à-vis the agricultural calendar, isolation of production basins, poor mastery of weather vagaries, and non-sustainable management and use of forest, wildlife resources and non-timber products.

**410-** In a bid to address the situation, the State undertook reforms to ensure the availability of foodstuffs and their accessibility to the people.

### **A: Ensuring Availability of Foodstuffs**

**411-** Such availability may be examined at both the quantitative and qualitative levels.

#### **1: Quantitative Availability of Foodstuffs**

**412-** The agricultural development strategy that falls in line with the modernization of agriculture and livestock focused on updating the Rural Sector Development Strategy<sup>259</sup> in April 2017, in order to align it on the new guiding instruments of the national economic policy such as the GESP, with a view to optimising agricultural potentials. In addition, the Food Security and Nutrition Strategic Review in Cameroon was presented in March 2017 the goal of which is to identify the challenges hampering the achievement of the “*Zero Hunger by 2030*” Goal.

**413-** Besides, in 2017, Government decided to restructure the agricultural sector following an audit that revealed dispersion and inconsistency in the implementation of multiple programmes and projects<sup>260</sup> aimed at enhancing competitiveness of agricultural value chains.

**414-** In a bid to draw up an inventory of the livestock sector, a General Agricultural and Livestock Census in Cameroon was ordered by Decree No. 2015/292 of 29 June 2015 for a period of 36 months to provide a correct livestock map of Cameroon based in particular, on reliable, relevant and sufficiently disaggregated structural statistics on all livestock exploitations and their environment, and to create a database of same.

**415-** With a view to consolidating factors of production, budgetary allocations to the Ministry in charge of Agriculture and Rural Development were on a steady increase up till 2016. Thus, the budget increased from CFAF88,841,000,000<sup>261</sup> in 2013 to CFAF98,300,000,000<sup>262</sup> in 2014, CFAF108,771,070,000<sup>263</sup> in 2015, CFAF110,162,000,000<sup>264</sup> in 2016, then dropped to CFAF109,876,579,000<sup>265</sup> in 2017 and CFAF86,612,945,000<sup>266</sup> in 2018. In 2014, the major agricultural value chains received an allocation of CFAF9,526,000,000<sup>267</sup> of which CFAF4,083,000,000<sup>268</sup> was allocated to cash crops and CFAF5,443,000,000<sup>269</sup> to food crops. In 2016, the cumulative budgetary allocations represented 3.52% of the State budget as against 3.7%<sup>270</sup> in 2015.

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<sup>259</sup> Dates back to 2005

<sup>260</sup> Thus, 15 projects out of the 28 audited were dissolved, 11 new projects including the Project of Support to the Production of Quality Plant Material (PAPMVQ) exclusively dedicated to the production of plant material for all the speculations created, 4 programmes renewed, with a amendment of their mandates and an adjustment of certain denominations, while the specific mandates of another were maintained.

<sup>261</sup> About 135,635,114. 50 Euros.

<sup>262</sup> About 150,076,335. 88 Euros.

<sup>263</sup> About 166,062,702.29 Euros.

<sup>264</sup> About 168 186 260 Euros.

<sup>265</sup> About 167 750 502.2 Euros.

<sup>266</sup> About 132 233 504 Euros.

<sup>267</sup> About 14,543,511. 45 Euros.

<sup>268</sup> About 6,233,587. 79 Euros.

<sup>269</sup> About 8,309,923.66 Euros.

<sup>270</sup> In this regard, the State undertook to allocate 10% of budgetary resources to the agricultural sector for the achievement of an agricultural growth rate of at least 6% per year. See 2015 Report, §553 and 556.

**416-** As part of the implementation of PLANUT (2015-2016-2017) with a budget of CFAF925,000,000,000<sup>271</sup>, the sum of CFAF59,190,302,473<sup>272</sup> was allocated to agriculture and CFAF19,321,040,775<sup>273</sup> to livestock. Such allocations were completed by funds from partners.

**417-** Besides, a National Agricultural Investment Plan (NAIP) (2014-2020) was adopted in 2015 in line with the Comprehensive Africa Agriculture Development Programme (CAADP) with financing needs estimated at CFAF3,550,000,000,000<sup>274</sup>. A Resource Mobilization Conference to finance NAIP held from 14 to 15 September 2015 in Yaounde.

Within the framework of the Plan, an Agricultural Value Chain Development Project was executed in 2016 and a partial financing agreement worth CFAF58,571,000,000<sup>275</sup> was signed between the State and the AfDB.

**418-** Supported by an incentive seed policy and availability of inputs, and the capacity development of Stakeholders, increasing foodstuff supply was characterised by both the development of strategic value chains with a strong food security challenge such as rice, maize, cassava, potato, plantain, palm oil, onion, fruits and vegetables, grain legumes, millet and sorghum; and the development of the main cash crops such as cocoa, coffee, cotton, rubber, and banana. In this regard, efforts made consisted in supplying producers with improved seeds and plants, fertilizers and pesticides, supporting the development of post-harvest operations and distributing small agricultural material.

**419-** In addition to the Agriculture High School of Yabassi already referred to above, a tractor assembly factory was built in Ebolowa, improved seed processing and packaging factories were built in South West Region, and new speculations experimented in the Research and Innovation Centres of IRAD.

**420-** In a bid to encourage the emergence of 2<sup>nd</sup> generation production units, the *Territorial Development Economic Programme for the Promotion of Medium-sized and Major Enterprises* in the Rural Sector dubbed “Agropoles” entered its operational phase in 2015 after a 2-year pilot phase. Through some 30 Agropoles distributed nationwide, the results of some speculations were far beyond expectation. In this regard, the soja production Agropole of Mogode in Far North Region produced more than 8,500 tonnes of soja out of the 800 tonnes expected, the maize production Agropole in Mayo Oulo produced 95% of its estimated production; the egg production Agropole of Baleng in West Region produced beyond expectation, and made it possible to meet 60% of national demand through a production of 294,000,000 eggs.

**421-** These efforts enabled an increase of 2 to 20% of agricultural production per speculation as shown in the table in the Appendix (**APPENDIX 13**).

**422-** With regard to the animal value chain, the National Animal Genetic Improvement Strategy for cattle, pork, goat and dairy sectors was set up in 2017 and helped obtain high production in spite of the contingencies relating to some animal pathologies.

**423-** Thus, the poultry sector was affected in 2016 by the resurgence of the H5N8 bird flu virus A and obliged Government to adopt emergency measures to contain the propagation of the virus. The measures consisted in the killing of some 80,000 infected or suspected chickens by veterinary services, restricted movement of fowls, used poultry products and materials, ban on the transfer of poultry products from affected communities to other communities, and

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<sup>271</sup> About 1,412,213,740.45 Euros

<sup>272</sup> About 90,366,874 Euros

<sup>273</sup> About 29,497,772.2 Euros

<sup>274</sup> About 5,419,847,328.25 Euros

<sup>275</sup> About 89 696 183,2 Euros.



consolidation of veterinary control at veterinary sanitary inspection checkpoints. In this connection, 131 checkpoints were established and/or reopened.

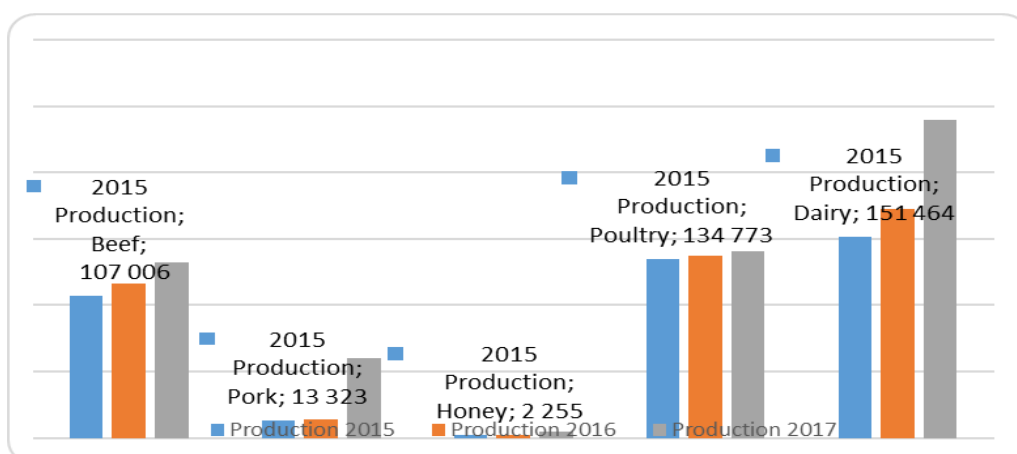
**424-** Besides, in order to avoid the transmission of the virus from animal to man, awareness-raising messages were broadcast on the handling of fowls under safety conditions<sup>276</sup>.

**425-** All these measures resulted in the mobilization of CFAF250,000,000<sup>277</sup> by Government within the framework of 2 Agreements, one signed with the World Bank<sup>278</sup> and the other with the FAO<sup>279</sup> to consolidate the bird flu control mechanism, in particular, aspects on awareness-raising and training of stakeholders, purchase of material and equipment for household management, logistical support, and communication.

**426-** Furthermore, public authorities focused on intensive fish farming to make up for the shortage of fish. In 2016, the Aquaculture Entrepreneurship Promotion Project in Centre, South, and Littoral Regions and the Tilapia Cage Farming Support Project were set up in this regard. In addition, 13 cages were installed and filled with fish in Mbalmayo in Centre Region, Yabassi in Littoral Region, Bambalang in North West Region, Lagdo in North Region and Atok in East Region.

**427-** The results of animal production in 2015, 2016 and 2017 stood at 107,006, 116,101, and 132,551 tonnes for the cattle sector; 13,323, 13,814, and 60,026 tonnes for the pork sector; 2,255, 2,300 and 5,040 tonnes for the beekeeping sector; and 134,773, 137,334 and 140,218 tonnes for the poultry sector respectively.

**Chart 1: Animal production from 2015 to 2017**



**Source:** MINEPIA

**428-** Through the efforts referred to above, Cameroon was able to reduce by half the absolute number of persons suffering from malnutrition as recommended at the World Food Summit, and thereby successfully achieved the Millennium Development Goals (MDG). In recognition of Cameroon's efforts, it was awarded a diploma by the FAO in June 2015 in Rome, Italy.

**429-** However, such efforts did not conceal the risks of food insecurity still hovering over the country. Indeed, surveys on food security in some Regions of Cameroon conducted between 2017 and 2018 showed the prevalence of food insecurity in Far North, North, Adamawa and

<sup>276</sup>This concerns awareness-raising messages on radio and television.

<sup>277</sup>About 381, 123, 124.11 Euros.

<sup>278</sup> In July 2016 on the extension of the pre-existing Agreement. Through PACA, the World Bank granted support worth USD1,000,000 (About CFAF600,000,000) for the conduct of 2 surveys, one on the socioeconomic impact of the bird flu in Cameroon and the other on the audit of hatcheries in Cameroon.

<sup>279</sup> The Agreement was signed on 20 September 2016. Concerning the FAO, it refers to the Project dubbed "Emergency Relief for the Control of Highly Pathogenic Bird Flu Focuses in Cameroon" to the tune of CFAF300,000,000 (About 458,015.26 Euros)

East Regions affected by security crisis resulting from atrocities by *Boko Haram* and attacks by armed groups; North West and South West Regions rattled by the social crisis since October 2016 the consequences of which include closure of supply markets, and disruption in the production systems. Such security challenges and climate change caused a destruction of production systems thereby resulting in poor harvests of cereals and tubers.

**430-** The following solutions were adopted:

- infrastructure and value chain development projects in South West Region;
- development of cashew nuts project in the 3 northern Regions;
- distribution of foodstuffs (cereals) by the Cameroon Cereals Office in the areas concerned; and
- consolidation of seed production through the same Office.

## **2: Quality of Foodstuffs**

**431-** In a bid to guarantee the quality of foodstuffs offered the population, public authorities embarked on safety checks of foodstuffs of plant and animal origin and on the certification of same.

**432-** With regard to the control of foodstuffs of animal origin, veterinary health inspections and stamping of meat sold in the markets continued. Besides, modern slaughterhouses such as the industrial slaughterhouse in Ngaoundere with a slaughtering capacity of 250 herds per day, 4 cold stores<sup>280</sup> and 8 refrigerated trucks were received within the framework of PLANUT during the reference period. In addition, 7 modern slaughterhouses<sup>281</sup>, 3 slaughter halls<sup>282</sup>, and a pig and small ruminants<sup>283</sup> slaughter unit were built.

**433-** Concerning foodstuff of plant origin, focus was on the development of standards and labels of agricultural inputs through the drawing up in 2017, of 3 technical Regulations for seed certification, the issuance of 450 licences to import quality plant material and the organization of 300 seed controls nationwide, the establishment of phytosanitary index of homologated and certified products in Cameroon showing 1,253 products in 2017, capacity development of 200 Phytosanitary Inspectors to curb the influx of dangerous agricultural products through the borders.

**434-** The Pre-Boarding Compliance Evaluation Programme of Products in the Republic of Cameroon was launched by the Standards and Quality Agency (ANOR). It certified locally-produced or imported food products. With regard to local products, out of the 43 applications on food products, 26 were certified, 13 required corrective measures and 1 rejected. Concerning drinks, 25 out of the 42 applications were certified.

**435-** Control missions were regularly carried out on the quality, quantity, price and weight of products in the markets and they resulted in giving the consumption sector a facelift by eradicating illegal commercial practices and preserving the quality of products displayed on the stands. In 2017, some 293 controls were conducted and resulted in 20,054 sanctions for all types of fraud, of which 2,189 were meteorological-related frauds and 2,063 frauds related to aftersales-service.

## **B: Guaranteeing Accessibility to Foodstuffs**

**436-** In a bid to curb social exclusion and discrimination in the enjoyment of the right to food, a National Consumption Council was set up while measures were taken to structure

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<sup>280</sup>A capacity of 1,400m<sup>3</sup>, 6,000m<sup>3</sup>, 1,400m<sup>3</sup> and 3,000m<sup>3</sup> constructed in Ngaoundere, Yaounde, Ebolowa and Kribi.

<sup>281</sup> The slaughterhouses were built in Ayos, Kaele, Dziguilao, Edea, Bana and Buea.

<sup>282</sup>In Mbangassina, Loum and Guider communities

<sup>283</sup> In Douala.

distribution channels. One of the options consisted in the distribution of food to people affected by food insecurity.

### **3: Developments in the Normative and Institutional Framework**

**437-** Considering all the modern requirements governing trade in goods and services, Law No. 2015/18 of 21 December 2015 governing commercial activity in Cameroon was enacted to structure distribution channels and protect the consumer, especially by clearly defining the conditions for the organization of commercial activities, the terms and conditions of distribution, sale and fixing the price of products.

**438-** Furthermore, by Order No. 101/MINCOMMERCE/CAB of 22 May 2015, the Minister of Trade drew up the list of products and services the prices and tariffs of which are subject to prior homologation procedure in particular, water and related services, cooking gas, industrial gas and medical gas, sugar, milk, crude palm oil, imported frozen fish, wheat flour, maize flour, imported rice, cooking salt, and edible oils.

**439-** In a bid to implement this reform, a National Consumption Council was set up by Decree No. 2016/3/PM of 13 January 2016 to lay down its organization and functioning.

**440-** The duties of the Council include promoting discussions between public authorities, organizations in charge protecting the collective interests of consumers, and inter-professional organizations, and between representatives of consumer interests and Delegates of inter-professional organizations on issues relating to consumer protection.

### **4: Distribution of Foodstuffs to the Population**

**441-** Weather vagaries and insecurity related to atrocities committed by *Boko Haram* deepened the food deficit in Far North Region which had already been evaluated at 150,000 tonnes in 2014 and about 9.6%<sup>284</sup> of the population concerned by such food insecurity risk. That is why a Commission on the Emergency Management of Food Security was formed by the Order of 26 February 2015 with a view to distributing foodstuffs to the people. The distribution was done in 4 phases<sup>285</sup> between 2015 and 2017, and included staples, agricultural and veterinary products worth some CFAF4,000,000,000<sup>286</sup>.

### **5: Structuring Foodstuffs Distribution Channels**

**442-** The organization of promotional sales helped anticipate possible dysfunctionings related to an explosion in demand. The campaigns were consolidated during major popular fairs and/or peak consumption periods (religious ceremonies, school reopening and end-of-year festivities).

**443-** Between 2013 and 2017, outreach supplies led by the Consumer Product Supply Regulation Authority (MIRAP) through street markets and Periodic Test Markets helped mobilise huge supplies in staples of 84,053 tonnes for households worth CFAF22,206,290,000<sup>287</sup> for a total of 2,824 markets organised. The average price reduction of products stood at 18%<sup>288</sup>.

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<sup>284</sup> MINADER statistics during the drawing up of the national food security strategy on 26 September 2016.

<sup>285</sup> During Phase III launched in Maroua in November 2015, the special gift worth CFAF2,250,000,000 comprised staples, oil cake for animals and 7 pick-up vehicles for the transportation of products from very remote areas.

<sup>286</sup> About 6,106,870.63 Euros

<sup>287</sup> 33,902,733 Euros.

<sup>288</sup> According to the National Institute of Statistics (2015).

## Section 9: Right to Water and Sanitation

**444-** The Sustainable Development Goal 6 provides, “*Ensure availability and sustainable management of water and sanitation for all*”<sup>289</sup>. As contained in the previous Report (§ 411), the State had already streamlined its action in this direction by setting the target in the GESP at 75% of people expected to have access to drinking water by 2020<sup>290</sup>. The national liquid sanitation strategy adopted in August 2011 targeted a national coverage increase rate from 34% in 2008 to 57% in 2021. In a bid to achieve the said objective, focus was geared towards enhancing water supply and liquid sanitation coverage.

### §1: Enhancing Water Supply

**445-** Water supply strategy was adjusted depending on whether it concerned urban, suburban or rural areas.

#### A: Water Supply in Urban and Suburban Areas

**446-** The evaluation of the implementation of the water supply lease contract resulted in the development of an institutional framework. Besides, different projects helped increase the production capacity and extend the supply network.

##### 1: Development of an Institutional Framework

**447-** The development of an institutional framework aims at setting up a balanced drinking water production and distribution chain. Thus, at the end of the lease contract between the State (leasing authority) – Camwater (concessionaire) – CDE (leaseholder)<sup>291</sup>, the organizational set up of CAMWATER was amended pursuant to Decree No. 2018/144 of 20 February 2018 to reorganised the Cameroon Water Utilities Corporation to enable it not only to manage the rights and properties allocated for public drinking water supply, but also to exploit the production, transportation and distribution of drinking water in urban and suburban areas (See article 3 of the Decree).

##### 2: Increase in the Network Production and Extension Capacity

**448-** The production capacity increased in the urban and suburban areas. CAMWATER used its projects to enhance drinking water supply by increasing the production capacity from 498,936m<sup>3</sup> in 2012 to 721,080m<sup>3</sup> in 2017, representing an increase of 211,144m<sup>3</sup>/day. The production capacity in the CAMWATER Centres helped supply water to 14,421,600 persons

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<sup>289</sup> The challenges are still many and include:

- 2.1 billion people, about 30% of the world population are not connected to home drinking water services, and 4.5 billion people, about 60% do not have access to properly managed sanitation services in 2015;
- 1.8 billion people use a water source contaminated by faecal matter, thereby risking an outbreak of cholera, dysentery, typhoid fever and poliomyelitis;
- half a billion people experience acute water shortage throughout the year; and
- 20% of world aquifers are over-exploited.

<sup>290</sup> As part of the implementation of Law No. 2004/17 of 22 July 2004 to lay down the orientation of decentralization that devotes among others, the transfer of powers and resources to councils, a document entitled “Guide on the exercise of powers transferred by the State to Councils” was drawn up in 2016 in collaboration with the Special Council Support Fund (FEICOM) and financed by the German Cooperation (GIZ).

<sup>291</sup> The *Camerounaise des Eaux* that started its activities on 2 May 2008 and that will run for a period of 10 years is expected to carry out public water supply in Cameroon within a perimeter covering 110 urban and suburban areas.

by taking into consideration the average daily consumption of 50 litres per person. The population that was potentially supplied with water was largely higher than the population of the perimeter covered which stood at 10,570,488 people.

**449-** In urban areas, water production and catchment factories were built or rehabilitated, and distribution networks extended through many projects.

**450-** Thus, in Yaounde, the distribution network was extended to about 12,000 linear metres. Meanwhile, the production capacity of the Akomnyada station was enhanced to 83,000m<sup>3</sup>/day, and the production station of Mefou with a capacity of 50,000m<sup>3</sup>/day was rehabilitated. Such actions helped step up the production capacity from 150,000m<sup>3</sup>/day in 2014 to 190,000m<sup>3</sup>/day for an estimated demand of 300,000m<sup>3</sup>/day. Actions were carried out in Yaounde and Douala.

**451-** In a bid to reduce the deficit of 110,000m<sup>3</sup>/day, the construction of a new water treatment unit of a capacity of 55,000m<sup>3</sup>/day through the acquisition of 10 compact mobile units, similar mini catchment and treatment stations with wheel containers are ongoing since 7 October 2016. In addition, the Drinking Water Supply Project in Yaounde and its environs from River Sanaga (PAEPYS Project) is ongoing to supply 300,000m<sup>3</sup>/day that can be extended to 400,000m<sup>3</sup>, and the Project is 30% executed. The Project will offer an additional storage capacity of 6,000m<sup>3</sup>, a transportation network extension of 60 km, and a connection to Soa, Nkometou, Batchenga, Obala and Ntui.

**452-** In Douala, the water station of Yato with an additional production capacity of 100,000m<sup>3</sup>/day started being exploited on 26 November 2014 while 11 boreholes with a cumulated production of 30,000m<sup>3</sup>/day were drilled. Thus, the production capacity increased from 80,000m<sup>3</sup>/day in 2012 to 230,000m<sup>3</sup>/day for a demand that also increased from 250,000m<sup>3</sup>/day in 2014 to more than 400,000m<sup>3</sup>/day in 2018. Transportation and storage facilities were also constructed including the treated water transport line of Yato II at Deido, the pipe bridge on River Wouri, 40,000 linear metres pipeline, 3 new water tanks of 3,000m<sup>3</sup> of Logbessou, of Nyalla, and 1,000m<sup>3</sup> of Koumassi.

**453-** Furthermore, many projects were carried out in suburban areas. Works were carried out as part of the rehabilitation, consolidation and extension of Drinking Water Supply (DWS) systems in 52 *C1 Group Centres* that helped increase an additional production capacity of 150,000m<sup>3</sup>/day and an additional storage capacity of 300,000m<sup>3</sup>/day, and the construction of 197.45km of pipeline in the communities concerned including Yaounde, Douala, Garoua, Bafoussam, Buea, Limbe, Maroua, Banyo and University of Maroua.

**454-** The consolidation and extension of DWS systems Project in 52 *C2 Group Centres* that started in 2016 was expected to be completed in 2018. It will result in an additional production capacity of 2,700m<sup>3</sup>/day, thereby giving a total production of 66,500m<sup>3</sup>/day in Bankim, Banyo, Figuil, Mayo Oulo, Mbalmayo, Dimako, Djoum, Lomie, Mbe, Pitoa, Sa'a, Yoko, Bangoua and Chidifi.

## **B: Water Supply in Rural Areas between 2013 and 2017 (or December 2018)**

**455-** Many projects have been executed or are underway as part of rural water supply projects. The most recent include the following:

- the construction of 36 drinking water points in Bakondji (West Region) that had an impact on some 5,000 inhabitants in the community;
- execution of 193 drinking water supply projects and drilling of boreholes with hand-operated pumps in 2017 as part of the Public Investment Budget; and
- execution of 19 mini DWS projects as part of Phase I of the 3-year Emergency Plan in North West Region while the drilling of 900 boreholes is ongoing in 9 Regions. Phase

II of the Plan which is underway includes the drilling of 3,000 boreholes in the 3 northern Regions.

**456-** Such initiatives helped bring the rate of access to drinking water in the country to 40%<sup>292</sup> in 2017. However, the sector faces a number of challenges on financing water supply that is mostly borne by funding bodies, in addition to the difficult mobilization of water resources due to geological challenges.

### **C: Liquid Sanitation**

**457-** In 2011, a National Liquid Sanitation Strategy was adopted and aimed at bringing the rate of national sanitation coverage<sup>293</sup> to 57% by 2021. The Strategy focuses on 4 thrusts including awareness-raising, building infrastructure in accordance with the area concerned and appropriate technology, enhancing the institutional framework, and relevant mobilization of resources.

**458-** With regard to infrastructure, concern was on promoting majority individual sanitation in urban and rural areas and developing semi-collective and collective sanitation in major towns.

**459-** In a bid to facilitate the proper understanding of sanitation by the people, the national sanitation strategy managed by communities was adopted in 2017. The aim was to consolidate the achievements of the pilot phase<sup>294</sup> carried out since 2009 and harmonise actions with a view to implementing the approach at large scale in order to end open air defecation.

**460-** In this regard, many projects helped enhance both collective and individual sanitation.

**461-** Concerning sanitation, the Drinking Water Supply and Sanitation in Rural Areas Project enabled the construction of 327 public toilets, 590 private toilets, and 2 gender toilet complexes<sup>295</sup>.

**462-** The Liquid Sanitation Project financed by the World Bank provided the people with 5,000 improved family latrines and 1,200 institutional latrines in thickly populated areas in East, Far North, and Adamawa Regions. In Douala, 1,400 family latrines and 1,800 ordinary latrines were constructed.

**463-** The Drinking Water Supply and Sanitation in Semi-urban Areas Project in 18 secondary centres (Lot 1, Lot 2, and Lot 3 fully executed<sup>296</sup>), financed by the African Development Bank (AfDB) enabled the construction of latrine blocks and gender toilet complexes in public areas (schools, health facilities, bus stations, etc), as well as hospital incinerators and dumps<sup>297</sup>.

### **Section 10: Right to Family Protection (Article 18 (1) and (2))**

**464-** In a bid to sustain peace, stability, harmony and cohesion in Cameroon families, the national family policy is implemented since 2004 under the authority of the Ministry of Women's Empowerment and the Family the duties of which are orientated towards consolidation of the family unit. In this regard, actions carried out included the

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<sup>292</sup>In 2014 the number of subscribers was around 380,000. It increased to 400,276 in 2016 and to approximately 426,591 in 2017. In 2017, The country's water production capacity in 2017 was around 545,350 m3 per day provided by Camerounaise Des Eaux in the concession area, which covered 110 urban and semi-urban centers.

<sup>293</sup>The utilization rate of improved water sources and improved toilets respectively stood at 72.9% and 34.9% in 2014.

<sup>294</sup>Some 50,000 traditional latrines were constructed without any subvention, by the people in 1,200 villages in the target Regions of the pilot phase.

<sup>295</sup> The Project concerns 117 Councils in West, North West, South West, and South Regions.

<sup>296</sup> It ended in September 2017 and helped in achieving 11,000 low-cost connections and 125 reconnections.

<sup>297</sup> The Project also helped in providing 19 Councils with 33 tractors, 161 tippable flatbeds and 19 small material collection and safety kits the aim of which is to protect the environment and preserve water resources.

implementation of family protection programmes. Due to new challenges, measures were taken to consolidate the family unit.

## **§1: Implementation of Family Protection Programmes**

**465-** Different programmes devoted to family support were made available to target families. In this regard, the **Prenuptial, Matrimonial and Family Education Programme** implemented since 2013 with the aim of consolidating the social role of the family and maintaining family balance continued. In a bid to prepare future spouses for marriage, didactic materials on family education were distributed to 6,326 persons in 2016. In 2017, prenuptial, matrimonial and family education involved 19,377 persons and for the year 2018, 62,976 persons as at 30 September. The State supported the celebration of 5,141 collective marriages in 2017 and for 2018, 1,559 as at 30 September. In addition, capacity development actions were carried out for social stakeholders and regional officials of MINPROFF on family support. The actions were aimed at better structuring the support of couples and families within the framework of matrimonial mediation and therapy.

**466-** Besides, a National Plan to reduce domestic violence was drawn up to promote peace in families and combat violence. The awareness of many families and communities was raised on harmful socio-cultural practices, especially child marriage. Meanwhile, as part of the Family Education Programme on Human Rights, sessions were organised to disseminate legal instruments on the protection of family rights.

**467-** Furthermore, within the framework of the campaign dubbed “*16 days of action on violence against women*” organised from 25 November to 10 December 2015, the Minister of Women’s Empowerment and the Family published a letter on awareness-raising of families on the “*dehumanising and inadmissible nature of the many forms of violence against women and the girl child in families and the socio-professional environment*”.

**468-** Assistance and relief were given to poor and needy families as part of the Programme on assistance and poverty reduction for poor and needy persons and families. A total of 2,424 of such families were given assistance and relief in 2017 and 2,227 persons as at 30 September 2018. Support mechanisms set up for rural women or in Women’s Promotion Centres continued to operate.

**469-** With regard to the mobilization of communities for health and essential family practices, actions taken included the mobilization of parents and families on mother and child health that involved 86,017 persons, and community mobilization on the immunization of women and children that involved 5,131 persons in 2017. In addition, from January to September 2018, the awareness of 91,488 families and persons was raised on the promotion of family health.

## **§2: Family Protection against Neighbouring Hazards**

**470-** New strategies were drawn up to address the hazards threatening family stability. The hazards are due especially to the decline in moral and cultural values, poverty, lack of basic social services to support families and children, persistent sociocultural bottlenecks, exploitation and trafficking in persons, influx of refugees and displaced persons that increases family vulnerability and the influence of social networks and the media that reduce communication in families and increase the risk of violence and conflicts.

**471-** The following strategies were designed:

- education, information and training of families and communities;
- mobilization of key stakeholders with the aim of involving the community in development;
- psychosocial support to persons and families involved in violence;
- assistance to poor and needy persons and families; and

- holistic support to families and communities in emergency or humanitarian crisis situations.

## CHAPTER 4: PROTECTION OF SPECIFIC RIGHTS

**472-** In a bid to guarantee the rights of some groups, the State took into account their specific realities to adapt measures geared towards inclusion as enshrined in the Preamble of the Constitution. Indeed, during the reference period, many challenges were to be addressed including the coordination of actions for vulnerable groups, mobilisation of adequate human and financial resources, and the effective consideration of specific dimensions or vulnerabilities in policies and programmes. Progress made in the integration of the gender approach will be discussed in the Report on the Maputo Protocol (Article 18 (2); **Rec. 20, 21**). This Chapter will examine the rights of the child (Article 18 (3)), the rights of the elderly (Article 18 (4)), the rights of persons with disability (Article 18 (4)) and the rights of persons deprived of liberty.

### Section 1: The Rights of the Child (Article 18(3) ACHPR)

**473-** During the period under review, and considering the cross-cutting nature of child-related issues, the strategic and institutional framework of child protection was restructured for a better design of actions on the protection of the rights of the child. The emergence of new security concerns highlighted the involvement of children in armed groups.

#### §1: Restructuring of the Strategic and Institutional Framework

**474-** At the institutional level, the duties of the main Ministries concerned such as MINPROFF and MINAS<sup>298</sup> were reviewed to facilitate family support, the privileged place for child development, early childhood support, and protection of children in difficulty.

**475-** Discussion and coordination mechanisms were either set up or revived. Thus, in addition to the National Committee on Combating Child Labour in Cameroon already referred to above, the National Commission for the Protection of Children in Moral Danger, and Delinquent or Abandoned Children formed in 1990 was revived in 2017 and holds regular sessions<sup>299</sup>. Besides, a *national platform for the protection of children including those in emergency situation* was set up in 2016<sup>300</sup>. Thematic platforms also exist, in particular, the *Multi-sector Platform of Stakeholders for the Elimination of Violence, Exploitation, Abuse and Discrimination, Harmful Cultural Practices and Child Marriage*. Its goal is to structure the activities of different stakeholders involved in the fight against cultural beliefs and practices that are harmful to the development of the child.

**476-** At the strategic level, a National Child Policy Paper was drawn up in 2017. It comprises 5 strategic thrusts on (i) deepening the consideration of child protection in all aspects of national life; (ii) promotion of a sociocultural environment that encourages child protection; (iii) modernization of the legal child protection framework; (iv) enhancement of access to child protection services; and (v) consolidation of the governance of actions to implement the national child protection policy. An implementation plan of action is envisioned.

<sup>298</sup> Decree No. 2017/383 of 18 July 2017 organising the Ministry of Social Affairs (MINAS): MINAS is in charge of drawing up and implementing Government policy on prevention, assistance, and protection of socially vulnerable persons, and monitoring procedures for the protection of children in difficulty in collaboration with the Ministries concerned.

<sup>299</sup> The meetings are biannual. Thus, the Commission held 2 meetings in 2017 and one in 2018.

<sup>300</sup> Decision No. 2016/98/D/MINAS/SG.DPSE/SDPDE of 20 October 2016 to set up a National Platform on the Protection of the child in Cameroon, including in Emergency Situations. In 2017, the platform held 3 sessions; session 1 focused on the drawing up of an annual plan of action on child protection and presentation of the reference draft of the psychosocial care of children involved in armed forces or groups; session 2 discussed best practices on juvenile justice and combating gender-based violence; and session 3 sought solutions to the management of unaccompanied children who are former hostages of *Boko Haram*.



## **§2: Protection as a Platform for Guaranteeing the Rights of the Child**

**477-** In addition to enhancing access to basic social services, health, and education as discussed above, actions carried out as part of protection of the rights of the child included safeguarding the identity and personality of the child, promoting the involvement of the child in decision-making processes, and promoting a protective environment for children. The inclusive approach required specific actions for children in need of special protection.

### **A: Safeguarding the Identity and Personality of Children**

**478-** Enhancement of access to the civil status continued since the intention was to significantly reduce the proportion of children not entered in the civil status register that stood at 66.4% in 2014<sup>301</sup>. In this regard, and through the readjustment of the normative<sup>302</sup> and institutional framework with the extension of the period for the declaration of birth from 30 days to 90 days, the establishment of a National Civil Status Office in 2013<sup>303</sup> and the installation of its governing bodies in 2016 and regional offices in 2017, the adjustment of the territorial coverage with civil status registries<sup>304</sup>, the Strategic Civil Status Rehabilitation Plan (2018-2022)<sup>305</sup> was adopted.

**479-** Besides, Cameroon was chosen for a 3-year regional pilot project dubbed “*Towards Universal Birth Registration in Africa*”. The aim of the project was to test at the Subdivisional level, a registration system through the use of ICTs with a view to increasing the rate of birth registration to 20% by 2019. In a bid to support the demand for civil status registration, a civil status module was introduced in the syllabuses of Secondary schools and Teacher Training Colleges.

**480-** Awareness-raising campaigns were organised on the importance of birth certificates and on the social and political implications of the non-declaration of births. From 20 April to 22 July 2016, for example, a film screening campaign on the importance of birth certificates, time limits for registration and the consequences of not respecting same involved some 100 communities in the country. Similarly, in 2016, the Ministry of Territorial Administration and Decentralization organised 90 training sessions for 4,100 Civil Status Officers and Secretaries and 700 other interested persons such as village chiefs, health staff, the Ministry of Justice, etc in 74 communities nationwide. The modules focused on the basis of civil status, the regulation in force, registration procedures for civil status acts, keeping registers and best practices. The action included indigenous peoples and minority groups.

**481-** Supporting the most vulnerable people as part of the procedures was also one of the levers of the action. Assizes and/or special court sessions were held to deliver declaratory

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<sup>301</sup>MICS 2017 Survey Results. The lowest rates were observed in Far North Region (42%) and South West Region (55%). The problem was acute in rural areas where the rate stood at 81%. In relation to purchasing power, the poorest quintile is the most affected with only 28% of births registered.

<sup>302</sup> See Law No. 2011/11 of 6 May 2011 amending and completing certain provisions of Ordinance No.81/02 of June 29 1981 on the organization of the Civil Status Registration and Provisions relating to the status of physical persons is the instrument to determine the legal status of persons in Cameroon

<sup>303</sup>Decree No. 2013/31 of 13 February 2013 on the organisation and function of the National Civil Status Registration Offices (BUNEC).

<sup>304</sup>In December 2018, Cameroon had 2,818 Civil Status Registries nationwide, comprising 374 main registries and 2,399 secondary registries. In diplomatic representations abroad, there were 60 main registries of which 46 in Embassies, 4 in High Commissions, 2 in Permanent Missions and 8 in Consulates.

<sup>305</sup>The aim of the Plan is to implement the following 7 recommendations of the Civil Status Evaluation Report: (i) consolidation of the legal thrust for the registration of civil status facts and establishment of statistics on civil status facts; (ii) consolidation of the organization and functioning of registration of civil status facts; (iii) consolidation of institutional coordination and the role of BUNEC; (iv) enhancement of demand for civil status registration and vital statistics services; (v) comprehensive computerization and control of the civil status; (vi) establishment, dissemination and use of civil status statistics; and (vii) sustainable financing of civil status.

judgments<sup>306</sup> of birth, and more than 2,000 such judgments were delivered between 2015 and 2016.

**482-** In order to address the low rate of birth declaration in some communities, a mechanism for the speedy establishment of birth certificates was set up through the Service Quality Enhancement Support Programme with the collaboration of the United Nations Development Programme (UNDP). On 10 November 2017, some 17,000 birth certificates were handed to the people in Maga, Touloum, and Moulvoudaye Councils in Far North Region through the mechanism.

**483-** Civil status service delivery was also consolidated with the provision of registers by BUNEC. In this regard, from 8 to 13 May 2017, some 18,000 registers were distributed to secondary civil status registries nationwide.

## **B: Promotion of the Participation of Children in the Decision-making Process**

**484-** In a bid to step up the participation capacities of children in the decision-making process, regular sessions of children's Parliament were held and enabled them to ask decision-makers questions on the protection of the rights of the child. Other children's expression frameworks were experimented, in particular children's governments<sup>307</sup> in schools in 850 primary schools in Centre, North West, and Far North Regions, and children's councils the evaluation of which helped in envisioning scaling.

## **C: Promotion of a Protective Environment**

**485-** Promotion of family supervision or failing which a replacement protection, and combating violence and exploitation reflect the determination to develop an environment conducive for child development.

### **1: Family Supervision and Replacement Protection**

**486-** In addition to the actions on family protection referred to above, provision of parental substitute to the child was made either through temporary family administrative placement or through institutional placement of the child in distress or through adoption. In the first case, the child is placed in a foster family while waiting for a possible adoption and in the second case, the child is placed in a public institution or an authorised private institution<sup>308</sup>. During the period 2013-2017, there were 4 Centres for Children in Distress in Garoua (North Region), Yaounde (Centre Region), Ekondo Titi (South West Region), and Ambam (South Region).

**487-** In a bid to balance the temporary administrative placement of children, combat harmful practices and enhance transparency in the management of public institutions and proper care of children, a Rapid Results Initiative (RRI) was launched on 8 April 2013 in Yaounde and Douala in collaboration with NACC. The RRI was supplemented with a procedure manual on child adoption in Cameroon validated in 2013. These measures resulted in the care of 2,361 children by 192 structures under the supervision of MINAS in 2014.

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<sup>306</sup> The declaratory judgment of birth is required where the birth declaration time limit has elapsed.

<sup>307</sup> Its aim is initiate children to the management of the affairs of their cities and communities through elections and the setting up of a Government in school

<sup>308</sup> According to the 2017 statistics, there were 102 child supervision structures distributed as follows: **Adamawa Region:** 3 private structures; **Centre Region:** 2 public structures and 30 private structures; **East Region:** 3 private structures; **Far North Region:** 1 public structure and 3 private structures; **Littoral Region:** 1 public structure and 20 private structures; **North Region:** 1 public structure and 1 private structure; **North West Region:** 6 private structures; **West Region:** 16 private structures; **South Region:** 10 private structures; **South West Region:** 1 public structure and 6 private structures.

**488-** Furthermore, between 2013 and 2017, some 1,105 children were adopted through the courts which took into consideration the principle of the best interest of the child, and 144 children were placed under guardianship.

**489-** Where the courts found that the adoption was not for the best interest of children, the application was not granted, as was the case in HCM/79M/2016: **Achu Samuel Atoh** and **Achu Abednego Nji** and 2 others of the High Court Momo.

**490-** In the matter, the parents withdrew their consent they had initially given for the adoption of the child by one uncle resident in the United States of America. Considering that the interest of the child was better preserved by the person on who the customary guardianship was conferred for the past 10 years and who lived in Cameroon, and considering the wish of the child to continue to live with the said guardian, the High Court of Momo Division dismissed the application for adoption (HCM/79M/2016 between Achu Samuel Atoh and Achu Abednego Nji and 2 others).

## **2: Child Protection against Violence**

**491-** The Penal Code adopted on 12 July 2016 contains new provisions on child protection against violence. Henceforth, the following offences are provided for and punishable under the corresponding sections of the Penal Code: interference with the right to visit (s. 355-1), interference with the right to education and training (s. 355-2), genital mutilation (s. 277-1), and prevention of growth of organ (s. 277-2). Similarly, the subsequent marriage between the author of the offence and the victim no longer has effect on the prosecution and conviction in the event of rape (s. 296 and 297), private indecency (s. 295 and 297) (Pls, correct the French), or kidnapping of child (s. 352-2). Offences relating to slavery and trafficking in persons that were provided for and punishable under a law adopted in 2005 that specifically targeted children before its amendment to widen the personal scope in 2011, are all provided for in the Penal Code. The age for qualification of forced marriage was harmonised to less than 18 years for both boys and girls (s. 356).

**492-** In order to meet up with changing nature of resources, especially the increasing use of the digital, a Committee for the drawing up of a child protection Charter online was formed pursuant to Decision No. 117/MINPOSTEL/SG/DSR of 2 June 2016 to set up and lay down the organization and functioning of the Committee in charge of drawing up a national child protection Charter online<sup>309</sup>.

**493-** In addition to the development of a normative and institutional framework, awareness-raising activities on violence against children were carried out through different channels, discussion sessions, radio and TV programmes, mass campaigns or targeted campaigns in schools. Besides, capacity development activities for stakeholders in the protection and repression chain were at the centre of the strategy. Between 2015 and 2017, the capacities of 400 police officers were developed on the protection of women and children against gender-based violence in the humanitarian context. Furthermore, many capacity development sessions were organised for Judicial and Legal Officers on the protection of women and children, with the support of UNICEF and UN-WOMEN.

**494-** Beside, perpetrators of **violent crimes against children** such as murder, grievous harm occasioning death, rape, indecency to child under sixteen, kidnapping of minor, kidnapping by fraud or violence and grievous harm were punished. Indeed trends from the courts nationwide during this period indicated that more than 3,587 children were victims of violent crime and about 4,996 persons were convicted.

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<sup>309</sup> Sections 76, 80, and 81 of Law No. 2010/12 of 21 December 2010 on cyber security and cyber criminality in Cameroon incriminate different aspects of pornography targeting children and paedophile.

**495-** Furthermore, authors of offences relating to slavery were also punished. In *The People v Dairu Sanda Mbaa and Buinda Agnes Kwasinwi (Suit No. HCN/3/2015/ HC, Donga Mantung* Judgment of 15 April 2015), *the accused persons were convicted and sentenced to 3 years imprisonment, suspended for 3 years and with fine of CFAF60,000 for trafficking of children aged between 8 and 17 years from their Region of origin to work in plantations in the Centre Region.*

**496-** Similarly, in Judgment No. HCMB/215C/2016 of 31 October 2017, *The People v Chama Marceline (32 years) and Dugha Nicoline Nyonglemugha (39 years)*, *the accused persons (2 women) stood trial for contravening the provisions of Section 2 (b) and 5 of Law No. 2011/24 of 14 December 2011, relating to the fight against trafficking in persons and slavery. Both were charged for promoting the movement of 2 young girls for financial and other material gains. The 2 women were given 3 years suspended sentences. The Court held that sending minor girls to hawk hot drinks on the streets exposed them to sexual assault, economic exploitation, and interference with the mental, moral and social development of the children contrary to the spirit of Article 15 of African Charter on the Rights and Welfare of the Child (ACRWC).*

## **D: Guaranteeing the Rights of the Child in need of Special Protection**

**497-** Considering the means of action of *Boko Haram* especially using children as human bombs, the management of children associated to armed groups or forces was highlighted together with the traditional issues of street children, children in conflict with the law, children accompanying their mother in prison or better still, orphans and vulnerable children. Protection of children with disability<sup>310</sup>, refugee children or displaced children is discussed below.

### **1: Street Children**

**498- Fighting the phenomenon of street children** remained a major concern. Apart from prevention through awareness-raising of families and communities, combined pilot mobile brigades on the prevention and fight against the phenomenon of street children were set up in Douala and Yaounde. Thus, between 2013 and 2017, out of 717 street children identified by the said brigades, 410 were retrieved from the streets and either returned to their families or placed in some of the institutions in charge of child supervision and rehabilitation<sup>311</sup>.

**499-** Many partnerships were established with a view to the socioeconomic integration of street children in particular with the National Civic Service Agency for Participation in Development or the National Employment Fund. In the latter case, the Vocational Integration of Vulnerable Persons Support Programme comprises a Socio-vocational reintegration of Street Children Support Project. In 2018, the Project helped place 53 street children in independent jobs.

### **2: Children in Conflict with the Law**

**500 -** Since resocialization is one of the main orientations of juvenile justice, the consolidation of structures and capacity development of different stakeholders was given priority with a view to better treatment of children in conflict with the law.

**501-** Since prison statistics showed that the number of minor detainees was higher than the number of convicts, more attention was paid to guaranteeing the effectiveness of alternative

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<sup>310</sup>See Section 2

<sup>311</sup> The following institutions are concerned: *Institution Camerounaise de l'Enfance*, Netamba; Borstal Institute, Buea; *Centre d'Accueil et d'Observation*, Bepanda, and in Private Charity homes.

measures to detention provided for by the Criminal Procedure Code considering the low number of children registered in borstal institutions<sup>312</sup>.

**502-** During the period 2013-2017, and on the whole, the separation of minors from adults was respected. Although all the prisons in the country not have facilities to accommodate minors, 79 of the 89 prisons nationwide were functional, of which 36 have a wing for minors and 15 a building for minors.

**503-** Platforms for juvenile justice stakeholders were set up to facilitate the concerted management of the challenges identified. Similarly, stakeholders including Judicial and Legal Officers, Welfare workers and Judicial Police Officers were trained on alternative measures to detention<sup>313</sup>.

**504-** Besides, in a bid to promote the optimal supervision of children in conflict with the law, the Penitentiary Administration absorbed 20 Welfare workers as at 31 December 2017.

**505-** CSOs helped in carrying out this action with especially the “Juvenile Justice Reform: diversion, alternatives to detention, humane incarceration and reintegration of children” Project executed from 2015 to 2017 by the Centre for Human Rights and Peace Advocacy, in partnership with the Bamenda Urban Council and health services financed by the European Union. In addition to the capacity development activities organised for the criminal chain stakeholders, and assistance to minors in judicial proceedings, the Project enabled the construction of the Juvenile Justice Reform Diversion Centre in Bamenda to continue to receive children in conflict with the law and vulnerable children.

**506-** Furthermore, the State undertook to rehabilitate the said institutions. In this regard, the modernization Project of the *Institut Camerounaise de l'Enfance* of Betamba worth CFAF2,571,500,000 was launched on 17 November 2017. The Project that is estimated to be executed within 36 months, was carried out by the Department of Engineering of the Cameroon Army. The *Centre d'Accueil et d'Observation* of Bepanda, Douala was rehabilitated and reopened.

**507-** In spite of the efforts mentioned above, challenges including insufficient specialised placement and care structures for detained minors, procedural bottlenecks, lack of a regulatory framework on the duties of assessors and probation officers, lack of adequate financial and human resources to support the alternatives to detention of minors are still registered in the juvenile justice sector and need to be addressed by the State.

### **3: Children in Prison with the Mothers**

**508-** During the reference period, the presence of children in prison with their mothers was a concern. Such presence was due either to the birth of the child during the prison term of the mother, or the refusal of the mother to confer the child on a third-party during the prison term, or the refusal of family members or the lack of known family ties outside the prison. Thus, as at 21 September 2018, for example, the female wing of the Central Prison, Maroua had an enrolment of 57 women of which 4 were pregnant, and 2 minor girls. At the same time, 18 children accompanied their mothers in prison.

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<sup>312</sup> From 2015 to 2017, some 172 minors were placed in public institutions for minors in conflict with the law and which have an intake capacity of 466 persons. (*Institution Camerounaise de l'Enfance*, Betamba (23); *Centre d'accueil des mineurs*, Bertoua (23); *Institution Camerounaise de l'enfance*, Maroua (41); *Centre d'Accueil et d'Observation*, Bepanda, Douala (40) ; Home Atelier, Bali (12) ; *Centre d'Accueil et d'observation*, Bafoussam (10) ; and Borstal Institute, Buea (23).

<sup>313</sup> A workshop on the evaluation of the implementation of sections 700 to 745 of the Criminal Procedure Code relating to juvenile justice, organised in November 2015 by MINAS; 2 seminars in Maroua by MINJUSTICE from 25 to 27 May (which year?), and from 24 to 26 June 2015.

**509-** In order to guarantee the rights of such children, Penitentiary Administration authorities tried as much as possible to develop an area for nursing mothers. In collaboration with social services or private charity organizations, the said children received special care in terms of health and feeding. In some cases, facilities were built to enable the children of school age to go to school out of the prison premises through a programme designed to enable penitentiary staff to accompany the children to school.

**510-** Since many stakeholders are involved in the care of the said children, discussions are underway to seek solutions to the problems identified. (Low-cost and easily applicable solutions).

#### **4: The new Challenge regarding Children associated with Armed Forces or Groups**

**511-** In addressing the challenge resulting from the recruitment of children and especially young girls<sup>314</sup> into armed groups, the fate of children associated with *Boko Haram* was of concern as discussion forums were organised on the issue with the support of UNICEF<sup>315</sup>. The aim was to ensure compliance of the treatment given to such category of children with the provisions of the Optional Protocol to the UN Convention on the Rights of the Child on the involvement of children in armed conflicts and with the Paris Principles and Guidelines on Children associated with Armed Forces and Armed Groups.

**512-** Indeed, as part of the fight against *Boko Haram*, children were arrested and detained at the Central Prison, Maroua. In execution of the *habeas corpus* rulings delivered by the High Court of Diamare, 26 children concerned were released in 2017 and taken to the *Institution Camerounaise de l'Enfance*, Maroua for rehabilitation and reintegration into their families.

**513-** The arrest of some of these children raised the issue of their criminal responsibility and how they should be treated. Indeed, Law No. 2014/28 of 23 December 2014 on the suppression of acts of terrorism has granted exclusive jurisdiction to the Military Tribunal to hear and determine matters on acts of terrorism whereas minors cannot be prosecuted before the said court. Discussions organised by stakeholders of the criminal chain and social stakeholders highlighted the need to adopt a general policy on the status of children associated with armed forces and armed groups and a referencing system for children who have taken part in the activities of armed forces or armed groups<sup>316</sup>.

**514-** Section 9 of Law No. 2017/12 of 12 July 2017 to lay down the Code of Military Justice provides that minors who are offenders, co-offenders or accomplices in cases which fall within the jurisdiction of the Military Tribunal shall be referred to courts dealing with juvenile delinquency. It further provides that in such cases, the State Prosecutor shall refer the case files to the competent Legal Department after separation of the proceedings as appropriate.

#### **Section 2: Rights of Persons with Disabilities (Article 18 (4) ACHPR)**

**515-** The 3 thrusts of the national policy on protection of persons with disabilities contained in the previous Report (§547) continued to guide Government action in the area. The thrusts comprise prevention of deficiencies, rehabilitation of persons with disabilities and their socioeconomic integration. The lead wire of this approach was the integration of the disability

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<sup>314</sup> Cases of children who are victims of kidnapping, forced enlistment, use as human bombs and sexual objects were identified as part of the security crisis caused by *Boko Haram*.

<sup>315</sup> On peut mentionner utilement l'Atelier de restitution des travaux de l'Atelier sous-régional tenu à Dakar du 13 au 15 octobre 2015, sur le traitement des mineurs présumés associés à *Boko Haram* comme victimes, témoins et/ou auteurs, organisé à Mbalmayo du 31 novembre au 01 er décembre 2015 au profit de 15 Policiers et de 15 Gendarmes. An example is the Workshop to hand over proceedings of the Subregional Workshop on the treatment of minors alleged to be associated with *Boko Haram* as victims, witnesses and/or authors held in Dakar from 13 to 15 October 2015 (Pls review the footnote in French)

<sup>316</sup> Be they fighters, cooks, errand boys, spies or victims of sexual exploitation.

approach in public strategies, policies and actions in line with inclusion and combating discrimination. The provisions of Decree No. 2018/6233/PM of 26 July 2018 to lay down the enabling provisions of Law No. 2010/2 of 13 April 2010 on the protection and promotion of persons with disabilities fall in line with the orientation of the action carried out while Decree No. 2018/6234/PM of 26 July 2018 to reorganise the National Committee on the Rehabilitation and Economic Reintegration of Persons with Disabilities consolidates the conduct of the action for persons with disabilities.

## **§1: Formal Consolidation of Strategic Protection Options of Persons with Disabilities**

**516-** The 5 substantive chapters of Decree No. 2018/6233/PM of 26 July 2018 cover the areas in which actions were deployed during the reference period. The areas include education and vocational training of persons with disabilities<sup>317</sup>, employment of persons with disabilities<sup>318</sup>, access of persons with disabilities to infrastructure, housing, transport, and communication<sup>319</sup>, access of persons with disabilities to political, sports, artistic, cultural and leisure activities<sup>320</sup>, and access of persons with disabilities to medical care and disability allowance<sup>321</sup>. This paragraph will dwell only on the last 3 aspects since the first 2 aspects have been discussed above (see right to education, right to participation in the management of public affairs, and right to work).

### **A: Access of Persons with Disabilities to Infrastructure, Housing, Transport and Communication**

**517-** On 16 July 2013, the Minister of Public Contracts, the Minister of Public Works, the Minister of Housing and Urban Development, and the Minister of Social Affairs signed Joint Circular No. 2/LCC/MINMAP/MINTP/MINDHU/MINAS to facilitate access of persons with disabilities to built environment<sup>322</sup>. In this regard, the National Sports Infrastructure Development Programme took into account the disability approach in the construction of football stadia by providing handrails and banisters in stadia in Yaounde, Bafoussam and Limbe and in all sites that hosted the female Africa Cup of Nations in 2016 and those earmarked to host future sports competitions.

**518-** In a bid to consolidate such achievements, the Decree of 2018 subjects the issuance of building permits or permits to exploit public and private buildings and installations open to the public, to the obligation of developing the area such as to enable persons with disabilities to have access thereto (Article 18 (3)). Similar developments have been prescribed for communication channels.

**519-** With regard to housing, preferential measures were prescribed for persons with disabilities including especially allocation of houses in the lowest floors of storey buildings, reduction of rents in public houses and reduction of interest rates on loans granted by public establishments for the purchase of unbuilt landed property or for the building of private houses.

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<sup>317</sup> Chapter 2.

<sup>318</sup> Chapter 3

<sup>319</sup> Chapter 4

<sup>320</sup> Chapter 5

<sup>321</sup> Chapter 6

<sup>322</sup> The Circular prescribed the integration and respect of the disability approach in the terms of reference of the architectural and technical studies of the construction of public buildings and infrastructure or private buildings and infrastructure open to the public; and strict monitoring and efficiency of the disability approach in the construction and maintenance of buildings with special developments to make them accessible to persons with disabilities, and checking the consideration of technical specificities relating to their accessibility by persons with disabilities before the reception of any structure open to the public.

**520-** With regard to access to means of transportation, Government intends to provide assistance to public or private transport enterprises comprising materials, priority of access, or tariff reduction (Article 20).

**521-** The terms and conditions of guaranteeing access to information have been provided for and comprise labelling in Braille or in bold letters on everyday consumer products, awareness-raising of the language of the white cane/stick and sign language, equipment of major public halls with hearing loops, interpretation of TV programmes and spots into sign language, and full subtitling.

## **B: Access of Persons with Disabilities to Political, Sports, Artistic, Cultural and Leisure Activities**

**522-** With regard to **participation in sporting activities**, persons with disabilities took part in the 2015 edition of the University Games and other competitions organised by the National Federation of University Sports. At the international level, MINSEP in collaboration with technical structures organised from 19 to 25 October 2015 in Douala, the African Cup of Nations for the Visually Impaired.

**523-** Decree No. 2018/6233/PM of 26 July 2018 referred to above uses such achievements to impose on the State and Councils, the obligation to promote the participation of persons with disabilities in sports, artistic, cultural and leisure activities. The obligation is appreciated through the development of specific services and infrastructure tailored to the needs of persons with disabilities or the establishment of specialised sports branches for persons with disabilities in public sports training centres.

## **C: Rehabilitation of Persons with Disabilities**

**524-** In order to facilitate the rehabilitation of persons with disabilities, the technical platform of the Cardinal Paul Emile Leger National Centre for the Rehabilitation of Persons with Disabilities was consolidated and its services diversified. Since 2013, the Centre attends not only persons with physical disabilities but also persons with other forms of disabilities.

**525-** The Decree provides for support to both public and private institutions in charge of functional rehabilitation. The support is in the form of State subventions and shall be extended to some products and materials used for the treatment of special pathologies or functional rehabilitation.

**526-** Generally, the Decree lays down the conditions for granting invalidity allowance and medical care to indigent persons with disabilities.

**527-** In order to be eligible for the grant, the person should show proof of a permanent disability rate of at least equal to 95% and a health situation that requires medical surveillance and constant care established on the basis of an expert report by a medical specialist. The grant is not cumulative with other public assistance, social security benefits or preferential measures.

**528-** The medical care comprises rehabilitation or exemption from medical charges. The care is subject to the presentation of a Special Medical Certificate the conditions of establishment of which are provided for in Joint Order No. 1/MINSANTE/MINAS of 13 August 2018 to lay down the terms and conditions for the establishment and issuance of a Special Medical Certificate.

**529-** Medical evacuation (also known as medivac) is provided for under the conditions of medical evacuation of public agents for cases where medical care or functional rehabilitation can only be performed by a foreign health facility.



## **§2: Consolidating Management of Actions for Persons with Disabilities**

**530-** The reorganization of the National Committee for the Rehabilitation and Economic Reintegration of Persons with Disabilities helped envision enhancement in the management of actions targeting them. In this regard, the composition of the Committee was amended for a better representation of persons with disabilities. The number of representative organizations increased from 2 to 4 in addition to the representative from the National Paralympic Committee.

**531-** The quest for efficiency gave rise to reform. It is reflected through the decentralization of action with the establishment of regional offices, the institutionalization of specialised Commissions the existence of which is no longer optional, and the setting up of a permanent technical Secretariat with a clearly defined composition and duties and no longer a Department to perform the duties of a Secretariat.

**532-** The obligation to evaluate the performance of the Commission at fixed times was instituted and was reflected by the annual publication, before 1 October of each year, of an evaluation report on the implementation of Government policy on persons with disabilities.

### **SECTION 3: Rights of Older Persons (Article 18 (4) ACHPR)**

**533-** The Central Bureau for Census and Population studies (BUCREP) in 2015 estimated that about 1,143,691 persons above 60 years old, of which 52% were women, lived in Cameroon. A total of 1,317,610 were living with their families while 826,081 were believed to be living alone and taking care of themselves.

**534-** During the reference period, the National Policy Paper on Protection of Older Persons was drawn up in 2015. The goal of the Paper is to effectively take into account the concerns of older persons in policies, programmes and projects in the different sectors in order to prevent them from social exclusion.

**535-** With regard to the preservation of physical capacities, a guide on a healthy and active ageing was disseminated in workshops during which social workers and other stakeholders were drilled on new skills relating to the care of older persons and the said older persons also drilled on how to take care of themselves. As part of the International Day of Older Persons, free medical consultations are generally organised.

**536-** In addition, a record of the skills of older persons was drawn up in 2014 to make it possible to seek the expertise of older persons. Besides, preparation for reconversion after retirement was examined through capacity development of some staff of the Public Service, the private sector and the informal sector on the proper planning of retirement. Support to the activities carried out by older persons was of concern both to private stakeholders and the State through advocacy before financial institutions for the financing of projects managed by older persons.

**537-** With regard to social relations, the *Projet des Universités du Troisième Age* (Intergenerational Meetings) and the Functioning of concepts such as “*Village renaissance*”, *Jamias sans ma grand-mère; jamais sans mon grand-père*”, and capacity development of Associations, NGOs and Private Welfare Charities to cater for older persons were envisioned.

**538-** Thus, older persons grouped themselves into self-help associations to keep themselves working like Community Development Volunteers for Technical Assistance with about 13,061 members in the North West Region.

**539-** number of challenges were registered in enhancing the guarantee of specific rights referred to above, especially coordination of actions taken for vulnerable groups, the effective consideration of specific dimensions or vulnerabilities in designing policies and programmes,

and the mobilization of adequate human, material and financial resources. In this regard, the Social Affairs Administration Section that was closed was reopened in April 2016. The functioning of the National Institute of Social Works can provide qualified human resources in the area of social work in order to relevantly meet the varied and increasingly complex needs.

**540-** Infrastructural challenges were not left out and it is important to consolidate renovations undertaken. Stepping up the partnership approach with other public institutions, the private sector, CSOs, technical and financial partners is ongoing. The rationalization and sustainability through the establishment of a National Solidarity Fund is envisioned.

#### **Section 4: Rights of Persons deprived of Liberty**

**541- (Rec 8, 9)** Prison overcrowding remains a major preoccupation for Government. The number of detainees increased from 25,800 detainees for 16,995 beds in 2013 to 30,701 for 17,915 beds in 2017. The Government has taken diverse measures to tackle overcrowding, to ameliorate living conditions in prisons and to overcome security constraints in some Regions.

##### **§1: Addressing Prison Overcrowding (Rec. 8)**

**542-** During the annual meeting of Heads of Court of Appeal and Regional Delegate of Penitentiary Administration held on 17 and 18 September 2015, the causes of prison overcrowding such as insufficient number of prisons, limited accommodation capacity, non-adaptability of prisons to international standards, judicial delays due especially to procedural bottlenecks and insufficient equipment and transportation facilities for detainees were identified. Measures such as the construction of new prisons and the rehabilitation of existing ones, review of certain provisions of the PC, transfer of detainees from overcrowded to less crowded ones, improvement of organisation of work and the provision of more human resources in prisons and courts were proposed to curb the phenomenon of prison overcrowding.

**543-** In a bid to curb overcrowding in prisons, inmates are regularly transferred from crowded prisons to under populated ones in accordance with article 22 and 23 of Decree N° 1992/052 of 27 March 1992.

**544-** In the same light, legislative reforms have also been undertaken with the introduction of alternative sentences to imprisonment (sections 18-1, 26 and 26-1 of Law No. 2016/007 of 12 July 2016 on the Penal Code), namely community service and reparatory sentences for offences punishable with an imprisonment of less than 2 years or a fine.

**545-** Remand in custody within the framework of preliminary investigations is 48 hours renewable once. It can be renewed the 2<sup>nd</sup> time by the Legal Department (Article 119 (2) (a) of the CPC).

**546-** In addition, the President of the Republic signed Decree No. 2014/58 of 18 February 2014 to commute and remit sentences. This measure concerned 6,330 prisoners found in 77 prisons. Some 726 inmates were consequently released thereby reducing the total number of detainees to 24,789 from 25,515.

**547-** Furthermore, more Magistrates have been trained in recent years to accelerate the hearing of cases as indicated above (**see section on fair trial, § 67 et al.**).

**548-** Measures were taken to adjust the management of Prison population in the Regions faced with security challenges. An increase in the number of detainees was witnessed in some prisons due to *Boko Haram* insurgency in Far North Region and the socio-political upheavals

in the North West and South West Regions<sup>323</sup>. This led to the transfer of inmates from such prisons to less populated ones. Transfers were also prompted by security reasons due to the fact that some prison facilities were attacked.

**549-** For security reasons, especially as some prisons were attacked, inmates were transferred in safer prison facilities either in the same region or in another region.

## **§2: Improvement of Living Conditions in Prisons (Rec. 9)**

**550-** As regards the improvement of living conditions, prison infrastructure, feeding and health facilities have been enhanced. For the enhancement of infrastructure, since 2013 new prisons have been constructed and some existing ones rehabilitated, thereby bringing the total number of prisons to 91, out of which 79 were operational in 2017.

**551-** With regard to feeding, the budget allocated for prisoners increased from CFAF2,058,000,000<sup>324</sup> in 2013 to CFAF4,470,000,000<sup>325</sup> in 2017. The increase brought the general averaged rate for feeding per detainee per day from CFAF218 in 2013 to CFAF408 in 2017.

**552-** Concerning health, there are dispensaries in prisons and a staff strength of 23 medical doctors, 250 nurses and medico-sanitary technicians to cater for the health of prisoners. Inmates are routinely screened for conditions such as HIV and tuberculosis.

**553-** Prisons are generally provided with pipe borne water and/or boreholes. Toilet facilities and sewage disposal systems are found in prisons especially Central Prisons.

## **§3: Protection of the Rights of Detainees in a Context of Security Constraints**

**554-** Prison conditions are constantly checked by competent authorities. Various legal Departments control Prisons as well as other detention centres within their area of competence with the aim of verifying the legality of detention as well as detention conditions. Controls are also carried out by the Inspectorate General of Penitentiary Administration of the Ministry of Justice. The Department of Human Rights and International Cooperation of the Ministry of Justice also visits prisons to appraise the Human Rights situation of detainees. By virtue of its mandate, the National Commission on Human Rights and Freedoms also visits prisons nationwide for an appraisal of the Human Rights situation of detainees. Non-governmental organisations have as well been visiting prisons. During such visits, they provide basic foodstuff and hygiene and sanitation packages to the inmates. They also carry out counselling of detainees and offer them legal assistance in some cases.

## **CHAPTER 5: PEOPLES' RIGHTS (ARTICLES 19 to 24)**

**555-** Considering the ambiguity of the notion of "*peoples*", this Report will consider people as people-State or the population of a State, since the colonial issue had been settled for Cameroon since the 1960s. It will take into account the guidelines of the ACHPR on the issue<sup>326</sup>. During the reference period, in addition to concerns on guaranteeing the rights of Cameroonians as a people, identity claims resurfaced thereby questioning the unity of the

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<sup>323</sup> Between 2016 and 2018, the number of inmates rose from 881 to 1,773 in Maroua Central Prison, from 785 to 1,093 in Bamenda Central Prison, from 998 to 1,327 in Buea Central Prison, from 896 to 936 in the Bafoussam Central Prison and from 4,093 to 4,409 in Yaounde Central Prison).

<sup>324</sup> About 3 142 euros

<sup>325</sup> About 6 824,427.5 euros.

<sup>326</sup> They are the indications contained in the Report of the Working Group of Experts on indigenous population/communities; the major guidelines and principles of the drawing up of States Report by virtue of Articles 21 and 24 of the African Charter on Extractive Industries, Environment and Human Rights.

Nation and the increasing consideration of the specific concerns of indigenous peoples to which detailed analysis will be devoted in addition to information on the rights of peoples as provided for in Articles 19 to 24 of the Charter.

## **Section 1: Right to Equality of Peoples (art 19)**

**557-** Information contained in the previous Report (§564-566) highlighted the sociological and linguistic diversity of Cameroon and the option of a harmonised and balanced management of the said diversity through inclusive and anti-discrimination policies. Such information is still relevant. It must be remembered that the major challenge of the construction of the Cameroonian nation since independence has been to find the right way to capitalize on the positive aspects of the colonial past without calling into question the Africanity and the ancestral links that unite the populations beyond cleavages based on borrowing identities.

**557-** It is worth mentioning that the main challenge of building the nation of Cameroon since its independence has been to find the best way to take advantage of the positive experiences of its colonial heritage and inherited institutions, without sacrificing its africanity and links ancestral peoples that unite their peoples beyond divergences emanating from foreign cultures.

**558-** During the reference period and especially in 2016, Teachers and Lawyers in North West and South West Regions raised occupational claims based on discrimination and marginalization and more globally, in the management of public affairs.

**559-** On 12 October 2016, English-speaking Lawyers in North West and South West Regions went on strike claiming acknowledgement of the specificities of the Common Law system with especially the proper translation of the Uniform Acts of the Organization for the Harmonization of Business Law in Africa (OHADA), the CIMA (International Conference of Insurance Markets) Code, and the Regulations of the Economic and Monetary Commission of Central African States (CEMAC). The Lawyers also complained about the transfer of French-speaking Judicial and Legal Officers who do not understand English and the Common Law system to the said Regions, and clamoured for the opening of a Common Law Division at the Supreme Court and a Common Law Department at the National School of Administration and Magistracy (ENAM).

**560-** On 21 November 2016, teachers of the English-speaking subsystem also went on strike. The latter denounced the gradual “francophonization” of the English-speaking subsystem, and clamoured for the withdrawal of all French-speaking teachers who do not understand English from the classroom in North West and South West Regions.

**561-** It should be noted that English and French are the 2 official languages in Cameroon. Besides, the country also has a legal system characterised by the dual heritage of Common Law and *droit civil* from the romano-germanic inspiration, both stemming from historical considerations. The education system at the levels of primary education and secondary education is subdivided into an English-speaking Subsystem and a French-speaking Subsystem.

**562-** An analysis of the grievances raised by the Lawyers and Teachers especially within the framework of the 2 ad hoc Commissions and other frameworks made it possible for measures of adjustment to be taken. The Government has taken multiple measures to handle the crisis. Two Ad hoc Interministerial Committees were formed to examine the concerns raised by English-speaking Lawyers and Teachers consequent upon which a number of decisions were taken to enhance, respect the specificity of the Common Law including opening a Common Law Division at the Supreme Court to examine appeals from the Court of Appeal of the South

West Region and Court of Appeal of the North West Region<sup>327</sup>, the special recruitment<sup>328</sup> of English-speaking pupil Judicial and Legal Officers and Court Registrars into the Division of Magistracy and Registry at ENAM, and the publication of the official English version of the Uniform Acts of the OHADA. An inventory of all English-speaking Judicial and Legal Officers was also carried out and they were redeployed in June 2017 on linguistic basis. In the education sector, in January 2017, English-speaking teachers were redeployed in the 2 Regions concerned. In addition a special recruitment of 1,000 bilingual teachers was launched.

**563-** Furthermore, the National Commission on the Promotion of Bilingualism and Multiculturalism<sup>329</sup> was set up. As already mentioned above the Commission is responsible for the Promotion of Bilingualism and Multiculturalism with a view to maintaining peace, consolidating the country's national unity and strengthening its peoples' willingness and day to day experience with respect to living together.

**564-** While the Government was doing its best to address these issues, claims by Lawyers' and Teachers' trade unions were gradually transformed into political claims including the right to self-determination while some are calling for a Federal State and others for the North West and South West Regions to secede.

## **Section 2: Right of Peoples to Self-determination (Article 20)**

**565-** The implementation of the right of peoples to self-determination took into account the contemporary vocation of the right that further integrates the concerns of State governance with guaranteeing the participation of the people in the management of public affairs and not only the concerns of the colonial context in which the right to self-determination had originally taken shape.

**566-** In this regard, the analysis under Article 13 are relevant in that they include the freedom of expression of the choice of the people through elections, participation through access to the Public Service, to public goods and services, and outreach participation within the framework of decentralization.

**567-** Moreover, as already mentioned, the socio-political crisis in North West and South West Regions has threatened to undermine the existing social consensus which is the foundation of the determination to live together. Concerning claims for external self-determination through secession, the Government, in line with the position of the African Commission on Human and People's Rights, has insisted that secessionist out of the question for the resolution of the crisis. This was the case in Communication No. 266/03: *Kevin Ngwang Gunme and others vs Cameroon* where the African Commission upheld the territorial integrity of Cameroon stating that secession was not the sole avenue open to Southern Cameroonians to exercise the right to self-determination.

**568-** The option for dialogue reiterated at many instances by the highest officials of the land, will continue to prevail in order to find lasting solutions to the crisis.

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<sup>327</sup> Law No. 2017/14 of 12 July 2017 to amend and supplement some provisions of Law No. 2006/16 of 29 December 2006 on the organization and functioning of the Supreme Court.

<sup>328</sup> Order No. 2257/MINFOPRA of 15 May 2017 to launch a competitive entrance examination for the special recruitment of 50 English-speaking pupil Judicial and Legal Officers into the Division of Magistracy and Registry at ENAM for the 2017/2018 academic year and Order No. 2258/MINFOPRA of 15 May 2017 to launch the competitive entrance examination for the recruitment of 30 English-speaking Pupil Registrars into the Division of Magistracy and Registry at ENAM.

<sup>329</sup> Decree No. 2017/13 of 23 January 2017 to establish, and lay down the organization and functioning of the National Commission for the Promotion of Bilingualism and Multiculturalism.

### **Section 3: Right to the Free Disposal of Natural Resources (Article 21) (REC. 25)**

**569-** Generally, natural resources are considered to be of national interest, and the State ensures their protection and determines their management while taking into account the interests of the people. Such double dimension imbued guaranteeing the right to the free disposal of natural resources be they land resources (see development above under Article 14), or mining, forest or genetic resources.

**570-** With regard to mineral resources, the national surface area of mining resources stood at 17,650.829km<sup>2</sup> in 2017 with exploration permits on 13,801.07km<sup>2</sup> and concessions on 3,849.759km<sup>2</sup>. in 2017, some 9 exploration permits, 19 concessions were valid, 6 free areas while 23 research permits, 9 authorizations and 2 quarry exploration permits were withdrawn and the areas thereof transferred to State property.

**571-** In a bid to capitalise such potential, Law No. 2016/17 of 14 December 2016 instituting the Mining Code provides for the principle of transparency under the Chapter entitled “Governance and Transparency in the Mining Sector: International Governance Initiatives: Extractive Industries Transparency Initiative (EITI) and the Kimberly Process”. Pursuant to the said law, the right of neighbouring peoples and indigenous peoples to participate in the distribution and management of mining concessions, and the right to royalties accruing from the exploitation of mining resources found in their living area were guaranteed.

**572-** The right of access to geological and mining information, and the obligation to consult the communities as a prerequisite to the signing of agreements through especially an environmental and social impact assessment are enshrined in the law. The Code takes into account aspects of customary law such as culture, land, constructions and other developments be they of any kind whatsoever duly established and evaluated by the Committee of Inquiry into Land Issues.

**573-** The said law further provides for a sample mining agreement that includes the Local Content<sup>330</sup>. The provision of the Local Content (**sections 164-169**) stems from the determination of public authorities to maximise the social spinoffs of mining projects and encourage harmonious relations between promoters of mining projects and the neighbouring inhabitants of project sites and indigenous peoples. It is streamlined in the existing mechanism comprising the ad valorem tax, extraction tax and area-based royalty that have all been increased in comparison to the previous law (**sections 170-176**). Income accruing from such taxes and royalties are equitably distributed and for which the said law provides for the establishment of a special local capacity development account (**sections 233 and 236**).

**574-** In addition, deductions on capital gains tax made during transactions are significantly increased from 5% to 10% (**section 105**). Similarly, section 118 of the said law provides for the right of the population living around a small-scale or industrial mine to compensation, the amount of which is deducted from the ad valorem tax and those living around an industrial quarry to compensation, the amount of which is deducted from the quarry product extraction tax.

**575-** Furthermore, sections 116 and 117 of the said law provides for the right to compensation of land owners, land occupants, beneficiaries and usufructuaries whose land have been expropriated for public purpose. The compensation shall cover land, crops, constructions and any other developments duly ascertained and assessed.

**576-** Such concerns were already integrated within the framework of the Mbalam Iron Ore Project executed by CAM-IRON. The mining agreement provided among others, for the

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<sup>330</sup> Local content includes all activities geared towards local capacity development, use of local human and material resources, technology transfer, subcontracting local business, services and products, and creating measurable value added for the local economy.

allocation of USD700,000 (about CFAF417,200,000) per year from the start of the construction works, to community projects; the deduction of 0.75% of net profits of each project company for the long-term financing of the community support fund for the development of the project impact area, at the level of social support; implementation of the Environmental and Social Management Plan, and the establishment of a local community support fund.

**577-** With regard to regional development, a study is underway since 2013 for production of master plan for the development of East and South Regions; the establishment of a Special East and South Regions Development Fund (SESRD); allocation of USD800,000,000 (about CFAF4,768,000,000,000) for 5 years from the start of construction works, for the construction of basic infrastructure. CAM-IRON will contribute USD100,000,000 (about CFAF59,600,000,000) and the State USD700,000,000 (about CFAF417,200,000,000) for the reference period; deduction of 0.75% from the commission of the mineral marketing company for the long-term financing of the SESRD; allocation of USD112,000,000 (about CFAF66,752,000,000) for the asphaltting of the Mbalam - Kribi road project from the end of construction works.

**578-** Concerning forest resources, in addition to the analysis contained in the previous Report (§576-578), the Annual Forest Royalty<sup>331</sup> (AFR), the quota of which is allocated to communities that were not included in the finance laws of 2015 and 2016 was restored in 2017 to the tune of 6.75% as against 10% previously. The global sum of CFAF42,500,000,000<sup>332</sup> over the period 2010-2014 was distributed as follows: 50% to the State, 10% to FEICOM, 20% to Forest Councils, and 10% to neighbouring communities. The sum increased from CFAF22,000,000,000<sup>333</sup> in 2017 to CFAF24,000,000,000<sup>334</sup> in 2018, while the forest tax witnessed an upturn during the reference year from CFAF5,000,000,000<sup>335</sup> in 2017 to CFAF6,000,000,000<sup>336</sup> in 2018. At the financial level, such upturn had a positive impact on job creation resulting in an increase in jobs from 34,000 in 2017 to 36,000 in 2018.

**579-** There is need to enhance the management of the AFR in many forest communities in Cameroon to obtain a significant impact on the development of the said communities.

**580-** The right to the free disposal of genetic resources was guaranteed as part of the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits arising from their Utilization.

**581-** The implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits arising from their Utilization (ABS) to the Convention on Biological Diversity focused on the following 3 thrusts: capacity development of stakeholders on the Nagoya Protocol, development of mechanisms on participation in the National Strategy on the Nagoya Protocol, and the development of genetic resources and traditional know-how.

**582-** The awareness-raising of stakeholders (researchers, university dons, representatives of institutes and the private sector) on the ABS process was conducted during successive meetings at both the national and the Central African Subregional levels.

**583-** Mechanisms on the participation in the National Strategy on the ABS were set up. Such is the Committee in charge of monitoring the drafting of laws and enabling instruments on access to genetic resources and the fair and equitable sharing of the benefits arising from their

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<sup>331</sup> It is an annual area-based tax paid by the holder of a forest exploitation permit. The tax was instituted by the forest law of 1994.

<sup>332</sup> About 64,885,496.18 Euros.

<sup>333</sup> About 33,587,786.25 Euros.

<sup>334</sup> About 36,641,221.37 Euros.

<sup>335</sup> About 7,633,588 Euros.

<sup>336</sup> About 9,160,305.5 Euros.

utilization as per Decision No. 70/D/MINEPDED/CAB of 9 June 2017<sup>337</sup> and the Steering Committee of the Project “A bottom-up Approach to ABS Community-level capacity development for successful engagement in ABS value chains in Cameroon (*Echinops giganteus* and *Mondia whitei*)” as per Decision No. 69/D/MINEPDED/CAB of 9 June 2017. Two representatives from local communities, one from the Lewoh Chiefdom and one from the Magha Bamunghu Chiefdom are part of the Committee comprising 16 members.

**584-** With regard to the development of genetic resources and traditional know-how, a local *Mondia Whitei* and *Echinopsgiganteus* plant development Project was launched with the aim of developing the capacities of stakeholders at every level in order to contribute to the full implementation of the Nagoya Protocol. In this regard, on 2 April 2015, Government represented by MINEPDED, the French company that produces aroma and parfumes V. MANE Fils S.A, and the kingdom of Magha-Bamunghu in South West Region signed the Mutually Agreed Terms (MAT) for the exploitation of the spices of a plant known as *Echinopsgiganteus* that is grown in this community.

**585-** Through the said Agreement, the V. MANE Fils S.A. Company agreed to implement monetary and non-monetary commitments, in particular the purchase of 1,000kg of *Echinops* roots in 2015, 1,500kg in 2016 and 2,000kg in 2017; payment of royalties to the Kingdom of Bamumbu worth 25% of the net benefits directly arising from *Echinops*; drawing up of a guide on *Echinops* cultivation; provision of support to local development projects, award of bursaries to students and especially to Magha-Bamumbu women, and monitoring the implementation of the Mutually Agreed Terms for the search and marketing of *Mondia Whitei* and *Echinopsgiganteus* plants signed between V. MANE Fils Company and the local Lewoh community on the one hand, and between the same company and the Magha-Bamumbu community on the other hand in South West Region<sup>338</sup>.

**586-** The proper and relevant implementation of the right to the free disposal of natural resources influences the right to development and the right to a healthy environment.

#### **Section 4: Right to Development (Article 22)**

**587** -Since the achievement of the rights referred to above including civil, political, economic social and cultural rights contributed to guaranteeing the right to development, information on the right to development will focus more on the implementation of comprehensive development policies. In this regard, the GESP remains the strategic framework that guides development actions of the country although adjustment strategies were adopted to speed up the implementation of programmes such as PLANUT. Inclusive regional development has remained one of the fundamental choices that determine the designing of the regional development policy since the goal is to consolidate national unity, promote solidarity between citizens and strengthen integration of the people. The drawing up of the National Sustainable Regional Development Plan<sup>339</sup> is ongoing with the aim of boosting investments and rationalising public and private expenses. Thus, in addition to the continuation or completion of overarching projects, developing an environment conducive to wealth creation was the basis of actions carried out to guarantee the right to development.

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<sup>337</sup> The Committee is in charge especially of validating the working methodology of the law-drafting process; monitoring the drafting of the law on the ABS; examining and validating the different draft laws and providing guidelines and recommendations, and giving its opinion to MINEPDED on all the issues and/or applications for access to genetic resources received before the enactment of the law on the ABS.

<sup>338</sup> See 2015 MINJUSTICE Report, §853-855.

<sup>339</sup> The National Sustainable Regional Development Plan is provided for by Law No. 2011/8 of 6 May 2011 to lay down the guidelines on sustainable regional development in Cameroon. The Plan is drawn up using the participatory approach involving Administrations, Councils and socioeconomic stakeholders and taking into account its consistency with development strategies implemented at both regional and subregional levels. The Plan falls under Phase II of the process since Phase I was devoted to regional (territorial) survey. The Regional Prospects Report was discussed during a Validation Workshop held on 27 April 2017.



## **§1: Ongoing or Completion of Overarching Projects**

**588-** The growth strategy contained in the GESP highlights the driving force of infrastructure in easing trade and promotion of a steady and sustainable growth. During the period under review, overarching projects were completed or registered varying progress in the areas of energy and transport, in addition to the water and ICTs sectors already mentioned above.

**589-** Concerning the energy sector, significant progress was made in the construction of most of the dams and electric power plants. The Lom Pangar dam was temporarily received on 30 June 2017 and put into operation<sup>340</sup>. The construction of the foot plant to produce 30MW of energy is ongoing. The Memve'ele Dam Project component to produce 211MW of electric energy was received on 8 February 2018. The mounting of transformers and works on the energy transporting lines are still ongoing. With regard to the Mekin dam to produce 15MW of electric energy, works on the transportation line and the construction of buildings for the residential area of the contracting authority are complete. The construction of the access road and the foot plant<sup>341</sup> among others are the only works left.

**590-** Concerning power plants, the thermal energy power plant of Yassa and the gas power plant of Kribi are already operational. The development of the Bini A Warack hydroelectric power plant in Adamawa Region<sup>342</sup> and the Nachtigal hydroelectric power plant to produce 420MW linked to the 225KV line to transport energy produced in the South Interconnected Network is ongoing.

**591-** In addition to the construction of dams and energy power plants, the National Energy Transportation Company was established in 2015 to enable an optimum operation between energy production and consumer supply<sup>343</sup>.

**592-** Such overarching projects were supplemented by energy-increasing projects in rural areas and projects that aim at promoting renewable energy for which a Renewable Energy Development Master Plan was drawn up on 7 December 2017 in partnership with the South Korean International Cooperation Agency (KOICA).

**593** In the road and transport sector, the Kribi deep seaport became operational in 2018.

## **§2: Development of an Environment conducive for Wealth Creation**

**594-** In a bid to guarantee an environment conducive for wealth creation, measures were taken to ease entrepreneurship and investments and focus was on consolidating governance and combating corruption.

### **A: Easing Entrepreneurship and Investment**

**595-** The competitiveness of SMEs and SMIs that make up the bulk of the economic fabric of the country was one of the actions provided for in the GESP. Procedures for the establishment

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<sup>340</sup> The consequences include proper management of low-flow periods (December to April) at the level of works upstream for Song Loulou and Edea dams that produce an additional 170MW to supply the South Interconnected Network and the gains made by the concessionaire in the purchase of gasoil for the emergency thermal plants.

<sup>341</sup> 99% of progress made.

<sup>342</sup> Upon completion, the plant will produce 75MW of electric energy to boost energy supply in the North Interconnected Network. The components of the project include a dam with a capacity of 560 cubic hectometres; a hydroelectric power plant of 75MW; a high tension electric energy transportation line of 225 Kilovolts; rehabilitation and construction of access roads in the Project area, and an environmental and social management plan for neighbouring people.

<sup>343</sup> Decree No. 2015/454 of 8 October 2015 to establish the National Electricity Transportation Company (SONATREL).

of enterprises were facilitated with the opening of Business Establishment Facilitation Centres (BEFC), reduction of the time limit for the establishment of a business to 72 hours at the BEFCs, reduction of the minimum capital for Public Limited Companies from CFAF1,000,000 to CFAF100,000<sup>344</sup>, optional request of a Notary Public coupled with the possibility of authentication by the BEFCs that will end in 2020 were launched in January 2016. SMEs received financial support from the Cameroon SME Bank.

**596-** Cameroon has a new Investment Code with the enactment of Law No. 2013/4 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon as amended and supplemented by Law No. 2017/15 of 12 July 2017. As part of implementation of the said law, support to major national and international investors was conferred on the Investment Promotion Agency while the duty of supporting SMEs was conferred on the SME Promotion Agency. Procedures for the issuance of authorizations were simplified with the conferring of such prerogative on the 2 Agencies, which prerogative was exercised previously at the level of the Ministry. An Investment Effectiveness Control Committee and a Joint Committee to Monitor the Stability of Private Investment Incentives in Cameroon were formed.

## **B: Consolidating Good Governance and Combating Corruption**

**597-** Consolidation of good governance continued with the reform of public contracts, public establishments and enterprises while surveillance and control mechanisms were deployed.

### **1: Reform of Public Contracts, and Public Establishments and Enterprises**

**598-** The public contracts reform that started in 2011 was reflected by the adoption of a new Public Contracts Code as per Decree No. 2018/366 of 20 June 2018. The Code enshrines the principle of free access to public procurement, equal treatment of bidders and transparency of procedures, efficiency and integrity.

**599-** In a bid to enhance public establishments and enterprises, the following 2 laws were enacted: Law No. 2017/10 of 12 July 2017 to lay down the general rules and regulations governing public establishments and Law No. 2017/11 of 12 July 2017 to lay down the general rules and regulations governing public enterprises. The laws aim at ensuring transparency in the management and protection of public property.

### **2: Deployment of Surveillance, Control and Sanction Mechanisms**

**600-** The different surveillance, control and sanction mechanisms including adjudication and non-adjudication mechanisms were deployed.

**601-** With regard to non-adjudication mechanisms, as part of the National Anti-Corruption Strategy adopted in 2011, NACC continued to organise awareness-raising activities especially as part of the National Integrity Education Programme, conduct the Rapid Results Initiatives the 10<sup>th</sup> series of which was launched in September 2017, monitor the implementation of the annual regional anti-corruption plans of action that indicated in 2017 that no Region had attained the 50% rate, carry out investigation and control activities on the quality of public spending, and identify acts of corruption.

**602-** Thus, in 2017, NACC received and processed 3,982 reports on acts, and practices of corruption as against 2,402 in 2016, 3,268 in 2015, 3,064 in 2014, 2,758 in 2013 and 2,089 in 2012. It conducted 21 physical and financial controls of projects financed by public funds and 3 administrative audits in 2014.

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<sup>344</sup> About 1,527 to 153 Euros

**603-** The National Agency for Financial Investigation (NAFI) received 2,081 suspicious transaction reports of subjected professions from 2014 to 2017 and forwarded 372 to the competent authorities. Forwarded files were especially on offences relating to money laundering, misappropriation of public property, corruption, and false pretences.

**Table 6: Suspicious transaction reports received and files forwarded by NAFI from 2014 a to 2017**

<b>No. Year</b>	<b>Suspicious transaction reports of subjected professions</b>	<b>Number of files forwarded to the competent authorities</b>
<b>2014</b>	521	60
<b>2015</b>	468	69
<b>2016</b>	474	71
<b>2017</b>	618	172 (88 to judicial authorities), 84 (CONAC CONSUPE)

**Source:** NAFI

**604-** The Financial and Budget Disciplinary Council (FBDC) received 88 files<sup>345</sup> for disciplinary action from 2013 to 2018. An examination of the files resulted in the summoning of 224 managers or public agents before ANIF. At the end of the disciplinary action, the following sanctions were imposed: CFAF71,096,484,426<sup>346</sup> as debit and CFAF129,400,000<sup>347</sup> as special fines. (**APPENDIX 14**) Some decisions of the FBDC were appealed against before administrative courts<sup>348</sup>.

**605-** As part of administrative control, the Audit Bench of the Supreme Court produced 17 final observation reports from 2013 to 2016 at the end of the control of 67 public and semi-public enterprises. In 2017, the said enterprises produced 619 accounts. During the said year, the controls did not result in final observation reports.

**606-** With regard to judicial control, from 2013 to 2017, the Audit Bench of the Supreme Court delivered 215 final judgments of which 48 discharges and 131 establishing deficits against the public accountants with an amount accruing from the debit<sup>349</sup> and fines<sup>350</sup> estimated at about CFAF1,781,393,825<sup>351</sup>. Among the 42 appeals for review, 16 were declared inadmissible while 2 were discharged with cancellation of the deficits. The Joint Divisions of the Audit Bench also examined files forwarded by CONSUPE including 2 in 2016 and 5 in 2017.

**607-** Matters relating to misappropriation of public property, corruption and related offences were brought before criminal courts. In this regard, the Special Criminal Court (SCC), set up in 2012 to rule on serious matters of corruption, examined 247 matters at the level of judicial investigation from 2013 to 2017. Out of the 116 matters for which judicial investigation was closed, 409 persons were referred to the court while 111 others benefitted from a no case ruling (**APPENDIX 15**).

**608-** During the same period, at the trial phase, out of 256 matters enlisted, 148 judgments were delivered of which 235 persons were convicted and 161 others acquitted through a stop in the proceedings (Table in **APPENDIX 16**).

<sup>345</sup> The word files means the number of Reports received by the FBDC.

<sup>346</sup> About 108 544 251,03 Euros.

<sup>347</sup> About 197 557, 3 Euros.

<sup>348</sup> That is, 48 appeals in 2014. In 2015, the courts upheld 8 decisions, in 2016, 8 decisions and 1 review; and 27 reviews in 2017.

<sup>349</sup> Deficiency results especially from payment irregularities or non-recovery of income that leads to a financial prejudice for the State, the Council or the Public Administrative Establishment.

<sup>350</sup> Fines sanction late production of management accounts.

<sup>351</sup> About 2,719,685.3 Euros.

**609-** With regard to the period 2015-2017, the amount to be recovered stood at CFAF10,311,011,338.36<sup>352</sup> as costs and CFAF116,295,112,398.3<sup>353</sup> as damages. The sum of CFAF2,053,955,853<sup>354</sup> was restituted<sup>355</sup>. (Table in APPENDIX 17)

## **Section 5: Right to Peace and Security (Article 23) Rec 28**

**610-** Guaranteeing the right to peace<sup>356</sup> and security was an imperative during the period under review especially with regard to the different security challenges including threats to global and internal peace such as attacks by *Boko Haram* in Far North Region, incursions of armed groups into the borders in East Region resulting from the instability in neighbouring countries and violent upsurges in the crisis in North West and South West Regions referred to above. Actions to guarantee peace and security included not only the internal dimension but also an international dimension (Rec 28).

### **§1: Guaranteeing Peace and Security Nationwide: a multidimensional approach**

**611-** In a bid to guarantee peace and security nationwide and fulfil the obligation of protecting the people, a requirement the ACHRP considers as a results-based obligation<sup>357</sup>, Cameroon chose a multidimensional approach combining military, security and socioeconomic means with approaches while mobilising international cooperation resources. The actions fell under an amended legal framework that enabled an operational and judicial response while respecting Human Rights.

### **A: Amendment of the Normative Framework**

**612-** At the end of 2014 and following the increasing attacks of *Boko Haram*, Cameroon consolidated its normative mechanism that had already integrated 12 of the 19 international instruments thereof, by subscribing to African conventions on combating terrorism as referred to above<sup>358</sup>. Later, Law No. 2014/28 of 23 December 2014 on suppression of acts of terrorism was enacted to internalise the obligation of providing for a criminalization norm and sanctions contained in international and regional norms and resulting from the UN Global Counter-Terrorism Strategy<sup>359</sup>. Law No. 2017/13 of 12 July 2017 to punish offences against civil aviation safety also internalised the 5 conventions adopted under the auspices of the International Civil Aviation Organization (ICAO)<sup>360</sup>.

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<sup>352</sup> About 15,742,002 Euros.

<sup>353</sup> About 177,549,790 euros.

<sup>354</sup> About 3.135,810.50 euros.

<sup>355</sup> Sums restituted stood at CFAF2,143,769,110 (About 3,272,929,93 Euros) in 2013 and CFAF253,900,000 (About 387,633.58 Euros) in 2012.

<sup>356</sup> René Cassin held that *Peace is a situation where Human Rights are first of all recognised and then respected. However, it is a pipe dream to believe that Human Rights can be respected in a world where war or the negation of the very existence of man is upheld every day.*

<sup>357</sup> Communication No. 272/3, Association of victims of Post-electoral violence vs. Cameroon.

<sup>358</sup> The Organization of African Unity (OAU) on Prevention and Combating Terrorism adopted on 14 July 1999 in Algiers, ratified by Decree No. 2014/605 of 31 December 2014; the Protocol to the OAU Convention on Prevention and Combating Terrorism adopted on 8 July 2004 in Addis Ababa, ratified by Decree No. 2014/606 of 31 December 2014.

<sup>359</sup> The said Strategy was adopted in 2006 as per the UN General Assembly Resolution A/RES/60/288. It is focused on the following aspects: prevention, sanction, respect for Human Rights, and reintegration.

<sup>360</sup> Convention on offences and certain other acts committed on board aircrafts known as the Tokyo Convention adopted 14 September 1963. It entered into force on 4 December 1969. Cameroon ratified it on 24 March 1988.

Convention for the suppression of unlawful seizure of aircraft known as The Hague Convention adopted on 16 December 1970. It entered into force on 14 October 1971 and Cameroon ratified it on 14 April 1988.

Convention for the suppression of unlawful acts against the safety of civil aviation known as the Montreal Convention adopted on 23 September 1971. It entered into force on 26 January 1973, and Cameroon ratified it on 8 June 1992 and its Protocol for the suppression of unlawful acts of violence on board aircrafts serving international civil aviation adopted on 24 February 1988. It entered into force on 6 August 1989, and Cameroon ratified it on 13 March 2003.

**613-** Activities prohibited in some conventions adopted under the auspices of the International Maritime Organization (IMO)<sup>361</sup> were integrated into the national law as per Law No. 2017/12 of 12 July 2017 to lay down the Code of Military Justice. In addition to sanctions, the law also consolidated the rules of procedure on counter-terrorism. The normative mechanism also took into account the circulation of arms. In this regard, in addition to the Kinshasa Convention already referred to above, Law No. 2016/15 of 14 December 2016 to lay down general weapons and ammunition regulations in Cameroon was enacted. Besides, there is Regulation No. 1/CEMAC/UMAC/CM of 11 April 2016 on prevention and suppression of money laundering and financing of terrorism and the proliferation of weapons of mass destruction in Central Africa.

## **B: Operational Dimension of Guaranteeing Peace and Security**

**614-** In a bid to respond to the nature of security challenges already discussed above, the State reorganised the military and security mechanism with regard to territorial coverage (territorial command) and staff deployment. The Decrees signed by the President of the Republic in 2018 to reorganise the national army and to appoint officials in the Ministry of Defence amended Decree No. 2014/308 of 14 August 2014. The said decrees organise the Cameroon Armed Forces in the following 5 Military Regions: Douala, Maroua, Garoua, Bamenda, and Yaounde, the command post.

**615-** The deployment of Defence and Security Forces on the field helped reduce the destructive capacity of *Boko Haram*. The results obtained were first, the fruits of collaboration with the people especially within the framework of the *Vigilante* Committees. Second, they were the fruits of combined efforts with other States of the Subregion as part of police cooperation or within the framework of the Lake Chad Basin Commission (LCBC). In this regard, the Multinational Joint Task Force was established under the auspices of the LCBC and with the support of the African Union, the United Nations and other partners. As part of bilateral cooperation, Cameroon received support in terms of military equipment, operational capacity development of her Defence Forces especially from the United States of America, China, France, Russia and Germany.

**616-** In a bid to recognise such efforts, a Delegation comprising Ambassadors from 15 member countries of the UN Security Council visited Cameroon from 2 to 7 March 2017 as part of an evaluation mission of the situation on the ground, including progress made and challenges in combating *Boko Haram* in the Lake Chad Basin. The mission recommended a global counter-terrorism approach.

**617-** With regard to the crisis in North West and South West Regions, the deployment of Defence and Security Forces also helped contain attacks from secessionist groups that gradually resorted to armed violence as a mode of advocacy.

**618-** In all the cases of insecurity management, orders were constantly and regularly given by the Minister of Defence to respect military discipline and Human Rights as part of the response of Defence and Security Forces. Allegations of Human Rights violation reported to the authorities were investigated and in some cases resulted in the prosecution of their authors before the courts as mentioned above (**right to life, § 28 et al.**).

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Convention on the marking of plastic explosives for the purpose of detection adopted on 1 March 1991. It entered into force on 21 June 1998, and Cameroon ratified it on 3 June 1998

<sup>361</sup> Convention for the suppression of unlawful acts of violence against the safety of maritime navigation adopted on 10 March 1988. It entered into force on 1 March 1992. It was amended by a Protocol adopted on 14 October 2005. Cameroon is still to ratify the Convention and its Protocol.

Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf, adopted on 10 March 1988. It entered into force on 1 March 1992. It was also amended by a Protocol on 14 October 2005. Cameroon has not yet ratified the Protocol.

## C: Suppression of Violation of Peace and Security

**619-** As part of management of insecurity referred to above, focus was on respect of Human Rights in procedures. In order to ensure the efficiency of such response, staff capacity was developed with modules on Human Rights and International Humanitarian Law. Many refresher courses were organised with the support of partners such as the International Committee of the Red Cross (ICRC)<sup>362</sup>, United Nations Office on Drugs and Crime (UNODC)<sup>363</sup> or the Office of the United Nations High Commissioner for Human Rights.

**620-** Such capacity development actions had an impact on the conduct of proceedings. In 2017, for example, at the Yaounde Military Tribunal, the rate of acquittal of persons prosecuted for offences relating to *Boko Haram* stood at 62.2% as against 80% in 2016 (4 judgments out of 5 matters). At the Military Tribunal of Maroua, the rate stood at 52.17% as against 57.18% in 2016, while the 3 persons prosecuted before the Ngouandere Military Tribunal were all discharged and acquitted. Procedural guarantees were offered persons prosecuted while the rights of some of them who were detained were guaranteed with the support of both national and international partners<sup>364</sup>.

## D: Socioeconomic Approaches

**621-** In addition to security and criminal responses, there were also socioeconomic approaches comprising prevention of violent extremism and dialogue.

**622-** Government and its partners continued to implement socioeconomic development programmes and projects in Far North Region that has the highest poverty indicators in the country. In this regard, on 20 December 2016, Government signed a financial agreement of CFAF6,600,000,000<sup>365</sup> with the *Agence Française de Développement* as part of the investment project to support local economic development in Far North Region. In addition, PLANUT (2014-2017) included the development of the hydro-agricultural areas<sup>366</sup>, and the construction and development of water retention projects in the Region. Besides, the Lake Chad Basin Emergency Development Plan worth CFAF7,290,000,000<sup>367</sup> was established by the LCBC for countries affected by *Boko Haram* attacks. Furthermore, a Peace-building and Consolidation Strategy for the northern and East Regions (2018-2022) was set up between Government and its partners including the UN System and the European Union to coordinate and rationalise poverty reduction activities in the vulnerable Regions.

**623-** In addressing the crisis in North West and South West Regions, dialogue was initiated with representatives of lawyers and teachers trade unions as already mentioned above. It continued as part of an ad hoc Committee the deliberations of which resulted in decisions that

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<sup>362</sup> A workshop organised in Yaounde for Military Judicial and Legal Officers by the ICRC from 29 to 30 September 2015.

<sup>363</sup> A Multisector Technical Assistance Programme for Cameroon was drawn up by UNODC in 2015. Phase I of the Programme that was designed for 3 years, focused on the capacity development of stakeholders of the criminal chain, in particular Judicial and Legal Officers, Judicial Police Officers and other competent national authorities in different counter terrorism sectors, or involved in sanctions. Selected modules comprised among others, investigations, prosecution, and trial of matters relating to terrorism, financing terrorism, international judicial cooperation, and the treatment of minors alleged to be linked to terrorist groups.

<sup>364</sup> Two family visits were organised respectively from 12 to 13 October 2016 and from 22 to 24 November 2016 with the support of the ICRC enabling respectively 7 and 40 families from the northern Regions to visit their relatives detained at the Yaounde Central Prison.

<sup>365</sup> About 10,076,335.88 Euros

<sup>366</sup> As an example, 970 ha of hydro-agricultural area was reclaimed in Logone-Birni and Kousseri with an execution rate of 72% by the end of the year.

<sup>367</sup> About 11 120 433, 22 euros. The goal of the Plan, one of the components of which was devoted to Far North Region, was to combat transnational insecurity with a number of actions for youths through income-generating activities and concerning rural activities, development of socioeconomic infrastructure, training and socio-occupational integration.

have already been mentioned above as well. The National Commission on Bilingualism and Multiculturalism also conducted many field trips. The highest authorities of the Republic upheld the consolidation of dialogue as a privileged option for the resolution of the crisis, and the satisfaction of the legitimate demands of the people.

### **E: International Dimension of the Right to Peace and Security**

**624-** Cameroon is involved in cooperation initiatives to maintain peace not only in its territory, but also in the Subregion, the Continent and the world at large.

**625-** In this regard, Cameroon has participated in the drawing up and implementation of Subregional and continental maritime security strategies. Thus, a Summit on Maritime Security in the Gulf of Guinea was organised from 24 to 25 June 2013 in Yaounde that resulted in the signing of the Yaounde Code of Conduct, the Yaounde Declaration and the Yaounde Memorandum of Understanding that set up an Interregional Coordination Centre. The Centre was effectively established in 2017, thereby consolidating the coordinated response mechanism against maritime crime.

**626-** At the continental level, Cameroon took part in drawing up of the African Charter on Maritime Security and Safety and Development in Africa adopted in Lome on 15 October 2015. The Charter that falls in line with the 2050 Africa's Integrated Maritime Strategy was signed by Cameroon.

**627-** Cameroon also occupies an important position in the peace and security architecture on the continent with the inauguration of the Continental Logistics Base in Douala on 5 January 2018.

**628-** Furthermore, as part of its peace diplomacy, Cameroon participated in different peace-building operations by sending many contingents especially to the Central African Republic, in addition to offering a training framework of excellence with the hosting of the International School for Security Forces. Such efforts were acknowledged as Cameroon was designated to host the headquarters of the African Peace Support Trainers Association at the end of their session held in October 2018.

## **Section 6: Right to a Healthy Environment (Article 24) Rec 37**

**629-** In a bid to preserve the environment, measures were taken to combat climate change and desertification, to curb poor sanitation, and to protect animal and plant species.

### **§1: Combating Climate Change and Desertification**

#### **A: Ratification and Implementation of the Paris Climate Agreement**

**630-** On 29 July 2016, Cameroon ratified the Paris Climate Agreement<sup>368</sup>, and in the same year, amended its Nationally Determined Contributions (NDC) that was validated in 2015. Through the NDC, the State undertook to reduce greenhouse gas (GHG) emissions to the tune of 32% by 2035, of which 21% reduction depends on international financing and 11% unconditional reduction. The NDC shows that 47 actions were brought together under 30 project ideas<sup>369</sup>. In a bid to properly implement the NDC<sup>370</sup>, a preparatory participatory

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<sup>368</sup> After signing the Paris Agreement on 22 April 2016, the President of the Republic signed Decree No. 2016/320 of 12 July 2016 to ratify the Climate Agreement. The ratification instrument was submitted on 29 July 2016.

<sup>369</sup> The goals contained in the NDC of States Parties to the Paris Climate Agreement should be translated into national implementation strategies and programmes.

<sup>370</sup> The implementation of the NDC should comprise the following phases: preparation and planning, development of a plan for the implementation and mobilization of funds, execution and monitoring of progress made, revision of the strategy and planning future NDCs.

process was conducted<sup>371</sup> that resulted in the designing of 21 projects at the end of a workshop organised by the Ministry of the Environment, Nature Protection and Sustainable Development (MINEPDED) from 2 to 6 May 2017 in Kribi. Besides, Cameroon received support from the Belgian NDC Implementation Support Initiative<sup>372</sup> for the setting up of a National Greenhouse Gas Inventory System in Cameroon<sup>373</sup>.

## **B: Implementation of the Population Climate Resilience Enhancement Programme (PCREP)**

**631-** Initiated with the technical and financial support of the UN System following floods in Far North and North Regions in 2011 and 2012, the PCREP covered a determined cycle (2013-2017) and target areas<sup>374</sup>. In this regard, improved stoves were distributed to households with the aim of reducing the consumption of firewood and combating deforestation (that is, 11,500 improved stoves in 2013, 5,000 in 2014, 10,000 in 2015, 9,360 in 2016, and 11,500 in 2017).

**632-** In this connection, through PCREP, tools were designed to identify risk areas, organise relief efforts, communicate through community radios in 6 national languages on best agricultural practices, prevent and reduce risks of flood and drought. In addition, 92 producer organizations received gifts to reduce the hardship of work and better manage natural resources, enhance their productivity and their standard of living. With regard to impact, 80% of institutions and the people who benefitted from the programme had a proper mastery of the tools developed and 70% of the people acquired proper knowledge on best agricultural practices, 23 structures receive volunteers and 25 structures have access to the financial resource mobilization tools. The Programme enabled local radios of target areas to modify their programme grid to include programmes on environmental issues. An extension phase of the Programme to other councils in the target Regions is envisioned.

## **C: Operation “Green Sahel” continued**

**633-** Operation “Green Sahel” continued through land reclamation in Far North Region by tree planting. Focus was on supporting local Councils for security, maintenance of former sites and watering of new sites. In a bid to reduce the excessive use of firewood, 11,500 improved stoves were produced and distributed in 2017 in Far North Region at the end of a demonstration seminar on their use.

## **§2: Combating Poor Sanitation**

### **A: Waste Management**

**634-** The first National Conference on Waste was organised from 27 to 28 April 2016 in Yaounde on the theme: *Waste management: towards a circular economy*. The forum was a proper framework for reflection among industrialists, councils, sector administrations, international organizations, parliamentarians, and academics to share best practices for the emergence of a “green”, responsible, and environment-friendly waste management policy.

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<sup>371</sup> Capacity development workshop for national journalists on climate change and implementation of the NDC of Cameroon, organised from 12 to 14 October 2017 in Yaounde in the Conference Hall of Friedrich Ebert Stiftung; an Information sharing meeting with CSOs on preparing the implementation of the NDC of Cameroon, organised on 15 September 2017 in Yaounde at the Environment Information and Documentation Centre.

<sup>372</sup> The Belgian support stood at 85,000 Euros (About CFAF55,675,000).

<sup>373</sup> The GHG Inventory System makes it possible to have a reliable database and all GHG-related information. The mechanism was launched in December 2017.

<sup>374</sup> PCREP covered Sudano-Sahelian Zone comprising 2 councils in North Region (Lagdo and Pitoa) and 5 councils in Far North Region (Moulvoudaye, Touloum, Maga, Darak and Kousseri). The goal of the programme was to support national and subregional activities through the following 2 complementary components: preservation of ecosystems and population climate resilience enhancement.



**635-** As a follow-up to the Conference, Government organised an Intersector Consultative Workshop on the establishment of a National Waste Exchange on 11 August 2016 in Yaounde. The main resolution resulting from the workshop, was the conduct of a feasibility study of the setting up of the said Waste Exchange.

**636-** In addition to hygiene and sanitation campaigns carried out by associations and clubs, private organizations work in the field of bottle recycling and plastic packaging, such as NAMé Recycling. The activities of NAMé Recycling consist of the collection and recycling of plastic waste from the local market, followed by the marketing of recycled flakes and pellets resulting therefrom. The major challenge is to raise the people's awareness of the threat posed by plastic waste, which should be recycled responsibly and which can be dumped free of charge at dedicated NAMé collection points.

## **B: Combating Non-Compliant Plastic Packaging**

**637-** As part of the implementation of Joint Order No. 4/MINEPDED/MINCOMMERCE of 24 October 2012 to prohibit the manufacture, import, holding and marketing of non-biodegradable plastic packaging of thickness less than or equal to 60 microns, MINEPDED regional control brigades regularly raided markets and supermarkets. Thus, from 2011 to 2018, 16,175 raids were conducted nationwide, following which 1,244 Infringement Reports were drawn up for 1,400,107 tonnes of prohibited packaging seized, and CFAF80,832,500<sup>375</sup> collected as fines.

## **§3: Conservation and Protection of Species**

**638-** The conservation and protection of species focused on the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization<sup>376</sup> already mentioned, and protection of wildlife.

**639-** In order to achieve effective wildlife protection, the capacity of some stakeholders was developed on a number of issues, especially on tools and standards for transparency, good governance and sustainable management of forests and wildlife<sup>377</sup>.

**640-** Similarly, the search for sustainable measures, the safeguarding and protection of endangered species and solutions for the peaceful coexistence between elephants and humans were discussed<sup>378</sup>, as well as the "Monitoring and management of wildlife in forest concessions"<sup>379</sup>, reducing the involvement of *Boko Haram* followers in illegal poaching of elephants and ivory trafficking<sup>380</sup> and on the conservation of pangolins in Central Africa<sup>381</sup>.

**641-** With regard to response measures, consolidating surveillance mechanisms made it possible to seize hunting trophies. On 14 March 2017, for example, 144 elephant tusks and 100 kg of pangolin scales were seized in Douala, while on 10 October 2017, 70kg of pangolin scales were seized in Ebolowa, and on 10 November 2017, 160 elephant tusks and over 6,200

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<sup>375</sup> About 123,408,296 Euros.

<sup>376</sup> The State adhered to the Nagoya Protocol on 30 November 2016.

<sup>377</sup> A two-day capacity development session was organised in January 2017 in Douala with the support of World Wildlife Fund for some 20 Journalists from the Democratic Republic of Congo, the Central African Republic, Gabon and Cameroon.

<sup>378</sup> A workshop was organised from 20 to 22 February 2017 in Garoua with experts from Chad, the Central African Republic and Cameroon and representatives of the local people with the support of the Biodiversity Conservation Programme in Central Africa.

<sup>379</sup> A workshop to launch Phase II of the « Monitoring and management of wildlife in forest concessions » was organised on 30 March 2017 by MINFOF and Wildlife Conservation Society. A meeting was held on 3 October 2017 in the Kagwene sanctuary in the environs of Bamenda with conservation authorities and representatives of the local people to evaluate the activities of the Wildlife Conservation Society.

<sup>380</sup> A consultative meeting was held on 17 October 2017 in Garoua with local authorities and representatives of the local people.

<sup>381</sup> A workshop was organised on 14 July 2017 in Yaounde by MENTOR-POP.

kg of pangolin scales were seized in Douala. In addition, during a symbolic Ceremony presided at by the Minister of Forestry and Wildlife on 17 February 2017, more than 3,000 tons of pangolin scales were burned.

#### **§4: Combating Poaching and Illegal trafficking in Animal and Plant Species**

**642-**Actions on protection of animal species included capacity development of stakeholders and repression.

##### **A: Capacity Development of Stakeholders**

**643-** Some capacity development initiatives included the involvement of indigenous peoples and staff of the transport and logistics sector. In this regard, from 24 to 28 February 2016, a Regional Workshop for Central and West Africa was held in Limbe for the inclusion of indigenous peoples and local communities in combating illegal wildlife trade<sup>382</sup>. The workshop enabled representatives of organizations supporting indigenous peoples to be properly drilled on models of governance involving these peoples in the sustainable management of protected species.

**644-** In the transport and logistics sector, 65 persons representing airlines, institutions in charge of control, freight, logistics and administrations representing Customs, Police and MINFOF were trained in Douala from 14 to 15 April 2016 as part of the fight against the illegal transportation of wild animal and plant species.

##### **B: Measures of Repression**

**645-** Species protection agents<sup>383</sup> were equipped with response equipment to strengthen the surveillance system. In addition, MINFOF field agents were trained in Bertoua from 27 to 28 October 2016 on respect for Human Rights and best practices to be applied in combating poaching and enforcement of the wildlife law through the technical and financial support of the German/GIZ cooperation and the NCHRF.

**646-** The reinforcement of the surveillance system enabled the seizures of hunting trophies. Thus, on 19 April 2016, some 2,000 elephant tusks and 1,753 ivory art objects seized from poachers and other traffickers were incinerated during a symbolic Ceremony presided over by the Minister of Forestry and Wildlife in the presence of many members of Government, the peoples' representatives and the United States Ambassador to the United Nations.

**647-** Moreover, in 2017, out of the 155 cases of forest offenses recorded, 42 resulted in suspension of licences, 39 summonses, 8 fines, while 22 were pending before the National Control Brigade and the courts rendered judgments in 3 cases that were pending before them.

**648-** With regard to wildlife offences, in 2017, some 33 cases were recorded<sup>384</sup>. At the end of the year, the courts had delivered decisions in 56 matters in which the defendants were ordered to pay damages to MINFOF.

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<sup>382</sup> A workshop jointly organised by the International Institute for the Environment and Development, the Monitoring Network of Trade on Animal and Plant Species, the Regional Programme for Central Africa and the Network for the Environment and Sustainable Development in Africa.

<sup>383</sup> Equipment was distributed to MINFOF agents by partners. In this regard, 11 vehicles were offered MINFOF as part of the C2D; 3 vehicles and 5 motorcycles were offered MINFOF by the African Development Bank for agents of the Bouba-Ndjidda Park.

<sup>384</sup> Three cases relating to logging in a forest found in State property beyond the prescribed limits and involved the Blimo Logging Companies, and Janabi SARL, *Martial et Compagnie*, of which the amount of the fine imposed on each of them stood at CFAF1,000,000. Another case involving *Société Angelique International* was on the unauthorized felling of protected trees. The fine imposed amounted to CFAF2,000,000.

## **Section 4: Rights of Indigenous Peoples Rec 22, 23, 24, 25, 26, 27**

**649-** Pending the completion of the ongoing study that will provide a definition and officially identify indigenous peoples in Cameroon (**Rec 23**), the protection of these groups enshrined in the Constitution was guaranteed. In order to coordinate, evaluate and monitor the implementation of programmes and projects to promote and protect the rights of indigenous and vulnerable peoples, an Intersector Committee of Programmes and Projects involving Vulnerable Indigenous Peoples (CISPAV) was formed by Order No. 22/A/MINAS/SG/DSN of 6 August 2013.

**650-** Actions were geared towards the socioeconomic inclusion of indigenous peoples, including access to basic social services such as education, governance, inclusion in legislative and policy reforms, land rights and combating early marriages (**Rec. 22 to 27**).

### **1: Access of Indigenous Peoples to Basic Social Services**

**651-** In order to facilitate access of indigenous peoples and minority groups to citizenship, declaratory judgments of birth enabled the issuance of birth certificates to several children from indigenous communities. In 2016, for example, some 855 declaratory judgments of birth were delivered to Baka children in East Region and 200 in South Region. From August 2017 to August 2018, under the Pygmy Development Plan conducted by the National Community-driven Programme, some 3,000 birth certificates, 1,500 identity cards and 83 marriage certificates were issued to the persons concerned.

**652-** With regard to access to education, Government and its partners continued to guarantee free access to primary education without discrimination to indigenous children (Pygmies and Mbororos), and ensure that every child has a birth certificate, a prerequisite to enrol in school. The Education and Training Sector Strategy Paper (2013-2020) lays down the main guidelines for the access of indigenous peoples to the education system. It provides: *in terms of access, policies to support demand are especially addressed to people who are furthest away from school and who do not yet attend school (minority groups, pygmies, Mbororos, internally displaced persons and refugees), in addition traditional measures to increase intake capacity.*

**653-** It is in this perspective that from the 2013/2014 academic year, the *Rights and Dignity of Baka People* Project was launched by MINEDUB and Plan Cameroon. The project of teaching of Baka children to read and write in their native language (Baka) first, before being initiated into the 2 official languages of Cameroon was experimented between 2015 and 2017. To support the Project, the International Linguistic Society (ILS) produced 421 textbooks comprising syllabaries and mathematics books incorporating Baka cultural values, 421 slates with the Baka alphabet on the back. Besides, 19 teachers were trained in Baka language including 5 women and 14 men.

**654-** At the end of the Project in 2017, the number of beneficiaries in the 32 communities covered stood at 19,984. During the period 2013-2017, the Project referred to above comprised 53 primary schools located in 3 Divisions namely, Boumba-and-Ngoko, Kadey, and Upper-Nyong Divisions in which 4,318 students were trained including 2,091 girls and 2,227 boys by 126 teachers, of which 121 trained in Baka and 5 untrained, the construction of 153 permanent classrooms and 24 semi-permanent classrooms with a total of 2,711 seats.

**655-** In addition to the project mentioned above, the following 2 projects were implemented for children from indigenous communities: the Accelerated Primary School Preparatory Curriculum Project (CAPEP) and Accelerated Curricula for the Reintegration of Out-of-School Children (CARED).

**656-** These projects were operational in 80 schools brought together under 10 clusters, each with 1 resource school and 7 satellite schools in the 4 Divisions of Boumba-and-Ngoko, Kadey, Upper-Nyong, and Lom-and-Djerem.

**657-** Thus, during the 2013/2014 academic year, 549 pupils including 149 Bakas and 400 Mbororos attended primary school within the framework of CAPEP, out of a total of 17,891 pupils enrolled in *SIL* in East Region, representing about 3% of pupil enrolment.

**658-** During the same period, CARED enabled the enrolment of 806 out-of-school children including 306 Bakas and 500 Mbororos. In addition, 536 out-of-school children including 205 Bakas and 331 Mbororos returned to primary school in 2014.

**659-** Measures taken by public authorities in partnership with some NGOs made it possible to raise the awareness of indigenous peoples on the need to send their children to school. During the 2016/2017 academic year in East Region, for example, 5,502 indigenous pupils (2,474 girls and 3,028 boys) attended school. At the end of the year, the *CEP* percentage pass stood at 33% (35% for girls and 33% for boys). (Pls, read the last part of this sentence and adjust the French accordingly)

**660-** With regard to the Mbororo Community, there were 9,398 (3,768 girls and 5,630 boys) Mbororo primary school pupils in Adamawa Region, 8,464 in East Region, and 23,111 (10,353 girls and 12,758 boys) in North West Region. Besides, 1,290 scholarships were awarded to students admitted into Form 1 and 6<sup>ème</sup> during the same period.

**661-** At the level of secondary education, in 2016, there was an increase in the number of Baka children who were candidates for the *Baccalaureate* (6), *Probatoire* and *BEPC* (10) in the different examination centres in East Region. During the 2017/2018 academic year, the State assisted more than 5,000 children from indigenous communities. MINESEC 2017/2018 FIGURES.

**662-** At the level of higher education, in 2016, statistics from 4 State Universities (University of Yaounde I, University of Bamenda, University of Buea and University of Ngaoundere) indicated that there were 188 Mbororo students of which 4 PhD students and one medical student.

**663-** In a bid to promote their socio-professional integration, 15 Pygmies were trained in 2013, in the sectors of forestry, water resources and health. A trained Nurse Aid was recruited into the Public Service.

**664-** Moreover, in the health sector, still under the PDP conducted by the National Community-driven Programme for the period August 2017-August 2018, essential drugs were supplied to 110 health centres attended by these people. Emphasis was also laid on the reproductive health of women and child health. In this regard, 391 traditional midwives were trained and more than 3,000 children from indigenous forest communities vaccinated.

## **2: Access to Management of Public Affairs**

**665-** One of the concerns of the 2016 CISPAV Session was continued actions on advocacy for the socio-professional integration of young Pygmy and Mbororo graduates from training schools. Support from the State included payment of competitive examination fees, help compile application files, and advocacy by MINAS for the consideration of vulnerable people by different administrations.

**666-** In this connection, in April 2017, the Public Service recruited some 200 persons from the Mbororo community, including 50 women<sup>385</sup>. In 2018, 14 Bakas were recruited in the National Police Corps out of the 17 who passed the written examination.

**667-** Under sections 151 and 171 of the Electoral Code, political parties are required to submit lists of candidates that reflect the sociological composition of electoral constituencies.

The inclusive approach in the organization and management of elections in 2013 resulted in the accession of 1 Mbororo at the head of the Ngaoui Council in Mbere Division. In addition, there are 4 Mbororo Deputy Mayors<sup>386</sup> and many Councillors in different Councils nationwide, including 30 in Adamawa Region, 9 in East Region, 48 in North Region and 8 in North-West Region.

**668-** With regard to forest indigenous peoples, there were 18 Councillors from Baka and Bagyelis communities comprising 16 men and 2 women out of the 400 Councillors in East and South Regions.

**669-** At the end of the election of Senators of 25 March 2018, there were 2 Alternate Senators from the Mbororo Community.

### **3: Recognition of the Right of Ownership on Ancestral Lands**

**670-** The current land reform is a process that involves indigenous peoples such as Mbororos and Pygmies through their associations, council or traditional representatives (**Rec. 24**) as already mentioned above (**see analysis on the right to property, § 1569 et al**).

**671-** With regard specifically to the rights of indigenous peoples on their ancestral lands, the land tenure regime in Cameroon that dates from 1974 is non-discriminatory. The scope is general and impersonal. The land registration procedure concerns State public and State private lands and takes into account traditional and customary assets. This is why, among others, the traditional authority is a member of the land consultative board, the measures in force were taken with a view to preserving the living space of communities, combating the registration of large areas, and giving preference of concession to the direct registration, etc.

**672-** However, it should be noted that as part of inter-community dialogue and guaranteeing land rights of the indigenous peoples of the forest, spearheaded by the National community-driven Programme/PDP, the right of usufruct of more than 10 indigenous villages was recognized by the Bantu and local authorities during the period August 2017-August 2018<sup>387</sup>.

### **4: Effective Participation of Indigenous Peoples in the Forest Law Reform and all other current and future Legislative and Policy Reforms (REC 25)**

**673-** The taking into account of the concerns of indigenous peoples in the reform of the Mining Code has already been mentioned above (**see analysis on the right to the free disposition of natural resources (§ 159 et al.)**).

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<sup>385</sup>About 1 person working at the Presidency of the Republic of Cameroon; 4 Senior Administrative Officials and 1 person in charge of special missions at the Prime Minister's Office; 4 members of staff at the Ministry of Mines; staff at MINEPIA; 1 Senior Divisional Officer and 3 others trained and waiting for appointment, 1 Subdivisional Officer; 1 Judicial and Legal Officer; 1 Senior Official at MINAC; 20 teachers at MINEDUB and 1 at MINESEC; 1 Medical Doctor, 1 Journalist at the CRTV; 1 Council Treasurer; 3 Service Heads at MINAS; 6 Gendarmes; 2 Police officers; 10 soldiers; 2 senior officials at the Senate. By virtue of the self-identification criteria, the figures were provided by MBOSCUDA.

<sup>386</sup> In the North Wet Region, Wum, Jakiri, Fungom and Njikwa councils.

<sup>387</sup> This initiative is important insofar as one of the sociological causes of the delay in land ownership by indigenous peoples lies in the non-recognition of their rights by the neighbouring peoples.

**674-** With regard to the forest sector, a 3-year Plan of Action for the Protection of the Rights of Indigenous Peoples in the Conservation of Biodiversity is under preparation since May 2018.

**675-** Similarly, with a view to addressing the environmental and social effects of major hydroelectric projects and to better protect the rights of indigenous peoples against the exploitation of their natural wealth and resources, a guide to the National Directives on how to obtain Free, Prior and Informed Consent (FPIC) was drawn up and validated in 2014. The document provides useful guidance on how promoters of REDD + initiatives can obtain free, informed and prior consent of indigenous and/or local communities before and during the execution of their projects.

## **5: Awareness-raising of Indigenous Peoples on the Harmful Effects of Early Marriages (Rec 22)**

**676-** The reform of the legal framework to combat early and/or forced marriages is contained in section 356 of the Penal Code (Law No. 2016/007 of 12 July 2016), which henceforth punishes whoever gives in marriage a minor under 18 years. Similarly, focus was on the education of the girl as a factor of prevention of early marriages, with increase in the awareness-raising of parents and communities during campaigns launched for the purpose such as the “Because I am A Girl” and the “Learn without Fear” campaigns.

**677-** In addition, a Platform for stakeholders on the elimination of child marriage was set up in 2016 as part of activities of the “Prevention of abuse, violence and abandonment at the community and family levels” Project. In November 2016, the Platform coordinated at the national level, the launch of the African Campaign against Child Marriage, initiated under the auspices of the African Union. In the process, regional plans of action on the elimination of child marriage in the focal areas in Adamawa, North and Far North Regions, in collaboration with administrative authorities, traditional and religious leaders were drawn up. In this regard, a number of awareness-raising campaigns were organised.

## **§1: Compensation to Indigenous Peoples for Exploitation of the Natural Resources**

**678-** Besides the analysis made above on the environmental and social impact study, it should be noted that this study includes a Compensation Plan and where and whenever necessary, a Resettlement Plan in addition to the Environmental and Social Management Plan already referred to above.

**679-** This is the case especially of the Lom Pangar hydroelectric dam construction project for which CFAF1,256,162,120 was allocated to the expropriated people<sup>388</sup> and the Kribi Industrial-Port Complex Construction Project for which CFAF14,329,752,889 was allocated to the neighbouring people including Pygmies.

## **CHAPTER 6: PROTECTION AGAINST RACIAL DISCRIMINATION**

**680-** In addition to the analysis in the previous Report that are still relevant, the right to equality and non-discrimination is discussed in the different parts of this Report for the period under review.

## **CHAPTER 7: THE DUTIES PROVIDED FOR BY THE CHARTER (Art 27 to 29)**

**681-** As pointed out in the previous Report (629-637), the promotion of family values and solidarity, civic education and citizenship education were at the heart of the State's strategy

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<sup>388</sup> Decree No. 2012/34/PM of 24 January 2012.

for the fulfilment, by individuals, of their duties towards the family, the national community and the continent.

**682-** In this way, the National Civic Service Agency for Participation in Development (NCSAPD) whose mission is to promote national and patriotic feeling, a sense of discipline, tolerance, general interest, dignity of work, civic mindedness and a culture of peace, extended its activities over the national territory. Thus, in the year 2016 and within the framework of civic education and social integration of young people, 1, 000 conscripts and 600 volunteers were trained by the NCSAPD in 10 pioneer functioning villages. Similarly, 2 600 volunteers were short-listed and 528 were sent by the National Volunteerism Programme (NVP). Also, 5, 338 civic education and national integration clubs were created and 4, 160 peer educators trained in the fight against social scourges including in Multifunctional Youth Empowerment Centres (CMPJ) as well as 546 peer educators of citizenship/community mediators trained and dispatched. By 31 December 2017, 2, 548 young people engaged in youth volunteer activities and 745 other youth were brought together and worked in other different activities.

**683-** The types of training include citizenship education, physical, sports and cultural education, consolidation of solidarity and national integration, training in first-aid and civil protection, environmental protection awareness, development of skills to create income-generating activities, fulfilling community service in different areas of the public or private sector. The following tables IN APPENDIX 18 present a summary of the number of pioneer volunteers and conscripts between 2013 and 2018.

**684-** Between 2016 and 2017, 2 localities in Adamawa Region, that is, the Carna Manga villages in Mbe Sub-division and Kalaldi in Dir Sub-division, were selected by the NCSAPD to accompany 100 youths in poverty alleviation related activities. These activities do not only occupy these young persons but it also ignites in them fundamental values such as those of living together, tolerance, team spirit, citizenship, hard work and patriotism.

**685-** Furthermore, the National Volunteerism Programme was created by Decision No. 14/2017/D/MINJEC/CAB of 15 February 2017 on the creation, organisation and functioning of the National Volunteerism Programme. Its aim is to promote volunteering through mobilisation, citizenship participation and enhancing skills at all levels of society in a bid to develop national integration and social cohesion. By 22 August 2018, the NVP had 2, 548 registered young persons.

**686-** In addition, the National Youth Council<sup>389</sup> which is a body for dialogue, discussion, consultation, coordination and action by youth organisations in Cameroon, offers a platform for the protection of young people against scourges which hinder their preparation for social life and their complete participation in development.

**687-** Moreover, the creation of the National Commission for the Promotion of Bilingualism and Multiculturalism also seeks to maintain peace, consolidate national unity and strengthen the will and practice of living together on a daily basis among the population.

**688-** The major mobilisation to support persons affected by the various crises and catastrophes is testimony of the feeling of solidarity and belonging to a national community. The reception of a huge number of refugees equally speaks of solidarity towards strangers seeking asylum and who, for the most part, come from neighbouring countries.

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<sup>389</sup>At the national level, the 11 members of the Executive Board have different backgrounds, computer engineer, jurists, marketing professional, civil engineer, diplomat, financial analyst and economist. Their ages range between 23 and 32 years. Among them are two women, one being the Chairperson. At the Regional level, the regional managers (no woman among the 10) have among them teachers, accountants, jurist, engineers, farmers, entrepreneurs, technicians and medical doctors.

## **Fulfilling Duties towards the Family (Article 29)**

**689-** The Civil Code in force in Cameroon in its Sections 205 to 211 regulates and harmonises the relations that should govern support between members of a family that is, parents and offspring, son-in-law, daughter-in-law and in-laws.

**690-** In the context of the conflict between Cameroon and the terrorist group *Boko Haram*, citizens who participated in vigilante committees have contributed remarkably to the fight staged by the State against terrorism. The solidarity of Cameroonians living in other Regions was visible through their contribution to the war efforts by donating provisions, drugs and money to the defence forces and the population affected by terrorist acts.

**691-** This solidarity is also displayed in the response to the crisis in the North West and South West Regions. An Emergency Humanitarian Assistance Plan worth about CFAF 12, 700, 000, 000<sup>390</sup>, jointly funded by the State budget and appeals for contributions that was launched on 20 June 2018, for a period of 18 months. By 30 August 2018, Cameroonians had expressed their solidarity following a call for contributions through the donation of CFAF 700, 000, 000<sup>391</sup>. Besides, in a bid to promote civic values within the society, civic education is compulsory in the curricular of all classes of primary to secondary education.

**692-** Finally, regarding the contribution to public expenses, citizens are liable to diverse fiscal tax. Where these are not paid, administrative, financial and legal sanctions could be imposed on them.

**693-** The promotion and protection of rights under the Charter has thus evolved as illustrated above from joint action by the State, civil society organisations and other partners. To further guarantee actions which aim to improve the respect of individual and collective rights, there is need to overcome the challenges of effective planning, coordination and marshalling of resources.

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<sup>390</sup> About 19,389,313 Euros.

<sup>391</sup> About 1,068 ,02 Euros.



**PART B:**  
**INITIAL REPORT UNDER THE MAPUTO**  
**PROTOCOL**

## Introduction

**694-** The ratification, on 28 December 2012<sup>392</sup>, of the Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa came to consolidate Cameroon's commitment to the promotion of the principle of gender equality which is an overreaching value of Government action. Indeed, in a context marked by her significant demographic weight, the woman occupies a strategic position in the Cameroonian society which makes her an actor of socio-economic development and a member of the society.

**695-** Through this Initial Report, Cameroon seeks to engage in a frank and constructive dialogue with the African Commission on Human and Peoples' Rights (ACHPR) to present the various measures taken at the legislative, administrative, judicial and institutional levels in a bid to respect the rights of women. The implementation of these rights is the result of an inclusive approach, which saw the participation of actors from the State, civil society, development partners as well as the National Commission on Human Rights and Freedoms (NCHRF).

**696-** This participative and inclusive approach to the implementation of the rights of women was also the guiding principle for the drafting of this Report as was indicated in the introduction to Part A regarding the Report on the Charter (see the General Introduction of the Report, §2).

### **- Brief Description of the Legal Framework (Constitution, Laws, Policies and Programmes)**

**697-** The Ratification of the Maputo Protocol enriched the national legal framework for the promotion and protection of women's rights. In Constitutional Law No. 96/6 of 18 January 1996, Cameroon reaffirmed the commitment of its citizens to the principles enshrined in the Universal Declaration of Human Rights, the United Nations Charter and the African Charter on Human and Peoples' Rights. To this effect, it is stated in the Preamble of the Constitution that "*the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights*" and that all "*persons shall have equal rights and obligations*". This reminder that Human Rights are Universal did not prevent the protection of rights according to specific groups. Thus, "*the Nation shall protect women, the young, the elderly and the disabled*".

**698-** This stand in favour of gender equality, protection of women and non- discrimination against women is one of the founding principles of public policies. Moreover, legislative and regulatory norms have been enacted to present constitutional guidelines aimed at enhancing the status of women.

**699-** As regards Laws, the following are worth mentioning:

- The Civil Code (1804), the Matrimonial Causes Act (MCA 1973), the Probate and Contentious Rules, the Wills Act (1837) and the Administration of Estate Act (1925) which cover several provisions from the "*Droit civil*" and the Common law aimed at protecting women's rights. For example the enshrining of inheritance rights for women, property and extra patrimonial rights;
- Ordinance No. 81/2 of 29 June 1981 to organize Civil Status Registration in Cameroon which recognises the right for a married woman to exercise a trade different from that of her husband as well as the OHADA Uniform Act on General Commercial Law which provides for the married woman to carry out a separate commercial activity;
- Law No. 2016/7 of 12 July 2016 relating to the Penal Code wherein several provisions may be used to sanction attempts against the physical and moral integrity of women;

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<sup>392</sup>Date of submission of the text for ratification.

- Law No. 2005/7 of 27 July 2005 on the Criminal Procedure Code which states the principle of equality within the framework of criminal procedures and has provisions favourable to pregnant women and nursing mothers;
- Law No. 2011/24 of 14 December 2011 relating to the fight against trafficking in persons and slavery allows for the protection of women and children against acts such as sexual and economic exploitation;
- Law No. 92/7 of 14 April 1992 on the labour Code, which contains provisions that aim at preserving employment of women during delivery and maternity leave and protect women from certain jobs considered dangerous for them;
- Law No 2009/4 of 14 April 2009 on the organization of legal aid which grants legal assistance to an unemployed woman without resources and abandoned by her spouse in order that she may legally obtain alimony for herself and for the minor children left under her care;
- Law No. 2012/1 of 19 April 2012 relating to the Electoral Code which promotes the inclusion of women in politics, by demanding the mainstreaming of gender in compiling electoral lists during municipal, legislative and senatorial elections;

**700-** With regard to regulatory framework, the following can be listed:

- Decree No. 94/199 of 7 October 1994 regulating the general status of the Public Service, which gives all citizens access to the public service of Cameroon without distinction as to sex;
- Decree No. 95/48 of 8 March 1995 relating to the Rules and Regulations governing the Judicial and Legal Services as amended;
- Decree No. 2012/539 of 19 November 2012 relating to the special rules and regulations governing the National security Corps; and
- Decree No. 2011/20 of 4 February 2011 on the special Rules and Regulations of the Corps of Court Registrar.

**701-** Regarding the guide to public policy, the GESP acts as the compass for government action as indicated above. It contains guidelines for the inclusion of women in diverse sectors and set the threshold of female representation at 30% minimum in the distribution of posts of responsibility within the administration. Furthermore, this strategy paper makes the improvement of the status of women a factor for development and economic growth.

**702-** The GESP is broken down into sector strategies aimed at implementing public policies in the sectors concerned. As regards women empowerment and protection, in 2014, Government adopted a National Gender Policy (NGP) document replacing the Policy Statement and the National Plan for the Integration of Women in Development adopted in 1999.

**703-** The NGP is a tool to plan, guide and organise Government intervention and other actions to achieve gender equality and equity in all sectors of national development. It is based on a Vision to promote values such as equality, equity, social justice and good governance. The document is drafted under 6 strategic thrusts which represent the main areas of action to be carried out with the view to improve the status of women. They are:

- promoting equal access to education, training and information for girls and boys, women and men;
- improving access to health services, especially reproductive health for women;
- promoting equal chances and opportunities for women and men in the economic and employment sectors;
- promoting the right to a healthy socio-economic environment for the respect of women's rights;
- strengthening participation and representation of women in public life and decision making; and
- strengthening the institutional framework for gender promotion.

**704-** These thrusts are defined and attributed goals to be achieved as well as strategies to achieve these goals.

**705-** A Multisector Plan of Action for the implementation of the National Gender Policy (2016-2020) was adopted in December 2016 following a participatory approach in order to lay down guidelines for the mastery of the NGP according to sectors and its operationalisation by all stakeholders.

**706-** Furthermore, the adoption of global approaches did not leave out the adoption of sectoral strategies to address specific concerns regarding women. Among these is the National Strategy for the Fight against Gender-Based Violence adopted in 2011 and updated in 2016, the Five Year Action Plan to combat Female Genital Mutilation (FGM) adopted in 2011 and revised in 2016, the National Multisector Programme to Combat Maternal, Neonatal, Infant & Child Mortality in Cameroon (2014-2018), the Support Programme for the Promotion of Female Entrepreneurship (SPPFE), and the Gender Climate Change and Agriculture Support Programme (GCCASP).

#### **- Direct Application of the Protocol and Invoking it before the Courts**

**707-** The reception of the Maputo Protocol under Cameroonian Law may be assessed pursuant to Article 45 of the Constitution which provides that: *“Duly approved or ratified treaties and international agreements shall, following their publication, override national laws, provided the other party implements the said treaty or agreement”*. Evaluation of the implementation of international Human Rights Conventions by courts revealed a dual tendency. Indeed, some judges consider that these Conventions are part of the block of constitutionality and can therefore only be applied by the Constitutional Judge. Others, however, consider that these conventions are part and parcel of the legal corpus and apply them depending on whether they are self-executing or not.

**708-** In a bid to harmonise the practice, awareness-raising and capacity building sessions were held with legal actors on the applicability of international Human Rights Instruments. Increasingly, there is proof of mastery of the provisions of the Protocol as seen in court decisions. For example in the matter between the **People and “Crédit du Sahel SA”, Mora Branch vs Mrs Apsatou SALKI BOUBA BEBE**, judgement No. 36/ADD/CRIM of 19 November 2015 rendered by the Mora High Court can be cited. To order the release of the accused who was pregnant, the Judge evoked both Articles 24 and 14 of the said Protocol, recalling the obligation of the State to protect *“the right of pregnant or nursing women or women in detention by providing them with an environment which is suitable to their condition and the right to be treated with dignity”* and to guarantee that *“the right to health of women, including sexual and reproductive health is respected and promoted by establishing and strengthening existing pre-natal, delivery and post-natal health and nutritional services for women during pregnancy and while they are breast-feeding”*.

#### **- Brief Description of State Institutions Relevant to the Protocol and Information about their Budget Allocation**

**709-** Structural reforms were put in place to consolidate policies adopted in the sector. One of the most important reforms was the establishment of a Ministry of Women’s affairs by Decree No. 84/95 of 26 March 1984. At the beginning, this Ministry was attributed very few assignments and had no local representation but was later maintained in the structuring of Government. Its assignments were then well refined and extended through Decree No. 2011/508 of 9 December 2011 which provides it with decentralised services and specialised technical units across the 10 Regions. These assignments concern the priority areas targeted by international instruments on the promotion of women and gender. They include:

- eliminating all forms of discrimination against women;
- increasing equal access for women in all fields of activity;

- studying and propose to Government conditions to facilitate employment of women in all sectors;
- studying and propose measures that aim to promote and protect the rights of the child;
- implementing the national family policy; and
- studying and propose strategies and measures which seek to reinforce harmony within families.

**710-** The successive budgets allocated to the Ministry of Women’s Empowerment and the Family (MINPROFF) to enable it effectively fulfil its missions has varied slightly over the years. The overall budget allocated to MINPROFF stood at CFAF 6 888 000 000<sup>393</sup> in 2016, CFA F 5 643 000 000<sup>394</sup> in 2017 and 6 072 000 000<sup>395</sup> in 2018.

**711-** Other Ministries have bodies or committees assigned to tackle gender issues such as: MINEPAT (Population Policy Unit), MINADER (Service for Women’s Activities), MINSANTE (Office for the Promotion of Gender Approach), MINEPIA (Gender Committee), NCHRF (Subcommittee on the rights of vulnerable persons).

**712-** In addition, the other Ministries, Public Establishments and Enterprises each have a Gender Focal Point tasked with ensuring a strategic and operational relay as concerns streamlining gender into sector policies. The financial resources of Gender Focal Points and Committees are included in the budgets of Ministries where they are found.

### **- Gender Responsive Budgeting**

**713-** Due to the absence of gender considerations in the process of planning, programming and budgeting, Government has, since 2012, laid emphasis on the identification of indicators which can help set the objectives of performance and results while mainstreaming gender in a context of Results-based Management (RBM). In this light, a Study on *Gender indicators in all fields of national Life* (“*les indicateurs de Genre dans tous les domaines de la vie nationale*”) was carried out in 2013 with the goal to identify areas affected by discrimination and thus stimulate better ways to mainstream Gender in development planning, budgeting and monitoring and evaluation of plans and programmes. This study, wherein the sectoral classification was based on that of the GESP, highlighted statistical data regarding the production, social and Governance sectors.

**714-** This study served as an impetus to the implementation of the “Gender and economic Policy Management Initiative” (GEPMI) in 2013 which aimed at sensitising the authorities on the integration of Gender equality as a key aspect of the process of planning, budgeting and policy implementation. In the same vein, training sessions for Secretary Generals of Ministries, local development actors and hundreds of Gender Focal Points were organised in 2012 and 2013 on the need to mainstream Gender in the process of drafting, planning, budgeting, implementing, monitoring and evaluating policies, programmes, sector projects and local development plans.

**715-** Furthermore, the Guidelines found in the Circulars of the Head of State in preparation of the State Budget spell out measures aimed at increasing financial resources destined for women empowerment in all fields of activity. In 2017 for example, Circular No. 1/CAB/PRC of 20 June 2017 relating to the preparation of the State Budget for the Year 2018 laid emphasis on the consolidation of *strides made so far in mainstreaming Gender* as one of the major objectives of public policies. In this light, the Guidelines issued in 2017 and 2018 instructed the Sector Ministries to effectively and efficiently implement the Multisector Plan for NGP through adequate programming of activities. This programming includes the

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<sup>393</sup> About 10,516,030,5 Euros.

<sup>394</sup> About 8,615,267.17 Euros.

<sup>395</sup> About 9,270,229 Euros.

necessary financial resources to carry out these activities, the definition of gender responsive indicators between men and women and follow-up with the help of a Budget Execution Report which details progress made and challenges encountered.

### **- Mainstreaming Gender Issues in all Aspects including Policies and Capacity Building Efforts**

**716-** To guarantee the implementation of rights recognised by the Maputo Protocol, the NGP as well as the Multisector Plan of Action for the NGP (MSPA-NGP) mentioned above are the strategic tools used by Government for the inclusion of women in all sectors of national life. The single chapter which follows gives an account of the measures taken to this effect.

## **SINGLE CHAPTER: IMPLEMENTATION OF RIGHTS RECOGNISED BY THE MAPUTO PROTOCOL**

**717-** With a view to implementing the Maputo Protocol, Government adopted reforms in the legislative, institutional, administrative and judicial sectors which made significant strides in the promotion and protection of women's rights. These strides are visible when looking at the principle of gender equality and the fight against discrimination, protection of women against violence, protection of the rights to marriage, the rights to health and reproduction, economic, social and cultural rights, the right to peace, protection in armed conflicts and the rights of vulnerable persons who have special protection.

### **Section 1: Equality/Non-discrimination**

**718-** The principle of equality established by the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Maputo Protocol has been raised to the rank of a constitutional norm by the fundamental law of Cameroon and implemented through the internal regulatory and institutional framework.

**719-** The strict respect of the principle of equality in public life in Cameroon may also be appraised through access to justice, consideration of the participation of women in public life and decision making. One key aspect required to consolidate these reforms was educating the public on the respect of the principle of equality.

### **A: Progress made as regard the Regulatory, Strategic and Institutional Frameworks**

#### **1: Regulatory Framework of the Fight against Discrimination**

**720-** The principle of prohibition of discrimination is laid down by the Constitution. Moreover, any discriminatory practice has been made an offence. Thus, Section 242 of the Penal Code established by Law No. 2016/7 of 12 July 2016 and titled "Discrimination" provides that: *"Whoever excludes another from any place open to the public or from any employment, by reason of his race, religion, sex or health status, where such status does not endanger anyone, shall be punishable with imprisonment for from 1 (one) month to 2 (two) years and with a fine of from CFAF 5 000 (five thousand) to CFAF 500 000 (Five hundred thousand)"*.

**721-** In addition, some provisions on discrimination have been removed from this Penal Code. This is the case with adultery by a woman where the conditions for sanction are henceforth<sup>396</sup>

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<sup>396</sup>Under the aegis of the repealed provisions of the Penal Code, penalties for adultery were as follows: "(1) Any married woman having sexual intercourse with a man other than her husband shall be punished with imprisonment for from two to six months and with fine of from twenty-five thousand to one hundred thousand francs.

(2) Any married man having sexual intercourse in the matrimonial home, or habitually having sexual intercourse elsewhere, with a woman other than his wife or wives, shall be punishable in like manner".

similar to those applicable in the event of adultery by a man. To this effect, Section 361 provides: “(1) *A woman who, being married, has sexual intercourse with a man other than her husband shall be punished with imprisonment for from 2 (two) to 6 (six) months or with fine of from CFAF 25 000 (twenty-five thousand) to CFA 100 000 (one hundred thousand).*”

*(2) A husband who has sexual intercourse with a woman other than his wife or wives shall be punished as provided in subsection 1 above. However, the burden of proof of the existence of a polygamous union shall lie with the husband”.*

**722-** Marriage between a rapist and their victim is no longer an exemption from prosecution as stipulated in the provisions of Section 297 of the Penal Code: “*Marriage freely consented between the offender and the victim, even where she is over puberty at the time of the commission of the offence provided for in sections 295 and 296 above, shall have no effect on the prosecution and conviction*”.

**723-** Discrimination is prohibited in several other legislative texts. Thus, in the field of education, provisions of section 7 of Law No. 98/4 of 14 April 1998 to lay down guidelines for education in Cameroon holds that “*the State guarantees equal opportunities to education for all without discrimination as to sex, political, philosophical and religious opinion or social, cultural, linguistic and geographical origin*”. In the same way, Law No. 2001/5 of 16 April 2001 to lay down the guidelines for higher education in Section 6 (2) states that higher education “*participate in the promotion of the rule of law by disseminating a culture which respects justice, human rights and freedoms [...] participate in the eradication of all forms of discrimination and encourage the promotion of peace and dialogue*”.

**724-** The fight against discrimination is also taken into consideration in the national strategic and institutional framework.

## **2: Strategic and Institutional Framework of the Fight against Discrimination**

**725-** In 2016, a Multisector Plan of Action for the implementation of the NGP (2016-2020) was also designed and adopted by Government in order to effectively take into consideration the specific needs of women in all sectors, with a view to combine and share sector initiatives. The Multisector Plan of Action is the basis for the implementation of the 6 major thrusts of the NGP broken down into programmes<sup>397</sup>.

**726-** The aim of the Plan is that it should be reflected at every level of the planning, programming, budgeting and monitoring chain using various plans of action. To this effect, the instructions given by the President in the Budgetary Circular to lay down guidelines for the preparation of the Budget aim at consolidating gender responsive budgeting which is henceforth a requirement for governance.

**727-** Besides, the institutional gender promotion mechanism was enhanced through the establishment, in 2007, of gender Focal Points in the public service and later on gender committees, 92 in number as at the end of 2017. These entities, being the real interfaces between the Ministry in charge of Women’s Empowerment and other sector departments, supervise the mainstreaming of gender in decision making within their institutions.

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<sup>397</sup>Thus, action matrices depend on the following programmes:

- promoting equal access to education, training and information for girls and boys, women and men;
- improving access to health services, especially reproductive health, for women;
- promoting equal chances and opportunities between men and women in the economic sectors;
- promoting the right to a healthy socio-cultural environment for the respect of women’s rights;
- strengthening participation and representation of women in public life and decision making;
- strengthening the institutional framework for gender promotion.

## B: Equal Access to Justice

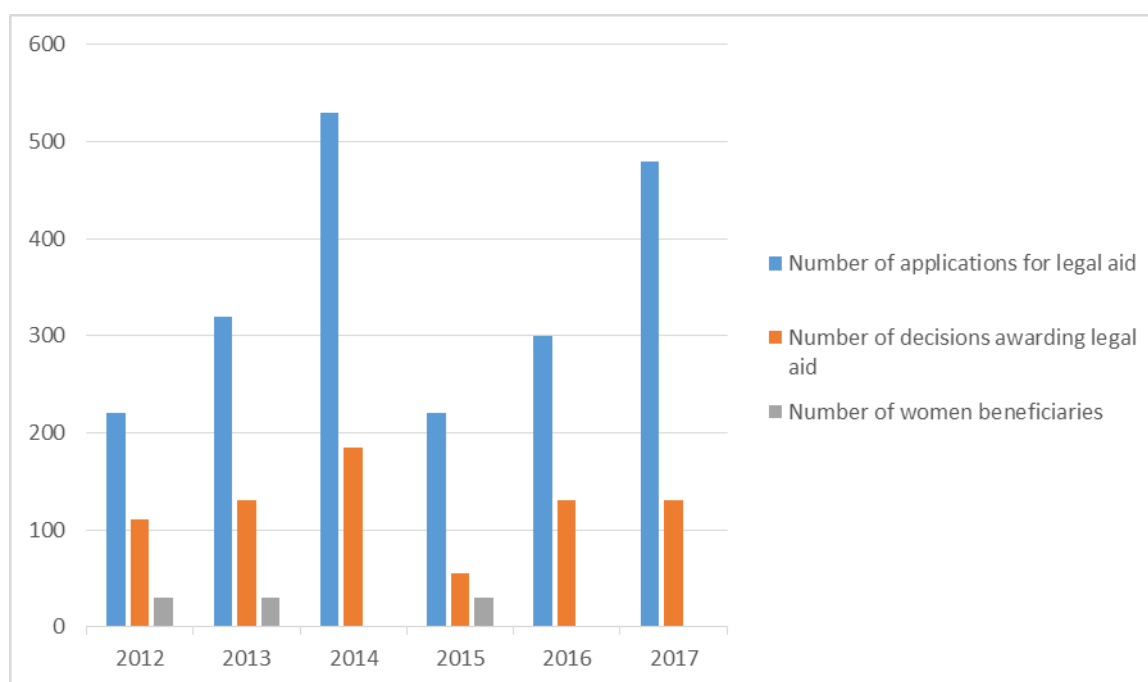
### 1: The Establishment of Legal aid

**728-** Access to justice and equal treatment of litigants are the guiding principles of the dispensation of justice and hearing of cases. Section 1-1 of the Penal Code provides that *all persons shall be subject to criminal law*. Equality before the courts brings about free access to justice and equal treatment before the judge. Thus, the Constitution, in the Preamble, holds that *the law shall ensure the right of every person to a fair hearing before the courts*.

**729-** To promote equal justice, Law No. 2009/4 of 14 April 2009 to organize Legal aid was adopted. According to the provisions of this law, a complete or partial exemption from court fees is granted to the disadvantaged, including women going through a divorce procedure with minor children under her care and without any revenue of her own in view of granting them access to justice. More so, this law offers the woman deserted by her husband without any resources the opportunity to access Legal aid in order to obtain alimony for her children and herself through the law.

**730-** In spite of financial constraints which hinder the proper functioning of some Legal aid commissions; litigants have been able to access Legal aid. Statistics of legal aid collected over the period 2012-2017 are indicators of this inclusive justice advocated by Cameroon.

Chart 2: Evolution of Legal aid



Source: MINJUSTICE

### 2: Support to Local, National, Regional and Continental Initiatives aimed at Granting Women Access to Legal aid and Services.

**731-** With the assistance of civil society organizations, awareness raising campaigns were organised for the public and especially women on the request for Legal aid in a bid to facilitate access of these persons to justice. Thus, these civil society organisations held awareness raising sessions across the national territory, particularly through the production of brochures and by radio broadcasts even in local languages.



**732-** During these sessions, 80 paralegals<sup>398</sup> were equipped with criminal law and legal aid information to assist persons in detention. A *Methodology Guide for Intervention in Legal and Judicial Aid* was drafted by these private actors to serve as a didactic material for these paralegals and for the public. In 2016, over 2000 copies were distributed by the CSO “*Nouveau Droits de l’Homme*” (NDH).

### **3: The Creation of adequate Educative and other Appropriate Structures while paying Special Attention to Women and Raising Awareness among all Strata of Society on the Rights of Women.**

**733-** Activities to raise awareness on Human Rights in general include sensitisation about women’s rights. Radio broadcasts aired sometimes in local languages and magazines were also dedicated to the promotion of women’s rights. This is the case with the magazine “*Femmes et familles*” [*Women and Families*] published by MINPROFF as well as weekly slots broadcast on air over public and private media. Moreover, television programmes were also aired during the commemoration of days dedicated to women.

### **4: The Training of Bodies Charged with Applying the Law at all Levels for Proper Interpretation and Effective Application of Equal Rights between Men and Women.**

**734-** Capacity building for legal stakeholders is one of the levers by which Government mainstreams equal rights in the management of legal proceedings. For effective mastery of principle of equal rights between men and women, training sessions are regularly organised for legal stakeholders.

**735-** In 2012, 3 capacity building seminars were organised for judicial staff on the implementation of CEDAW<sup>399</sup> by Government with the support of its partners for the benefit of 85 Magistrates, 10 Notaries Public and 6 Bailiffs working in the Courts of Appeal of the Centre, Littoral and Far North Regions. The main goal was to raise awareness stakeholders on the implementation of CEDAW in the courts as one of the indicators of “equal access to justice for all” while waiting for the harmonisation of national laws with international human rights legal instruments ratified by Cameroon.

**736-** Other capacity building seminars for Magistrates and Lawyers on the implementation of CEDAW and the Protocol to the ACHPR on the Rights of Women in Africa were organised by the WCIC Association in November 2017 and May 2018 in Yaounde and Douala respectively.

### **5: A Balanced Representation of Women in Judicial Institutions and those in Charge of Applying the Law.**

**737-** Government expressed the will to get women involved in the judicial system through a non-discriminatory recruitment and integration process based on the principle of equal chances. This was made a reality through the constant increase in the number of women among the staff of different corps of the judicial institutions: Magistrates, Court registrars, Lawyers, Notaries, Bailiffs, and Penitentiary Administration Personnel.

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<sup>398</sup>The first workshop was held in Yaounde from 5 to 6 February 2016 in the presence of over 40 participants and the second took place on the 29 and 30 January 2016 in Bafoussam. The goal of these workshops was to train and equip participants on legal aid. Several messages on the machinery of legal procedures were broadcasted. For example, the following themes can be cited, “*The legal system and access to justice for vulnerable groups: the outlines of a fundamental determinant of the Rule of Law and democracy in Cameroon*”; “*The legal system and court fees under criminal law in Cameroon*”; “*Criminal justice in Cameroon and forms of redress available*”.

<sup>399</sup>From 1 to 3 August 2012 in Douala, 29 to 31 August to Maroua and 26 to 28 September 2012 in Yaounde.

**738-** Moreover, between 2010 and 2017 there was a relative change in the number of women in the judiciary. Thus, this number has moved from 242 women against 752 men on a total of 994 Magistrates in 2010 that is 24.35% to 305 women against 862 men on a total of 1,167 Magistrates in 2012 that is 26.14%. In 2017, the number of women in this corps passed the 30% ceiling with a total number of 607 women out of a total of 1,668 Magistrates that is a ratio of 36.39%. At the Supreme Court, 22 women were among the staff in 2017 out of 109 Magistrates, that is a ratio of 20.18%. In addition, among the 22 heads of Courts of Appeal and Procureurs General, there are 4 women that is, 18.18% which is an improvement compared to the year 2014 when the rate was 13.63%.

Table No. 7: Evolution of number of Women in the Judiciary

	Women	Men	Total	Percentage of Women (%)
2010	242	752	994	24.35
2012	305	862	1167	26.14
2017	607	1061	1668	36.39
<b>Total</b>	<b>1,154</b>	<b>2,675</b>	<b>3,829</b>	<b>30.14</b>

Source: MINJUSTICE.

**739-** An analysis of the staff in the corps of Court Registrars also reflects a consideration of gender. In 2018, out of 2,936 Court Registrars, there are 1, 485 women against 1, 451 men, that is 50.57 % as opposed to 49.42 % respectively. These figures are to be contextualised when it comes to appointments to positions of responsibility, where there are 19 women among 180 Registrars –in -Chief, that is, 10.55%.

**740-** As for Lawyers, there were 345 women as against 1,605 men on a total of 1,950 Lawyers in 2016, that is, 18% and 82% respectively. The rate of female representation moved to 21.48% at the end of 2018 as there were 546 women among 2,541 lawyers.

## **6: Reforming Discriminatory Laws and Practices to Promote and Protect Women’s Rights.**

**741-** Legislative reforms incorporate the fight against discrimination and the promotion of equality as illustrated above with the **Penal Code (see, § 721 et al.)**.

**742-** Meanwhile, the State continues making efforts to completely eradicate discriminatory provisions against women from the laws. The same goes for the 1981 Ordinance that organizes Civil status and which gives the possibility to a husband to prevent his wife from exercising a trade separate from his in the interest of the household, the ability to manage joint property recognised as a right to the husband lone under the Civil Code. On the latter aspect, the courts increasingly apply equality provisions as provided for by international conventions ratified by the State. This is the case with judgement No. 31/COM/TGI of 16 November 2017 rendered by the Bamboutos High Court wherein the Judge relied on Articles 15 and 16 of CEDAW to cancel a mortgage agreement signed by a husband on a joint property without the consent of his wife.

## **C: Female Participation in the Management of Public Affairs**

**743-** The political option for inclusive and equal governance can be assessed on the ground of female participation in the electoral process and in decision making even if much is still left to be done looking at the results so far.

### **1: Female Participation in the Electoral Process**

**744-** The participation of the Cameroonian woman in the electoral process has registered astounding progress. Unlike the 1970s when it was very insignificant, this participation

emerged with the advent of multi-partism in the 1990s. Besides the declaration in the Constitution of equal political rights between men and women, this progress is a result of varying strategies employed to involve women in politics. What is more, this participation was consolidated with the Electoral Code and the increase in the number of women as electors or elected.

### **- Legal and Strategic Framework**

**745-** Law No. 2012/1 of 19 April 2012 relating to Electoral Code introduced the gender approach in managing elections for the first time. Thus, Sections 151 and 171 regarding legislative and municipal elections provide that: *“Each list shall take into consideration the various sociological components of the constituency concerned. It shall also take into consideration gender aspects”*.

**746-** In view of implementing these provisions effectively, Elections Cameroon (ELECAM), the body in charge of organising elections, designed a strategic plan in 2012 to implement the said law. On the one hand, this Plan makes a diagnosis of female participation in politics and on the other hand, it develops strategies to adopt to massively increase this participation.

### **- Strategies to Boost the Participation of Women in Politics**

**747-** Various strategies were used ranging from raising awareness through political training to mentoring. At the end, the respect of legal provisions was a great asset at the judicial level. In preparation for the 2013 elections, a *Women's Political Training Manual* was produced and updated in 2017 in preparation for 2018 elections. This document, intended for women and all persons involved in the electoral process, explains the principles, rules and requirements for participating in elections as voters or elected officials. Over 5,000 copies of the said document were distributed to female political leaders, candidates in elections and leaders of female associations in 2013. This document was shared to over 3,000,000 persons in 2017.

**748-** Political training seminars were organised from 2013 to 2017 for women at all levels of society. This can be illustrated, among other things by the organisation of a mentoring session from 11 to 12 September 2013 for female candidates at parliamentary and municipal elections, a training session for rural women held in several localities in 2016, an awareness raising caravan in March 2017 as part of an awareness operation dubbed *Month of March, Month of the woman, Month of welcoming women to Elecama* to encourage them to register on electoral lists, 10 discussion sessions on gender issues (*café genre*) in 2017 in all 10 Regions to build women's political capacities, the celebration of the 55<sup>th</sup> edition of the Day of the African Woman on 31 July 2017 under the theme *“Female Leadership and Political Participation of Women”*.

**749-** In addition, a charter of good practices on the implementation of provisions of the Electoral Code was adopted during a workshop organised in Yaounde from 30 November to 2 December 2017 by ELECAM with support from the United Nations System, on political participation of women and marginalised groups. In 2017 and 2018, a civil society platform led by *Women League for Peace and Freedom (WILPF)* organised several activities on the prevention of violence during elections.

**750-** Furthermore, at the initiative of the *More Women in Politics* federation of associations, an International Conference on Female Leadership took place in Yaounde in February 2016, on political participation of women and alternative solutions. One of the resolutions of this conference was the adoption of a law to set quotas in favour of women. Moreover, as part of a project led by the same organisation in collaboration with *Horizon Femmes* with support from the European Union, a mobile caravan was launched to raise awareness among women

from 20 councils in 7 Regions<sup>400</sup>, about democracy and the importance of female participation in politics.

**751-** To encourage women to vie for positions, some political parties adopted good practices of demanding female representation of at least 30% on their electoral lists<sup>401</sup>. Indeed, ELECAM went ahead to systematically reject lists which had no consideration for gender and this was confirmed during the electoral litigation that followed.

#### **- Results of Women's Participation in Politics**

**752-** During senatorial elections in 2013, out of 476 candidates, 115 were women. Out of this number, 47 were elected with 18 substantive members and 29 alternate members. The Presidential Decree appointing 30 senators on 8 May 2012 raised the number of female senators to 54, representing 20%. On the contrary, at the National Assembly, for the first time women reached the 30% margin given that they had never exceeded 15% before. At the end of the different elections organised in 2013 and in-2018, the results are as follows:

**Table No 8. 1: Evolution of the participation of female Substantive Members of National Assembly**

<b>Term of Office</b>	<b>Number of Members of National Assembly</b>	<b>Number of Women</b>	<b>%</b>
<b>1978-1983</b>	120	12	10
<b>1983-1988</b>	120	17	14.2
<b>1988-1992</b>	180	26	14.4
<b>1992-1997</b>	180	23	12.8
<b>1997-2002</b>	180	10	5.6
<b>2002-2007</b>	180	20	11.1
<b>2007-2012</b>	180	25	13.9
<b>2013-2019</b>	180	56	31

**Source:** National Assembly

**Table No. 9: Evolution of the participation of female Substantive Senators**

<b>Term of Office</b>	<b>Number of Senators</b>	<b>Number of Women</b>
<b>2013-2018</b>	100	20
<b>2018-2023</b>	100	26

**Source:** Senate

**753-** The representation of female local councils and as municipal authorities significantly increased move from zero female Mayor in 1982 to 23 female Mayors in 2004, meanwhile the percentage of municipal counsellors moved from 6.6% to 15.5% over the same period. The table below illustrates this.

**Table No. 10: Evolution of women's participation in the management of councils**

<b>Term of Office</b>	<b>Number of Counsellors</b>	<b>Number of Women</b>	<b>%</b>	<b>Number of female-Mayors</b>
<b>1987-1992</b>	5,345	446	8.3	1
<b>1992-1997</b>				
<b>1997-2002</b>	9,932	1061	10.7	2
<b>2002-2007</b>	9,963	1,302	13.1	10
<b>2007-2012</b>	10,632	1651	15.5	23
<b>2013-2019</b>	10,632			30

**Source:** MINDDEVEL

<sup>400</sup>Centre, Littoral, South, West, North-West, South-West and East Regions.

<sup>401</sup> These were internal rules at the Cameroon People's Democratic Movement during the legislative and municipal elections of 2013 and senatorial elections of 2018.

**754-** However, it should be noted that there are still challenges to be overcome as regards full participation of women in politics. Despite the afore-mentioned display of progress, women continue to reveal lack of interest in politics. In this light, the statistics of those registered on electoral lists published by ELECAM during the period leading to elections in 2017 revealed continuous inequality between women and men despite the demographic weight of the former. By 31 August 2017, 159 154 women were counted out of 403 069 registered voters, that is, a 39.49% ratio.

**755-** During the October 2018 presidential elections, the 2 female candidates out of the 25 registered candidates, that is *Géneviève AMVENE* (independent candidate) and *HABIBA ISSA* of the *Union des Populations du Cameroun (UPC)* party were not among the 9 candidates finally short-listed to run for elections.

**Table 11: Evolution of registration on electoral lists as at 9 July 2018**

Region	Women	Men	Total	Youth	Persons with disabilities
Adamawa	189 844	233 822	423 666	213 350	3 596
Centre	482 140	627 829	1 109 969	463 027	7 766
Diaspora	5 447	10 251	15 698	6 245	37
East	139 328	172 978	312 306	129 093	2 228
Far North	554 670	560 562	1 115 232	520 939	11 788
Littoral	384 090	523 425	907 515	360 266	5 290
North	318 359	350 125	668 484	309 983	8 294
North West	313 380	273 164	586 544	245 080	3 593
West	113 593	139 078	252 671	104 502	1 840
South	171 213	200 706	371 919	146 015	1 926
South West	386 220	343 441	729 661	274 272	7 580
<b>Total</b>	<b>3 058 284</b>	<b>3 435 381</b>	<b>6 493 665</b>	<b>2 772 772</b>	<b>53 938</b>

Source : ELECAM

## 2: The Role of Women in Decision Making

**756-** The number of women occupying decision-making positions has increased and Government continues in its efforts to improve the figures.

**757-** The percentage of women has increased in successive governments as shown in the table below. Government Cabinet reshuffle on 2 October 2015 saw an increase in the number of women, from 9 to 10 on a total of 65 ministerial positions, representing at 15.38%.

**Table 12: Representation of female ministers between 2001 and 2018**

Year Duty	2015/2018			2004/2005			2007/2009			2009/2010			2011/2015		
	To t al	W o m e n	% W o m e n	To t al	W o m e n	% W o m e n	To t al	W o m e n	% W o m e n	To t al	W o m e n	% W o m e n	To t al	W o m e n	% W o m e n
Prime Minister	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0
Vice Prime Minister	1	0	0	1	0	0	2	0	0	2	0	0	1	0	0
Minister of State	2	0	0	5	0	0	3	0	0	3	0	0	0	0	0
Minister		7		32	4	12.5	31	5	16.1	31	5	16.1		6	

Minister Delegate				10	0	0	8	0	0	9	1	11.1		1	
Secretary of State		2		10	2	20.0	6	1	16.7	6	1	16.6		2	
<b>Total</b>				<b>58</b>	<b>6</b>	<b>10.3</b>	<b>51</b>	<b>6</b>	<b>11.8</b>	<b>52</b>	<b>7</b>	<b>13.5</b>	<b>54</b>	<b>9</b>	<b>14.5</b>
Ministers in charge of Special Duties are considered as Minister Delegates															

**Source: Prime Minister's Office**

**758-** With the Government of 2 March 2018, the number of women increased from 10 to 11 out of 65 Ministerial and Related posts, representing a rate of 16.92%.

**759-** In a bid to evaluate progress recorded in the promotion of gender, a *Public Administration Gender Rankings*<sup>402</sup> was published in 2015 and 2016. A real tool for advocacy, it provides information on women's access to decision-making positions. Contrary to 2016, when the trend revealed 16.76% of women against 83.24% of men occupying positions as Directors or others ranking as such in the Central Administration, the 2017 edition has highlighted a change

**760-** Regarding women's access to positions of authority in territorial administration, there was significant progress in 2012 with the appointment of the first female Senior Divisional Officer<sup>403</sup> and the first female Secretary General at the Governor's Office. In 2017, there were 2 female Senior Divisional Officers as against 56 male, 13 female Divisional Officers compare 347 male and at least 45 deputy mayors.

## **D: Guaranteeing the Right to Education and Training for Women (Art 12)**

**761-** The section reserved for the right to education under Part A of this report details measures that aim to guarantee equal chances in education and training.

### **1: Promoting Education of the Young Girl**

#### **a: Reducing Gender Disparities**

**762-** To make equal access to education a reality beyond the simple notion written in the afore-mentioned instruments, the education policy has made the reduction of disparities one of its priority goals within the framework of the Strategy Paper for Education and Training (2013-2020)<sup>404</sup> adopted in 2013. As indicated above, it has been consolidated through the adoption of a myriad of measures such as developing a suitable school environment for the young girl, combating gender based violence in schools, supporting the demand for education for the young girl through incentives, granting of scholarships or provision of food rations. The fight against cultural barriers was carried out within the framework of awareness raising among communities and community leaders as well as setting up community watchdog bodies.

**763-** One of the key efforts made was the development of a suitable school environment for the young girl, in terms of infrastructure particularly by building separate latrines for girls and boys, for potable water points, wash basin and provision of sanitary kits. These were incentives used to boost access to school for girls and also to keep them in school.

<sup>402</sup>Public Gender Rankings for the 2014-2015, Ministry of Women's Empowerment and the Family and the United Nations Educational Scientific and Cultural Organization, December 2015, 63 pages.

<sup>403</sup>This refers to the SDO for Khoung-Ki Division; and the Secretary General at the Governor's Office in the East Region.

<sup>404</sup>It is divided into 3 thrusts which are access and equity, quality and importance, management and governance.

**764-** Similarly, NGOs and other actors organised awareness raising campaigns with parents, traditional and community leaders to encourage school enrolment for young girls in priority education zones to fight against cultural barriers. Thus, in several localities, gender counselling spaces were created. These are avenues for discussion that bring together authorities, parents and pupils in order to properly consider challenges which the girl child could be exposed to at school. An alert system was put in place in the PEZ in collaboration with the National Network of Mothers' Associations for Girls' Education (RECAMEF) to denounce cases of violence against young girls. Also, capacity building campaigns for behavioural change in parent education were carried out for members of the community to better equip parents to raise the young girl properly. Moreover, 148 girls clubs and 81 AMEEs (Mother pupil associations) were created with the support of the ALDEPA in schools in the 6 Divisions of the Far North Region. These community structures carry out awareness raising activities on the protection of the rights of the young girl. Owing to their social influence, 106 wives of traditional rulers in the Far North Region were educated in 2014 and 2015 on the protection of children's rights and the promotion of education for young girls in their communities.

**765-** Regarding incentives, government strategy was to provide scholarships and pedagogic kits to the most disadvantaged and vulnerable girls and substitute or supplement school nutrition measures (dry rations, canteen). The provision of food and dry rations to children and particularly to girls was done with the support of development partners such as WFP and *Counterpart*. The food distributed for the years 2014/2015 and 2015/2016 to beneficiary schools<sup>405</sup> was 800,932 tons. Thus, 36,140 pupils benefited from rations in the canteen meanwhile 3 393 girls benefited from take-home rations. Some 501,087 pupils benefited from project carried out with the support of *Counterpart*, worth CFAF400,000,000 with the following impact: drop in the rate of early marriages among young girls in the beneficiary communities, increase in school enrolment and attendance rate of girls as well as retention rate<sup>406</sup>.

**766-** As support to the request for school enrolment for the young girl, about 20,000 birth certificates were issued to young girls during the reference period with the help of partners. More so, 10,000 academic scholarships were granted to girls in primary 6 in the PEZ to prepare their files for the FSLC and Common Entrance to go to Form 1.

**767-** All these efforts contributed to improve the rate of school enrolment for girls. The rate of completion of primary education was 79.7% for boys for the academic year 2014-2015 against 72.8% for girls meanwhile the rate of transition from primary to secondary school was 77.8% for girls against 78% for boys. The net rate of secondary school attendance was 55% for boys and 50% for girls. The gender parity index at primary level was 0.91 whereas the index at secondary was 0.92.

**Table 13:** School attendance among the youth in 2014

	<b>Girls</b>	<b>Boys</b>	<b>Parity Index</b>
Rate of Completion of primary education	72.8	79.7	0.91
Transition from primary to secondary	77.8	78	0.99
Net rate of school attendance in secondary education	50	55	0.91

**Source:** Statistical Yearbook MINEDUB

<sup>405</sup>That is, 84 public schools; 35 in the North and 49 in the Far North) in 2014/2015 and 68 schools (35 in the North and 33 in the Far North) in 2015/2016.

<sup>406</sup> Besides the distribution of dry take-home rations to young girls in classes 4, 5 and 6, REAs to volunteer cooks and provision of two meals per day (breakfast and lunch) during school days, there is also the support to set up school gardens and community farms by providing farm inputs and agricultural equipment to ensure consolidation of skills acquired.

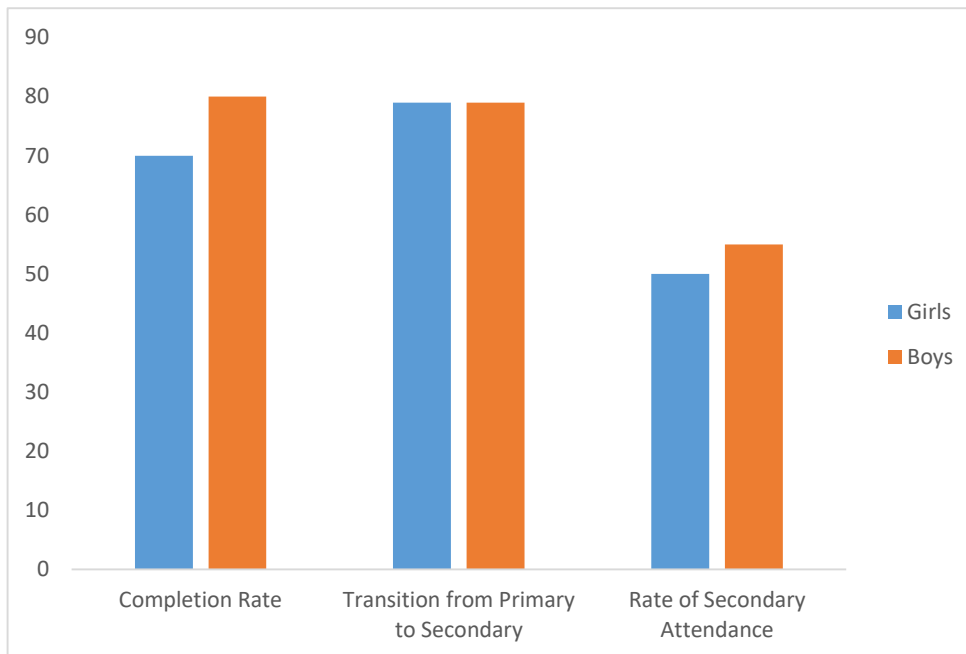


Chart 3: School attendance ratio of girls to boys

### **b: Combating Gender Based Violence in Schools**

**768-** To eliminate stereotypes and other forms of gender based violence which affect schooling for the young girl, the authorities focused their action on preventive and criminal dimensions. In the Preventive dimension, the *PSF Project*<sup>407</sup> *to fight against gender based violence in schools* (2016-2018), amounting to 1,500,000 Euro was implemented with the support of the French Embassy.

**769-** The fight against early marriages is one of the actions carried out, particularly with the launching of the “*girls not bride*” campaign all over the country and the African campaign for the fight against child marriage.

**770-** With the support of ALDEPA, 10 round table discussions have been held since 2014 in the General Education Teachers Training colleges of the Far North to sensitise the population on mainstreaming gender and gender discrimination in the education system. A Gender responsive internal rules and regulations was drafted in 2013 by the Regional Delegation for Basic Education and implemented in primary schools in the Region.

**771-** Moreover, in connexion with the *Project to strengthen the framework for the protection and rehabilitation of children at risk and victims of gender discrimination and sexual violence* implemented from January 2015 to April 2018 by the International Circle for the Promotion of Creation (CIPCRE) in the Centre, North West, and West Regions, a Code of Good Conduct was drafted and approved for primary schools by the Minister of Basic Education.

**772-** As concerns criminal law, sexual harassment was made an offence under Section 302-1 of the Penal Code and hindrance to schooling is also punishable.

### **c: Education on Gender and Human Rights**

See above, Part A, Right to Education (§ 291 et al).

<sup>407</sup> Priority Solidarity Fund kept at the European Ministry of Foreign Affairs of the French Republic.



## **d: Empowering the Young Girl in the Field of Science**

**773-** Although the impact is still low, activities carried out under professional training have given girls access to technical fields such as sheet metal work, industrial electricity, construction of metal structures, coastal navigation, welding/piping, architecture, etc. In addition, academic scholarships were granted to young girls studying the sciences as indicated above (§ 291 et al.);

## **2: Promoting Education and Literacy among Women**

### **Section 2: Protecting Women against Violence**

**774-** Protecting human dignity and physical and moral integrity of persons is a right enshrined in the Constitution of Cameroon where the Preamble states: *“every person has a right to life, to physical and moral integrity and to humane treatment in all circumstances. Under no circumstances shall any person be subjected to torture, to cruel, inhumane or degrading treatment”*.

**775-** Indeed, violence against women is considered an attack on their dignity. The Demographic, Health and Multiple Indicators Survey carried out in 2014 (EDS-MICS 2014) highlights the percentage of women between 15 and 49 years with partners or separated from their partners at the time of the survey who had suffered various forms of violence from their husband/partner over the 12 months preceding the survey.

**776-** It emerges that:

- 31% of women declared they had suffered physical violence, 14% sexual abuse and 47% emotional abuse;
- 48% of men declared that they had perpetrated physical, sexual or emotional abuse against women over the past 12 months;
- 32% of men specified having carried out physical or sexual abuse; and
- 6% indicated physical, sexual and emotional abuse.

**777-** It is worth noting that authorities have left no stone unturned in the fight to eradicate all forms of violence including physical, moral, sexual, domestic and economic as well as cultural abuses. Contemporary forms of violence, more subtle and harmful, such as trafficking in women and smuggling exploitation of women have also been introduced into the scope of the fight, while developing appropriate strategies to this issue.

**778-** The different approaches against violence included the consolidation of the legal and institutional framework, the adoption of policies and programmes, preventive measures, repressive measures against perpetrators of violence and recovery measures for victims.

### **§1: Strengthening the Legal and Institutional Framework**

**779-** Beside the Fundamental law, the legal framework for the protection of women against abuse of their dignity and physical integrity was consolidated with the adoption in 2016 of law No. 2016/7 of 12 July 2016 relating to the Penal Code. The advantage of this Code is that it introduced new sanctions to violence against women. Thus, attacks against the physical or moral integrity of women could invite sanctions as existed before in cases of murder (Section 275), capital murder (Section 276), grievous harm (Section 277), torture (Section 277-3), assault occasioning death (Section 278), assault occasioning grievous harm (Section 279), simple harm (Section 280) and slight harm (section 281). As for sexual violence against the woman or the girl, Sections 295 and 296 sanction offences of rape while Sections 346 and 347 sanction offences on minors accompanied by sexual intercourse or rape.

**780-** New offences such as female genital mutilations, prevention of growth of an organ<sup>408</sup>, sexual harassment sanctioned by the provisions of sections 277-1, 277-2 and 302-1 of the Penal Code respectively have come to complete the existing provisions meanwhile trafficking in persons and slavery<sup>409</sup> have been included in section 342-1. Eviction of the spouse from the matrimonial home is henceforth punishable by section 358-1 thus protecting the surviving spouse<sup>410</sup> from in-laws as regards property acquired by the couple. Refusal to provide resources for women could be grounds for sanction such as payment of maintenance, survivor's pension and desertion thus allowing the woman to initiate proceedings before a court pursuant to Sections 180, 180-1 and 358 of the Penal Code. Also, discriminatory provisions were removed from the Code. As such, section 361 of the PC henceforth punishes without distinction and with the same sanctions, adultery by both the woman and the man. Moreover, pursuant to section 297, subsequent marriage between the offender in case of rape and the victim shall no longer have an effect on prosecution and conviction. The PC in sanctioning early marriage in Section 356 (2) eliminates disparities and harmonises the age below which a girl or boy cannot be given to marriage, that is not before 18 years.

**781-** At the institutional level, one of the 6 thrusts of the NGP concerns promoting the right to a healthy socio-economic environment for the respect of women's rights. One of the results indicators from the implementation of the Multisector Plan of Action is the reduction of the rate of prevalence of gender based violence by involving community leaders, increasing the number of centres receiving victims of violence and increasing the number of civil servants trained.

## **§2: Policies to combat violence against women and girls.**

**782-** A national strategy to combat gender based violence (GBV) was developed in 2012 while the National Plan of Action to eliminate Female Genital Mutilations continued to serve as the guiding principle for the fight against this scourge which still has a low prevalence rate in Cameroon. Both strategic documents were updated in 2016.

**783-** In 2017, a study was carried out on gender based violence in Cameroon revealed that the prevalence rate of FGM was about 1.4% across the country and 20% in high prevalence areas (Far North and South West Regions). The goal of this study was to adjust national response and make it more efficient.

**784-** The activity was double faceted: prevention and protection.

### **A: Preventive Measures**

**785-** In order to prevent violence against women, several measures were adopted including awareness-raising and advocacy campaigns, distribution of legal instruments and training of several actors.

**786-** Campaigns were organised during ordinary periods and during the commemoration of international days set aside for women, widows and young girls such as the campaign "*16 days of activism to combat violence against women*". On the occasion of the 9<sup>th</sup> edition of this campaign, the Minister of Women's Empowerment and the Family published a letter in the daily newspaper *Cameroon Tribune*<sup>411</sup>, to sensitise families and appeal to the conscience of all on "*the dehumanising and unbearable nature of several forms of violence against women and girls in their families and socio-professional environments*".

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<sup>408</sup>This includes breast ironing.

<sup>409</sup> This offence was sanctioned by provisions of law No. 2011/24 of 14 December 2011 relating to the fight against trafficking and slavery of persons.

<sup>410</sup>Widows are actually the most exposed to this.

<sup>411</sup>Publication of 4 December 2015.

**787-** In 2013, a total of 12 789 persons, including 75 community leaders, were educated on violence in 2014, 2 advocacy sessions were held before parliament by the Minister in charge of gender issues. In 2015, legal instruments on the protection of women's rights were disseminated in parliament, to associations, schools, universities and 703 community leaders. In addition, several sessions were organised in 2016 and 2018 to popularise the Penal Code, particularly the provisions on the protection of women, children and the family. These sessions impacted on over 9,000,000 persons and families. A compilation of texts on the protection of girls against violence was translated into *fulfude* in a bid to influence as many persons as possible in the Far North Region.

**788-** A Compilation of text protecting girls against girls was translated into fulfuldè in order to reach a large number of people in the Far North Region.

**789-** In terms of training, it impacted advocates of non-violence against women notably judicial and legal officers, police officers, medical and public health personnel and social workers. Launched in 2015, the capacity building project for police officers on the protection of women and children against gender based violence in humanitarian context carried out by the General Delegation of National Security (DGSN) with the support of UN Women helped train 450 police officers working in the Far North, Adamaoua and East Regions. Following these workshops 4 *Gender desks* were set up in 2017; 2 in Maroua, 1 in Kousséri and 1 in Mora. A course on violence against women was incorporated in the initial training at the national police school.

**790-** Moreover, some 30 stakeholders of the criminal justice system working within the jurisdictions of the Littoral and South West Courts of Appeal as well as social workers were drilled on the protection of women against Gender-Based Violence (GBV) during a training seminar organised in Douala from 28 to 30 August 2017 to discuss protection against attacks on the right to life and on physical and moral integrity of persons.

**791-** Similarly, the capacities of Judicial and Legal Officers (30) and officials of the Department for Civil Protection at MINAT (15) were strengthened on GBV in humanitarian contexts during three workshops held in December 2017 in Mbalmayo (2) and Maroua (1).

**792-** These actions were carried out with the support of Civil Society Organizations.

**793-** Thus, within the framework of the Project « Building a Community Level Agenda to End Violence against Women and Girls in Cameroon <sup>412</sup>» executed by the Martin Luther King Jr. Memorial Foundation (LUKMEF) and the International Federation of Female Lawyers (FIDA)- Cameroon in 2017 and 2018 carried out a series of activities on the elimination of violence against women. In this connection, key provisions of national laws and international treaties relating to the prevention of Violence Against Women (VAW) were translated into 11 local languages<sup>413</sup>. FIDA also organised media and community awareness campaigns on VAW as a Human Rights violation and through posters, pamphlets and awareness walks provided information to the public on available services that handle cases of VAW. It further recruited over 2000 men and boys as activists on ending VAW through the *HeforShe* campaign and on 17 May 2018 in Buea, it trained 30 leaders of civil society platforms as trainer of trainers to end VAW. These leaders in turn trained 133 peer leaders.

**794-** Furthermore, platforms for collaboration were created between Government and Civil Society Organisations such as the Council of Imams and Muslim Dignitaries of Cameroon (CIDIMUC) and the International Circle for the Promotion of Creation (CIPCRE) in order to intensify sensitisation among the population and with the support of the French Embassy and some Agencies of the United Nations System.

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<sup>412</sup>United Nations Trust Fund to end Violence against Women

<sup>413</sup>Moghamo, Awing, Ngemba (North West Region), Kenyang, Oroko (South West Region), Bassa, Douala (Littoral Region), Nchang, Fefe (West Region), Ewondo (Centre Region), and Fufude (East Region)

## **B: Crackdown on Acts of Violence against Women and Girls**

**795-** The crackdown on perpetrators of violence against women and girls resulted in investigations and prosecutions in cases of denunciations, while those found guilty were sanctioned.

**796-** Statistics collected from the courts between 2013 and 2015 reveal that 479 cases of rape were prosecuted. In 2016, the number of sentences was 153 for 264 prosecutions compared to 146 for 309 prosecutions in 2017.

**797-** In 2015, approximately 35 women were victims of grievous harm, 252 of simple harm and 492 of slight harm, while in 2016, the following offences were reported with female victims: capital murder (39 women); assault occasioning death (22 women and 6 girls), grievous harm (46); trafficking in persons and slavery (7).

**798-** However, one of the major challenges in combating violence is the socio-cultural burden and the silence of victims who are very reluctant to report cases of violence. This situation is a hindrance to judicial response.

## **C: Rehabilitation for Female Survivors of Violence**

**799-** To provide holistic support to female survivors of violence, a Guide for the management of victims of gender based violence was drafted in 2016 to serve as a guideline on care and referral for various service providers.

**800-** In order to support survivors, 7 *Call Centres* were opened across the national territory to receive, counsel, manage or guide victims of GBV. In addition, 4 *Gender Desks* were created in humanitarian areas within police stations for a gender responsive approach to handling cases of violence against women. In 2016, about 1,574 women were received in these facilities compared to 1, 677 in 2017.

**801-** Moreover, other services were offered to victims for example counselling sessions and legal clinics run by some civil society organizations to provide legal aid to victims. The Cameroonian Association of Female Jurists (ACAFEJ) received 478 women in 2013 in its various branches, provided free legal aid to 44 of them and initiated 29 proceedings in court.

**802-** Domestic and marital violence were considered through the organisation of marriage and family counselling and therapy sessions. In 2013 for example, 5 709 cases were followed up by the competent services and this resulted in 1 935 marriage counselling sessions, 692 family counselling sessions and 243 marriage therapy.

**803-** To consolidate these proposals in favour of female survivors, Government, with support from the United Nations System, organised a workshop from 24 to 27 July 2018 in Yaounde to present and enrich the *Essential Services Package* to support women and girls. These services include health, legal and security services, social services and coordination governance.

## **Section 3: Rights Relating to Marriage (Article 6-7)**

**804-** Legislative and institutional measures based on the principle of gender equality were instituted before, during and after marriage. Thus, marriage and divorce are governed by the Civil Code and by Ordinance No. 81/2 of 29 June 1981 to organize civil status registration.

### **§1: Minimum Age for Marriage**

**805-** The age for marriage is determined in Section 52 of the afore-mentioned 1981 Ordinance which holds that the minimum age for marriage is 15 years for girls and 18 years for boys. In

any event, the validity of such marriage depends on consent given by the spouses to be and the parents of the minor spouse when celebrating the marriage.

**806-** In view of harmonising the minimum age for marriage under Cameroon law, Section 356 of the Penal Code has reserved sanctions against whoever gives into marriage a person under 18 years without distinction as to sex.

## **§2: Registration of Marriage and the Impact on Property, Nationality and Name (Article 6 (e) to (j))**

### **A: Registration of Marriage**

**807-** The celebration of marriage is governed by provisions of the 1981 Ordinance. *A marriage shall be celebrated by a civil status registrar of the place of birth or residence of one of the spouses to be, shall be duly registered and mention shall be made in the margin of the birth certificate of each of the spouses.* To take precautions against the situation of customary marriages which place women in a position of legal insecurity, Section 81 of the 1981 Ordinance provides that such marriages shall be recorded in the civil status registers. To encourage couples to make their unions official, a policy of collective celebration of marriage has been implemented. Between 2013 and 2017, over 10,552 marriages were celebrated in this manner.

### **B: Impact of Marriage on Property, Nationality and Name of Married Women.**

#### **1: Protecting the property of the married woman**

**808-** The system of managing the property of a married woman depends on the matrimonial regime under which the marriage was celebrated. Indeed, according to the Civil Code applicable in this case, a woman can be married under the joint property, separate property or dowry regime. However, the spouses always avoid choosing a regime and consequently their property is governed by the legal system, that is, that of joint property and acquiescence as provided for in Sections 1441 and following of the Civil Code.

**809-** If the woman solely administers the property she has acquired with funds from her activities, joint property is administered and managed by the husband. In order to protect the married woman from possible misconduct of her spouse, the Civil Code provides in its Section 2121 that *the rights and claims to which the legal mortgage is granted are those of married women over their husbands' property...* The married woman under joint property however benefits from a legal mortgage on her husband's property.

**810-** This system of protection is supplemented by the legal warranty for women. Indeed, in order to protect their rights, some women ask the judge to grant them authority to register a legal mortgage on immovable property acquired in marriage (Dame **Mensa Gozo**, Ruling No. 1109 of 15 November 2017 by the President CFI Dla-Bonanjo to authorise the applicant to register a legal mortgage on an immovable property acquired in marriage and belonging to the spouses).

**811-** Others opt for the original method of diverting seized assets pursuant to Article 299 of the OHADA Uniform Act on enforcement proceedings and demand registration of a judicial prior entry as was the case in Dame **Ngobo Mbella** spouse **Ndedi Felicite**, Ruling No. 1270 of 22 March 2018 by the President CFI Dla-Bonanjo.

**812-** Finally, legal protection also extends to joint immovable property of the spouses managed by the husband. Thus, the sale of real estate property by the husband without the knowledge of the wife was cancelled by the Judge pursuant to the provisions of Article 15 CEDAW, as the following examples illustrate. The Wouri High Court has had to declare null

and void a land sale made on joint property without the consent of the wife, based on the provisions of Article 15 of this convention. The Judge considers: *that the sale of a joint property by a man without the consent of his wife is a violation of the aforementioned supranational provisions* (HC Wouri, Judgement No.281/Com of 15 June 2017, case between **NOUTEPING née NOUBISSIE Julienne** vs **Mr NOUTEPING Jean-Marie**, the *Société Coopérative Mutuelle d'Epargne et de Crédit* (COMECI SA).

## **2: Nationality of the Married Woman**

**813-** Concerning nationality, law No. 68/LF/3 of 11 June 1968 to set up the Cameroon Nationality Code, in its Section 32, states that *a Cameroon woman marrying a foreigner shall retain her Cameroon nationality unless she expressly renounces it at the moment of celebration of the marriage*. However, this declaration shall only be valid when the wife, by application of her husband's national laws, acquires his nationality.

**814-** Also, the foreign woman who marries a Cameroonian man, has the liberty at the time of celebrating the marriage, pursuant to the provisions of Section 18 of the Nationality Code, to declare that she wishes to acquire Cameroon nationality or not if she wants to retain her nationality of origin.

## **3: The Name of the Married Woman**

**815-** Regarding the name of the married woman, law No. 69-LF-63 of 14 July 1969 regulates the use of names, surnames and nicknames and demands that the name be borne as written in the birth certificate. In the practice and logic of the Maputo Protocol, women chose either the format by law, or the addition of their husband's name to theirs or to bear their husband's name. It is a personal decision.

### **§ 3: Protecting Women in Polygamous Marriages (Article 6 (c))**

**816-** Polygamy is legal. The 1981 Ordinance on civil status considers it one of the matrimonial systems spouses can choose when celebrating their marriage. However, the lawmaker has not clearly outlined the regime specific to this matrimonial system and so the Judge has the responsibility to build praetorian rules in favour of the woman in case of dissolution of the marriage.

### **§4: Protecting Women during Separation, Divorce and Annulment of Marriage (Article 7)**

**817-** In order to protect women's patrimonial as well as extra patrimonial rights and interests in case of legal separation, divorce or annulment of marriage, legal provisions in the Civil Code and 1981 Ordinance mentioned above have been supplemented by a Judge's decision in order to guarantee the effectiveness of these rights.

#### **A: Protecting the Woman in case of Annulment of Marriage**

**818-** The procedure for annulment of marriage is governed by the Civil Code and is subject to non-respect of substantial conditions of the celebration of marriage, such as expressing consent, death of one spouse or in case of bigamy. Whatever the case, when the wife is of good faith, the effects of the annulment will run from the date of the decision as is in divorce cases.

#### **B: Protecting the Woman in Case of Divorce**

**819-** Pursuant to the provisions of Article 77 of the 1981 Ordinance, *"in the event of death of one of the spouses or of legally pronounced divorce, the marriage shall be dissolved"*.

**820-** Given that divorce is a result of an offence under Cameroon law, protection of the wife has been characterised by the preservation of her patrimonial interests and protection of children before the courts. Hence, alimony could be granted where necessary for a woman without revenue.

**821-** Where a marriage is dissolved due to divorce, the judges make sure the patrimonial rights of the divorced woman are protected and may order liquidation of their joint property. Some court decisions illustrate this.

**822-** In 2015, over 368 divorce decisions rendered by various courts included the order to liquidate joint property. Moreover, 352 rulings granted alimony to women while 6 men benefited from alimony.<sup>414</sup>

**823-** In 2016, 751 divorce judgements were rendered by the “*Tribunaux de Premier Degré*”<sup>415</sup> (TPD) at the instance of husband compared to 708 at the instance of the wife and 170 at the instance of both husband and wife. Among these, 212 granted alimony to the wife and 23<sup>416</sup> granted to the man. Before the High Courts<sup>417</sup>, 170 judgements were rendered at the instance of the husband, 155<sup>418</sup> at the instance of the wife and 121<sup>419</sup> where the responsibility is shared, with 92<sup>420</sup> granting alimony to the woman compared to 31<sup>421</sup> to the man.

**824-** In 2017, 355<sup>422</sup> cases of liquidation of the matrimonial regime were recorded before the TPD meanwhile 161 cases were recorded before the HCs.

**825-** Overall, it is observed that liquidation of joint property was ordered both before the TPD and the HC and this indicates an increasing approval of the need to protect the matrimonial interests of women in case of dissolution of marriage.

### **C: Protecting the Woman who is separated from her Husband.**

**826-** Legal separation is a procedure which can be initiated by the man or by the woman.

#### **§5: Protecting Children in the Family (Article 6 (i))**

**827-** Protecting children means preserving their interest, above all, within the family. Thus, the woman abandoned by her husband can seize the competent court to obtain alimony for the children left to her care and for herself.

**828-** The protection of children in the family is the duty of the parents who are responsible for educating their children. To follow-up this duty, a Department of Promotion and Protection of the Family and the Rights of Children was created at the Ministry of Women’s Empowerment and the Family. Moreover, community engagement activities on the respect of children’s rights were organised in the country.

**829-** A mechanism to support and assist poor and needy persons and families was put in place under the said Ministry. This mechanism which involves diverse offers in favour of vulnerable families, aims at providing them with financial support in all sectors of education and health, training and setting up income generating activities and preparing layette.

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<sup>414</sup> These statistics are a reflection of trends in jurisprudence in trial and Appellate Courts excluding the Supreme Court.

<sup>415</sup> These are trial courts where the customs of the parties are applicable. They are organised by decree No. 69/Df/544 of 19 December 1969.

<sup>416</sup> Source Minjustice

<sup>417</sup> These are modern law courts where written law is applicable and organised by Law No. 2006/15 of 20 December 2006 on Judicial Organisation.

<sup>418</sup> Source Minjustice.

<sup>419</sup> Source Minjustice.

<sup>420</sup> Source Minjustice.

<sup>421</sup> Source Minjustice.

<sup>422</sup> Source Minjustice

Moreover, Section 358 of the PC protects the family by sanctioning the spouse who, by abandoning the home, escapes from their duties, be they physical or moral towards their spouse or their child or children.

**830-** Thus, from 2013 to 2018, every year, Government allocated the sum of CFAF 60 000 000<sup>423</sup> for school assistance and funding of income-generating activities.

#### **Section 4: The Right to Health (See the right to health in the first part of the Report)**

**831(bis)-** The Health Sector Strategy of Cameroon as mentioned-above (§ 245 et al.) has as aim to facilitate access of women to health care among others as earlier indicated

#### **Section 5: Economic, Social and Cultural Rights and Social Protection**

**832-** The promotion of women's economic rights now includes guaranteeing access to employment, food security, housing and a positive cultural environment

##### **Sub-Section 1: Access to Employment for Women**

**833-** The promotion of equal chances and opportunities for women and men in economics and employment is one of the strategic thrusts of the NGP. The goal being to achieve specific objectives of curbing the rate of poverty among women from 40.2 to 28%, giving women access to means of production, even in rural areas, reducing inequalities in terms of employment and vocational training and building entrepreneurial capacities in women. To make these opportunities a reality for women, guarantees of access to employment have been provided and an enabling environment for women's economic activities has been created. The preservation of the family setting together with the economic advancement of women has not been left aside.

##### **§1: Guaranteeing Access to Employment**

**834-** Women have been successfully included in the public and private sectors and their rights have been protected thanks to a regulatory framework based on the principle of equal access to employment.

##### **A: Regulatory Framework for the Promotion of Access to Employment for Women**

**835-** Besides the Constitution, principles of equality and non-discrimination in access to employment have been outlined in the General Rules and Regulations of the Public Service, and Rules and Regulations governing some particular corps such as the Rules and Regulations governing the Judicial and Legal Services, Rules and Regulations governing the corps of police, Court registrars and the military. These Rules and Regulations guarantee the same right for women and men in terms of access to employment and management of careers (access to Public service, remuneration, leave, advancement, promotion, etc.). The 1992 labour Code, on its part, recognises the right to work for both women and men. The only prerequisite to be employed is professional qualification.

**836-** Regarding equal pay between men and women, Cameroon ratified Convention No. 100 of the ILO which advocates the principle of equal remuneration for men and women workers for work of equal value. This principle is manifested internally in equal treatment of wages with no distinction as to sex such that for equal competence, the wage is the same for men and women. However, according to statistics, there are still disparities in the private sector and the courts and collective agreements signed are working hard against this. As such, certain

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<sup>423</sup>About 91,603, 053 Euros.



collective agreements have created a suitable environment for women to do night jobs. This is the case with collective agreements in the medical field.

**837-** As for the recognition of the value of domestic work done by women, domestic work is governed by Decree No. 68/253 of 10 July 1968, amended by Decree No. 76/162 of 22 April 1976 to lay down the general conditions for employing domestic servants and housekeepers.

## **B: Effective Access to Employment for Women**

**838-** Efforts have been made to effectively guarantee the right to equal access to employment for women in both the public and private sectors.

### **1: In the Public Sector**

**839-** Thanks to recruitments respecting the criteria of equality, equity and non-discrimination, many women have been able to find jobs in the Public Service. Proof of this is the results of the various competitive entrance examinations into the Public Service.

**840-** In 2015, the following figures were obtained for the various competitive entrance examinations: Competitive entrance into Training Schools (Men: 227, Women: 135); Competitive entrance for direct Recruitment (Men: 583, Women: 426); Competitive entrance for Professionals (Men: 1102, Women: 499), that is, a total of 2 972 persons with 1912 men and 1060 women.

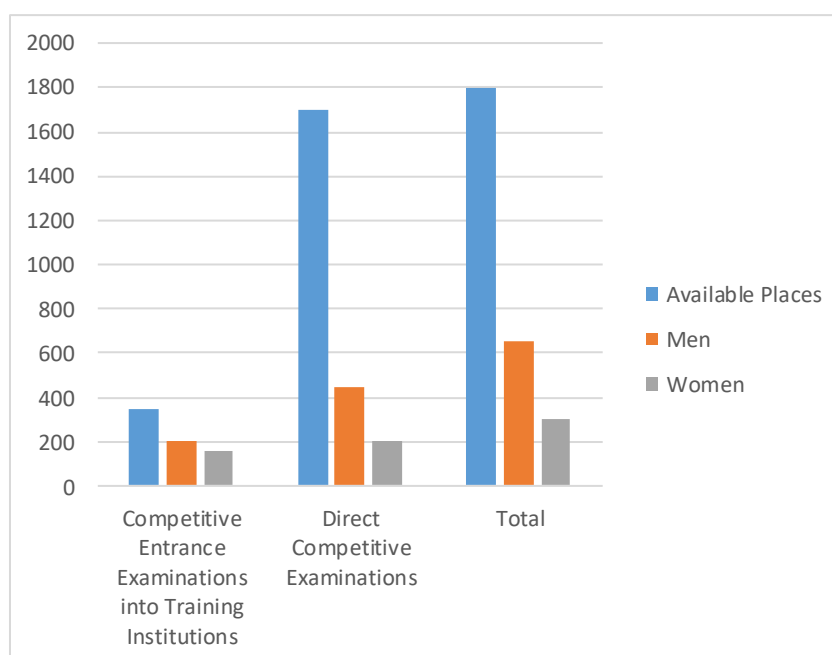
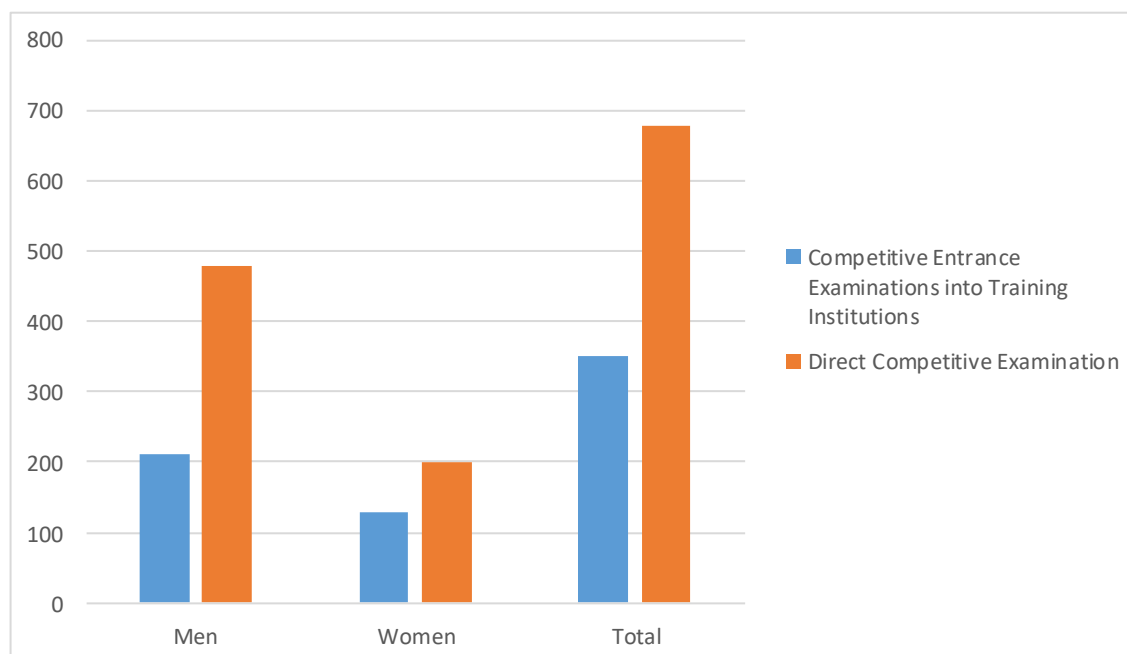
**841-** The recruitments in 2016 either by competitive entrance into training schools or for professionals led to the employment of 1 000 persons out of 1 815 positions offered in the Public Service. The table below illustrates the workforce absorbed or not:

**Table No. 14: Statistics of successful candidates of administrative competitive entrance examinations in 2016**

Nature of the competitive entrance examination	Number of positions offered	Number of persons recruited	Sex		Positions not filled
			Men	Women	
Competitive entrance into training schools	340	340	220	120	0
Competitive entrance for direct recruitment	1,475	660	456	204	795
<b>GRAND TOTAL</b>	<b>1,815</b>	<b>1,000</b>	<b>676</b>	<b>324</b>	<b>795</b>

**Source:** MINFOPRA

**Chart No. 5: Number of persons recruited in 2016**



**Chart No.6: Proportion of persons recruited according to sex in 2016**

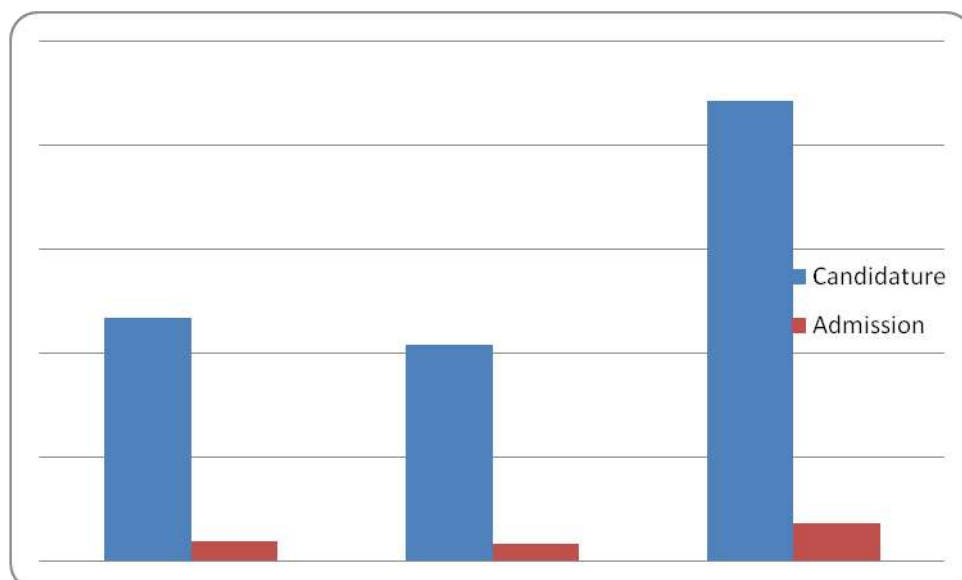
**842-** In addition to the afore-mentioned competitive entrance examinations, MINFOPRA employed 3 307 contract workers in 2016. In 2017, following the criteria of merit and equity, various competitive entrance examinations into the Public Service<sup>424</sup> led to the recruitment of 1,773 Cameroonians of diverse works of life out of 22,140 candidates for 1,906 positions advertised while respecting regional balance, thus a coverage rate of 93%.

**843-** So many women sat for the competitive entrance examinations in 2017. For instance, 10 426 female candidates were registered against 1,1714 male candidates, that is a 47% and 53% rate respectively. The results revealed a lower rate of admission for women compared to men, that is, 46% against 54% with 818 women and 955 men out of 1,773 persons admitted.

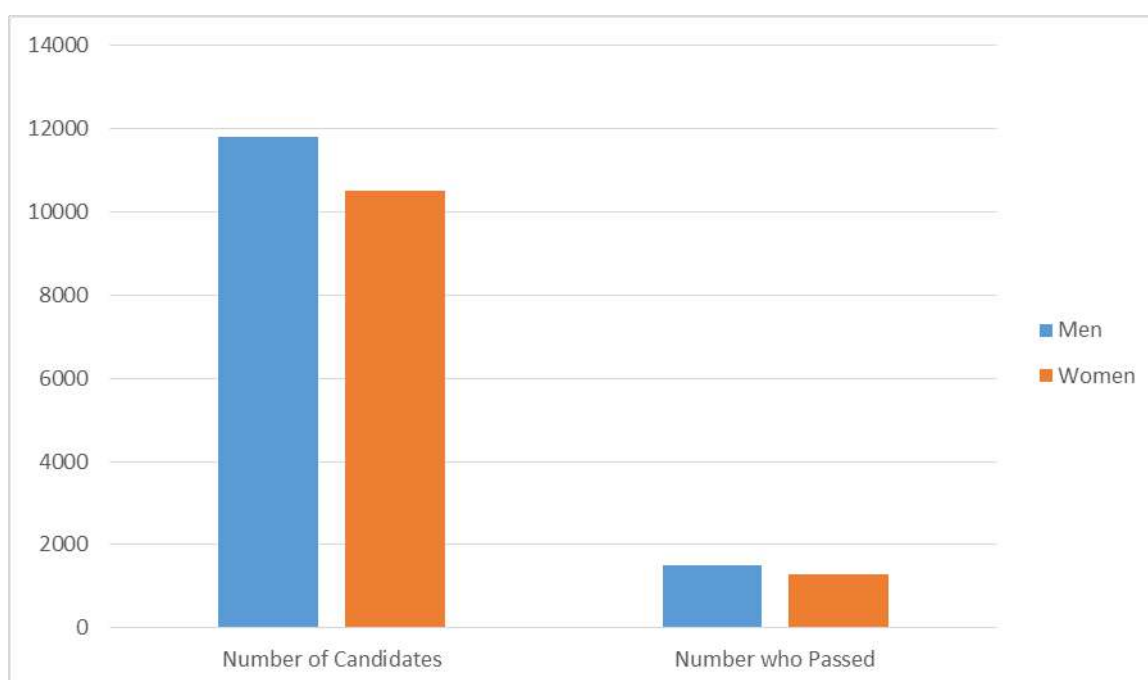
**Table No. 15: Total Number of candidates at competitive entrance examinations in 2017**

<sup>424</sup>67 Directly recruited, 15 admitted into training schools and 3 through selection tests.

Description	Men	Women	Total	Percentage of men (%)	Percentage of women (%)
Candidates registered	11714	10426	22140	53	47
Successful candidates	955	818	1773	54	46



**Chart No. 7:** Total Number of candidates at competitive entrance examinations in 2017



**Chart No. 8:** Total Number of candidates at competitive entrance examinations in 2017 (ratio of women to men)

## 2: In the Private Sector

**844-** Law No. 2013/4 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon led to the creation of 4 610 jobs in 2014 and 19 594 jobs in 2015. Moreover, it was observed that 28 368 jobs were created in 2016 while 473 303 new jobs were created by 31 December 2017. In this case, women occupy one third of the number of jobs created every year, which is over 6 000 positions occupied.

**845-** The 1968 Decree amended in 1976 on the employment of domestic workers and other housekeepers protects them without any distinction as to sex.

**846-** Similarly, the Circular<sup>425</sup> of the Prime Minister, Head of Government signed on 13 June 2012 fixing national workforce quotas by occupational category, of up to 50% at least for management positions, 60% at least for supervisory positions and 85% at least for executing agents. This allows young people seeking professional integration to be well represented in all foreign capital investment projects. It can therefore be observed that women occupy at least 30% of positions available in every field of activity.

### **C: Protecting Women's Rights at Work**

**847-** The protection of women's rights at work is seen through measures taken to protect various rights and protect against gender based violence at the workplace.

#### **1: Measures to Protect Women's Rights**

**848-** The fundamental rights of the Cameroonian woman are protected in the course of their employment. In addition to the various rights recognized for all workers by the labour Code, Chapter III of the said Code talks about the work of women and youths. Thus, Order No. 18/MTLS/DERGE of 27 May 1969 on the work of women by the Minister in charge of labour fixes the nature and list of jobs prohibited for women and pregnant women respectively.

**849-** Article 84 gives every woman whose pregnancy has been medically diagnosed, the liberty to rescind her contract without prior notice and without being liable to pay compensation. Women are also entitled to a maternity leave of 14 weeks, which begins 4 weeks before the expected date of delivery and could extend to 6 weeks in case of a duly ascertained illness caused by the pregnancy or childbirth. For the duration of the leave, the woman's employment contract cannot be terminated by her employer. She retains her right to in-kind benefits and receives a daily allowance equal to her actual salary. Over a period of 15 months from the date of delivery of the child, she is entitled to breastfeeding breaks. The courts sanction employers who violate these provisions aimed at protecting women.

#### **2: Protection against Gender based Violence at the Workplace**

**850-** The fight against sexual harassment is a means of protecting against exploitation.

##### **a: Protection against Sexual Harassment**

**851-** To combat sexual harassment, even in the workplace, the Penal Code sanctions this practice in Section 302-1. The sanction is more severe if the victim is a minor.

##### **b: The Fight against Exploitation or the use of Women for Pornographic Publicity or one Degrading their Dignity.**

**852-** Through the Ministry of Employment and Vocational Training (MINEFOP), Government seeks to reorganize the activities of temporary employment companies, which mainly use women and in particular girls. Thus, in 2016, 63 temporary employment companies and 9 job placement offices were suspended.

**853-** Regarding progress made in combating the exploitation of women through trafficking in persons and slavery, see above (§ 43 et al).

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<sup>425</sup>Circular No. 5/PM of 13 June 2012 on the general rules applicable to foreign investment.

## **§2: Creating a Suitable Platform for Economic Empowerment of Women**

**854-** In order to create a suitable platform for economic empowerment of women, a study was carried out on the state of affairs of female entrepreneurship in Cameroon in 2016 with the aim to draw up a National Policy of Female Entrepreneurship. The No. 1 priority of this policy is to increase opportunities for decent employment and income-generating activities for women. While waiting for this policy to be adopted, a National Action Plan for the Development of Female Entrepreneurship (PANDEF 2017-2020) was designed with the support of ILO in view of creating suitable conditions for the development of female entrepreneurship.

### **A: Development of Female Entrepreneurship**

**855-** To promote female entrepreneurship, Government raised funds from partners to implement PANDEF. The goal was to launch programmes aimed at strengthening managerial capacities of female managers or work with partners to mainstream gender in programmes and projects with an entrepreneurial dimension.

**856-** In this light, the Support Programme for the Promotion of female Entrepreneurship (PAPEF) which seeks to grant women access to financial services at affordable costs moved to the final phase in 2017 with the signing of a loan agreement of CFAF7,000,000,000 between the Government and the Development Bank of the Central African States. Moreover, the Project Gender and Economic Empowerment of Women under the Support programme in the transport sector, phase I: Development of the road Batchenga-Ntui-Yoko-Lena began since 2014. It includes specific support to various entrepreneurial activities of women and dwells on aspects such as capacity building, provision of agro-pastoral kits to female cooperatives.

**857-** Activities on gender mainstreaming involved the development of aspects which bring added value to women's activities within projects. To this effect, there was the launching by the Norms and Standardization Agency (ANOR) in collaboration with *Reseau Normalisation et Franchophonie* of activities of the "Women and Standardization" Project and the *Women and Standardization National Unit in Cameroon* (CNFN-Cam) to sensitize women on the importance of standards and quality.

**858** Also, there was the promotion of female migration from the informal sector where they are the more important in number<sup>426</sup> to the formal economy through support for the creation of cooperatives. A joint project between ILO and Interpatronal Group of Cameroon the Cameroon Association of Employers (GICAM) to the tune of 180,000,000 FCFA<sup>427</sup> was launched in Douala in October 2016, to train 300 women in « *Business Management Skills* » and supervise female managers.

**859-** Government took appropriate measures to guarantee equality between women and men in terms of taxation. There is no disparity in the charging of taxes on the wages of women and men. The Public Contract's Code makes no distinction between a male and a female contracting party when it comes to paying taxes. For example, payment of Value Added Tax is a general and impersonal. The same goes for the Law on the financial regime of the State.

### **B: Promoting and Supporting Jobs and Economic Activities of Women**

**860-** Various axes of economic empowerment of women were structured around capacity building, appraisal and management of female know-how including their domestic functions, support to create income generating activities especially in the agricultural sector. To follow-

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<sup>426</sup>EDS MICS 5 revealed that 34% of women were working in the agricultural sector against 66% in the non agricultural sector, with variables depending on rural (57%) or urban area.

<sup>427</sup>That is, 274 809, 17 Euro.

up implementation of these axes, a Department for Economic Empowerment of Women was created at the Ministry of Women's Empowerment and the Family to manage the productive capacity of women.

**861-** On capacity building for women, the strategy sought to develop local professional training institutions across the national territory to guarantee the training of women in different fields in order to create jobs. These are Women Empowerment and the Family Centres (CPFF), Centres for Appropriate Technologies, home workshops and the Rural Crafts/Household Sections (SAR/SM) which provide room for social recovery and professional placement of women and young girls including those who dropped out of the formal system of education. There are 77 CPFF training women in hotel management, catering, handicrafts and quite recently in Information and Communication Technologies. Between 2013 and 2017, 69,163 women were trained in the 94 Centres.

**862-** In 2018, 19 752 girls and women were trained in the said Centres. Some of them received support to set up their own businesses. Other initiatives in terms of professional training and job creation helped the youth including women. These are multimedia centres, functional literacy centres and programmes such as the Urban and Rural Youths Support programme (PAJER-U), Multifunctional Youth Empowerment Centre (CMPJ), Project for the Socio-Economic Insertion of Youths for the creation of micro enterprises in the manufacture of Sports equipment (PIFMAS). Furthermore, to bring the Cameroonian woman up to modern times, a training dubbed operation train 100,000 rural and urban women in Information and Communication Technologies by 2012 was organised under the supervision of the African Institute of Computer Sciences (IAI) and which ended on 6 December 2013 with a total of 103,350 graduates.

**863-** Support was also offered to women to enable them build or develop income generating activities. This support was specifically geared towards the agricultural and informal sectors, given the high number of women in these sectors. Thus, the National Employment Fund trained resellers in small-scale management and provided them with funds as loans to set up their business<sup>428</sup>. Thanks to the project “5 by 20” COCA COLA launched in 2017 with the support of UN Women, 500 trained women received socio-economic insertion kits. To reduce the difficulty of farming, rural women on their part received small farm equipment and also training in techniques of production, transformation, conservation and sale of agro-pastoral produce. In 2017, **275** rural female organisations received Government support in terms of agricultural equipment compared to 199 in 2018.

**864-** A gender sensitive market was constructed in Kye-Ossi in 2015 with toilets having separate cabinets for men and women and also day care centres. In addition, 49 micro-projects led by women (that is 34.26%) among the 143 micro development projects<sup>429</sup> have been given financial support to the tune of CFAF650,000,000<sup>430</sup> granted to social economy organisations.

**865-** However, female expertise was valued in sectors such as sports (football, basketball and volley ball), cinema, in agriculture. On this last point, and considering the economic gain of food crops, women were encouraged to invest in industrial farming such as of coffee and cocoa through incentives like access to credit and to land. In 2015, the different festivals

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<sup>428</sup>About sixty resellers under Yaounde VI Division received 2 days of training in small-scale management and then a loan of CFAF 3 200 000 to set up their small business thanks to a capacity building programme for resellers (BayamSellam) by the National Employment Fund (NEF). Similarly, 8 training workshops were organised on financial education and management of income generating activities on the road segment Batchenga–Ntui–Yoko–Lena in favour of 416 women within the framework of the afore-mentioned programme.

<sup>429</sup> The sectors concerned were agriculture, agri-food processing, animal rearing and small scale industry.

<sup>430</sup> In 2016, the envelop was CFAF 605 000 000.

organised to promote these two sectors highlighted the role of the woman as an actor of development in these sectors<sup>431</sup>.

## **C: Social Welfare for Women Working in the Informal Sector**

**866-** According to Decree No. 2014/2377/PM of 13 August 2014 to lay down the terms and conditions of support for voluntary insured persons to old age, invalidity and death pension insurance scheme, Government committed to extend social coverage to as many persons as possible including freelance workers and those in the informal sector. Every year, the NSIF in charge of implementing voluntary insurance organises awareness raising campaigns for voluntary insured persons of the informal sector particularly women, business persons and moto-bike riders.

## **§3: Protecting the Family and the Child**

**867-** The equal rights of spouses to family obligations was reflected in the spouses' family responsibilities. The protection of children against abuse at the workplace is part of the concern to preserve the social fabric.

## **A: Fight against Child Labour, including the Girl Child**

**868-** Child protection has been enforced by determining the minimum age for child labour and also fighting against child labour.

### **1: Determining the Minimum Age for Child Labour**

**869-** As a Party to the United Nations Convention on the Rights of the Child (1989, ratified on 11 January 1993) and two ILO Conventions on child labour which are Convention 138, the Minimum Age Convention (1973, ratified in 2001) and Convention 182, the Worst Forms of Child Labour Convention (1999, ratified in 2002), Cameroon has a legal framework which defines the minimum age for employment, an official tool to protect the child with regards to work and against the worst forms of child labour.

**870-** Section 86 of the Labour Code sets the minimum age for work at 14 years and provides that pursuant to Convention 138, dispensations could be allowed to go beneath this age. In application of the Labour Code, Order No. 17/MTLS/DEGREE of 27 May 1969 relating to child labour governs this sector. Summarily, it emerges that some forms of work are prohibited to children and when children are employed, particular measures should be applied to them.

**871-** When the child is above 14 years and is doing an authorised job, he is covered by added protection till he/she turns 18. This protection takes the form of verifying the conformity of the job, increasing the duration of annual leave and adjusting their work time.

### **2: Fight against Child Labour**

**872-** See the First Part, Chapter on the protection of children's rights and the fight against child labour.

## **B: Equal Rights of Spouses to Family Obligations**

**873-** Reconciling their professional and domestic obligations remains a challenge.

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<sup>431</sup>The 4<sup>th</sup> edition of *Festi Cacao* organised by the Ministry of Commerce and the Inter-Professional Cocoa and Coffee Council (CICC) from 3 to 5 December 2015 in Douala and a round table on "The woman, indispensable vector in the cocoa sector" created an opportunity for dialogue on the challenges to overcome.

The 3<sup>rd</sup> edition of *Festi Coffee* 2015 was celebrated in Yaounde under the theme "The Cameroonian Woman in the coffee sector" and it was realised that 50% of coffee producers in Cameroon are women. During this edition, the difficulties faced by the Cameroonian woman in this sector were identified.

## **Measures taken to Recognize the Right for Female Employees to Receive the same Allowances and Benefits as those Granted to Male Employees for the Benefit of their Spouses and Children**

**874-** The laws in force relating to this issue make no distinction between the woman and her employed spouse with regards to the giving of allowances and benefits in favour of their spouses and children. The law gives the man or woman the possibility to initiate the procedure to receive the related family benefits or allowances. It can be said that these instruments are general and impersonal. They are Decree No. 2006/34 of 21 January 2016 bearing on the increase of the amount of family allowances; Decree No. 2016/72 of 15 February 2016 and its annex to fix the rates of social contributions and thresholds for remuneration applicable under various family allowances, insurance for old age, invalidity and death pension, for occupational and diseases managed by NSIF.

### **Sub-Section 2: The Right to Food Security (Art 15)**

**875-** The right to healthy and adequate food is preserved through measures that seek to guarantee women the availability of foodstuff, acceptability and accessibility to food.

#### **§1: Guaranteeing Women's Access to means of Production**

**876-** To enable women, particularly rural women have a means of subsistence and thus be free from hunger, emphasis was laid on granting them access to the main factors of production which are land and means of agricultural production.

##### **A: Granting Women Access to Land**

**877-** The principle of equal access to land served as reference for the allocation of lands. In this light, land titles were issued to women on lands either by direct or indirect registration. Thus, in 2015, 8,712 land titles were issued with 4,783 to women. In 2016, 7,476 land titles were issued with 1,930 to women, that is, 25.81%.

**878-** In 2017, 374 land titles were issued to women by direct registration, 69 through total transfer, 886 by parceling and 6 by change of titles making 1,335 land titles issued to women out of 6,412 total land titles issued.

**879-** However, there are still cultural barriers to women's access to land especially in the rural areas where customs still do not allow women to own land.

##### **B: Women's Access to means of Production**

**880-** Within a context marked by significant participation of women in agricultural activities, Government and its partners multiplied actions that sought to ease farming and make inputs available to improve productivity.

**881-** Gender has been incorporated in development programmes and projects in the agricultural sector. Thus, the main objective of the Rural and Semi-Rural Drinking Water Supply Programme launched in 2013 was to construct water points in rural areas to make this resource available for women. Moreover, Phase II of the Rural Micro-finance Development Support Project launched since 2014 takes gender into consideration by facilitating access to credit for women. In 2016, assessment of the project revealed that 30% of beneficiaries were women in 7 micro-finance institutions.

**882-** The Agricultural Sector Development Support Programme on its part worked to grant credit to female cooperatives. In 2018, CFAF 1,926,988,141<sup>432</sup> was granted out of a forecast

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<sup>432</sup> About 2,941,967 Euros.



of CFAF 2,440,894,768<sup>433</sup>. Between 2013 and 2016, about 2,303 women out of 7,578 beneficiaries received funding under the programme to Support Renovation and Development of Vocational Training in agriculture, husbandry and fishing which are agro-pastoral fields and in setting up a business.

**883-** Besides, subvention agreements under the Agronomic Research Support Programme were signed on 23 December 2013 covering banana, sorghum, management of agrosystems of the North and agroforestry systems, within the Debt Reduction and Development Contract (C2D). Approximately 10 260 rural women received training in 2014 in modern techniques of production, transformation and conservation of agro-pastoral products.

**884-** The evolution of women in the coffee and cocoa cultivation sectors is increasingly encouraged as was the case during the 4<sup>th</sup> Edition of *Festi Cacao* organised by MINCOMMERCE and the Interprofessional Cocoa and Coffee Council (CICC) from 3 to 5 December 2015 in Douala and Yaounde. To this effect, it was revealed that the greatest cocoa exporter in Cameroon was a woman<sup>434</sup>.

**885-** Female organisations received small-scale equipment and agricultural inputs given to them during the commemoration of the day of the rural woman. The 2015 edition was centred on the theme “*Rural Women: access to financial resources in the agri-food sector*” and was an opportunity for showcasing and selling agricultural products.

**886-** Within a context of climate change, 50 rural women were trained in 2014 during a national consultative workshop on programming in respect to the implementation of the Support Programme for Gender, Climate Change and Agriculture. Since then, several other trainings have been organised. In December 2017, a rural woman fair took place in Yaounde under the aegis of MINPROFF in collaboration with UN Women. The aim was to offer rural women a platform and the opportunity to build business partnerships.

## **§2: Guaranteeing Access to Quality Food**

**887-** In an effort to guarantee food quality, the National Committee of *Codex Alimentarius* and Food Safety were established. Some locally produced or imported products were subject to certification in 2015 and 2016, while in 2017, a project on “*Women and standardization*” was set up to create awareness in women regarding the importance of standards and quality, particularly during a workshop organized in Yaounde from 6 to 8 December 2017, with the aim of networking all women's initiatives in Cameroon through a *National Women and Standardization Unit in Cameroon*.

**888-** In a bid to promote the transformation and conservation of agricultural products, women were trained in Centres for the Promotion of Women and the Family (CPWF), while processing equipment were acquired for the communities. Facilities for storage and marketing of agricultural products were equally constructed. A project for the construction of packaging and storage facilities for agricultural products was initiated in June 2015 and subsequently implemented in Kye-Ossi, Foubot and Mbouda during its pilot phase. Moreover, 8 other storage facilities were built in 2017.

### **Sub-section 3: Right to Adequate Housing (article 16)**

**889-** In addition to the information provided in Section 6 of Chapter 3 of Part A of this report, it is worth mentioning that women enjoy the same rights as men in terms of access to housing under various construction programmes. There is no gender discrimination in allocation of social housing and legal security of tenure.

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<sup>433</sup> About 3,726,557 Euros.

<sup>434</sup> She is Mrs Kate Kaniy TOMEDI-FOTSO

**890-** As concerns the marketing of the said houses, they are allotted, regardless of gender, to applicants who meet the loan requirements established by the *Cameroon Housing Fund*. Conditions for access to the social housing scheme are defined by Order No. 9/E/2/MINDUH of 21 August 2008 to fix social housing standards.

**891-** Regarding legal security of tenure, land titles are issued to women in accordance with the law in force as indicated above.

#### **Sub section 4: Right to a Positive Cultural Environment (Article 17)**

**892-** One of the strategic axes for the National Gender Policy Document is the advancement of a socio-cultural environment favourable to the respect of women's rights. Besides criminalizing cultural practices that are harmful to women's development (see§), the Government and its partners have pursued awareness-raising actions geared towards cessation of cultural traditions harmful to women. Thus, specifically regarding FGM, denunciation brigades were established in area with high incidence of FGM concomitantly raising awareness in community leaders. With the support of the civil society, widowhood rites observatories were established in certain localities where such rites are degrading and detrimental to the dignity of women.

#### **Section 6: Right to a Healthy and Sustainable Environment (Article 18)**

**893-** Women, victims of climate change are involved in programmes and projects which aim to guarantee the right to a healthy environment. This particularly includes their participation in drafting the *"Women and Sustainable Energy"* Programme which connects the Network of Locally Elected Women of Africa, Cameroon branch (REFELA-Cam) to its international partners, the Project for ecological latrines in the city of Bangangte, the Project for Enhancement of Population Resilience against Effects of Climate change (REPECC) and the *Green Sahel* Project.

##### **§1. The "Women and Sustainable Energy" Programme**

**894-** To ensure the implementation of Sustainable Development Goal (SDG) No. 5 The *"Women and Sustainable Energy"* Programme aims to establish sustainable electrification solutions through solar energy and step up the project management of the female Mayors of 17 the Cameroon's City Councils through a network approach.

**895-** This network approach allowed for phase 1 of the programme to kick-start with two pilot councils, followed by phase 2 with five more councils, then phase 3 which will include ten other councils. The *Women and Sustainable Energy* Programme includes capacity-building, institutional consolidation and construction of solar energy facilities such as solar street lights and the mini-plant of photovoltaic panels for hybrid electrification systems for the population.

**896-** Partners that support the *Women and Sustainable Energy* Programme include the 7 recipient city councils and international partners. The recipient city councils include: Bangangte and Fokoué (West), Afanloum (Center) Angossas (East), Mayo Oulo (North), Mbengwi (North West) and Mintom (South). They must mobilize a contribution of approximately 10% of the programme's budget allocation for their councils. The contributions of these recipient city councils are allocated by FEICOM.

**897-** As concerns international partners, financial contributions come from: the International Association of Francophone Mayors (AIMF): 300 000 € (CFAF196 800 000); the Veolia Foundation: 150 000 € (CFAF 98 400 000); the Agency for Environment and Energy Management (ADEME): 500 000 (CFAF 328 000 000) acquired through the financial support of the French Ministry for Ecological and Solidarity Transition.

**898-** The International Steering Committee (COPIL) plays the following specific roles:

- monitors the implementation of the programme in general, and makes progress assessment;
- gives key guidelines on the strategy to follow and activities to be undertaken for expansion to 5 more cities;
- makes a schedule of future undertakings; and
- ensures proper exposure of the programme in order to mobilize additional funds for the 3<sup>rd</sup> phase.

**899-** The International Pilot Committee includes local stakeholders (FEICOM, Mayors, project teams and contractors companies) and international technical and financial partners (AIMF, ADEME, *Veolia Environment* Foundation, the international technical assistant).

## **§2: Women's Involvement in the Enhancement of Population Resilience against Effects of Climate Change Programme (REPECC)**

**900-** As part of REPECC covering the 2013-2017 period and the target areas<sup>435</sup>, the involvement of women was seen through the participation of organizations of women producer in agro-pastoral best practice.

## **Section 7: Right to sustainable development, including the right to property, access to land and credit (Article 19)**

**901-** To ensure that women have a place and play a role in public life, Cameroon has established a normative and institutional framework allowing them to enjoy the right to sustainable development, including the right to property, access to land and financing just like men. Material relating to access to land having been discussed above already (§876 et al), information in this section will focus on improvements made from 2013 to 2017 to promote the economic empowerment of women, both in terms of capacity-building (§1) and access to credit by women (§2).

### **§1: Capacity Building of Women**

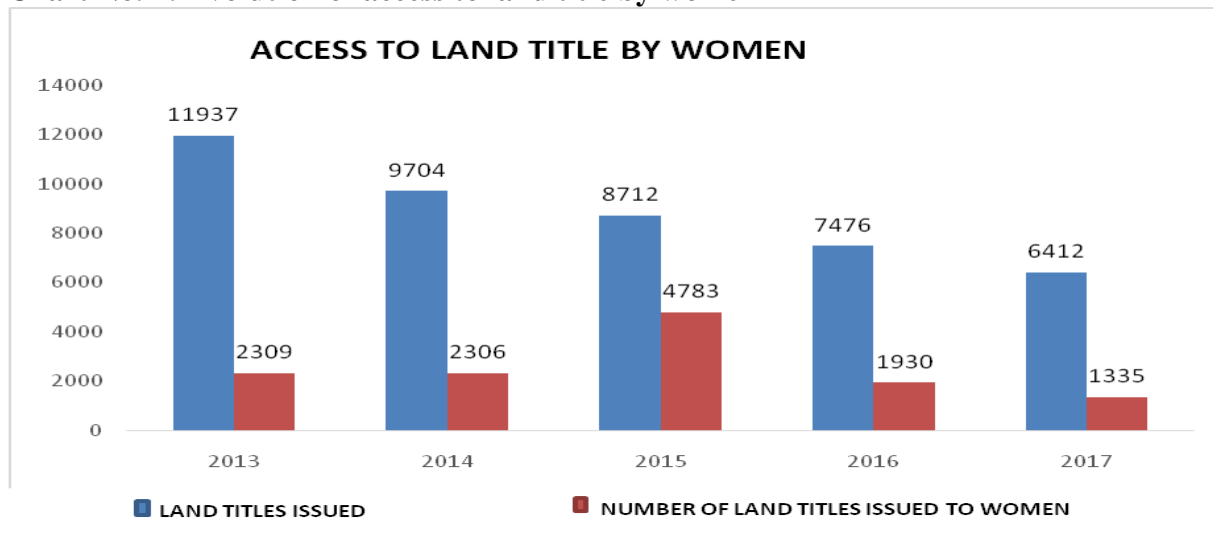
**902-** The financial and economic dependence of women makes them vulnerable and compromises their chances of access to inputs and resources. It is an effort to address these challenges that the capacity building of women was the main concern to several instruments, programmes and was at the core of the establishment of some institutions since 2013.

**903-** In 2016, the Association of Bayam Sellam (Asby), which advocates for the promotion and mentoring of women working in the informal sector, was declared a public utility by Decree No 2016/478 of 22 November 2016, to support the development of income generating activities for women.

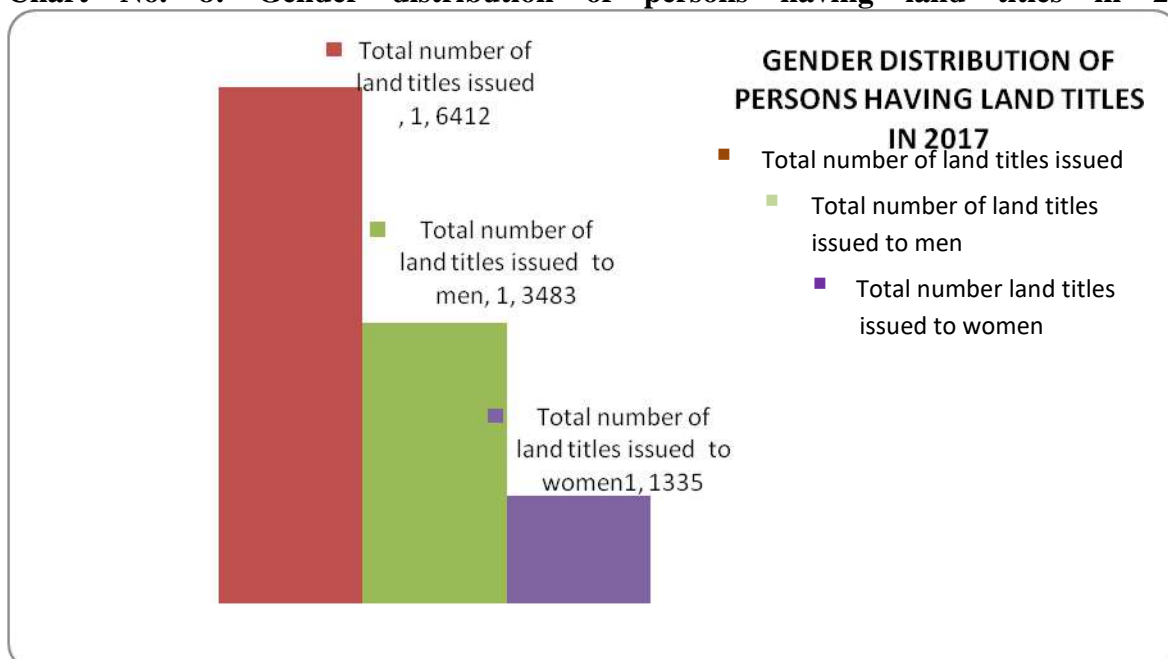
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<sup>435</sup> The REPECC covered the Sudano-Sahelian zone which includes 2 councils in the North Region (Lagdo and Pitoa) and 5 councils in the Far North Region (Moulvoudaye, Touloum, Maga, Darak and Kousseri). This programme was designed to support national and sub-regional interventions through 2 complementary components: preserve ecosystems and improve people's resilience of people against effects of climate change

**Chart No. 7: Evolution of access to land title by women**



**Chart No. 8: Gender distribution of persons having land titles in 2017**



## **§2. Easing Women's Access to Credit**

**904-** Besides the measures mentioned, the easing of women's access to credit is based on the National Inclusive Finance Strategy implemented to enable socially vulnerable women to benefit from financial and non-financial services at low cost.

## **Section 8: Right to Peace (Article 10)**

**§1. Inclusion of Women in Prevention and Peacekeeping Processes (Article 10 (1)) and in all Aspects of Post-Conflict Reconstruction and Rehabilitation (Article 10 (2)).**

**905-** In order to ensure optimal involvement of women in conflict prevention and management, especially in restoration of peace and post-conflict reconstruction, Government in November 2017 adopted the *National Action Plan 1325* and *Related*<sup>436</sup> *UN Security*

<sup>436</sup> Resolution 1325 was adopted on 31 October 2000 by the United Nations Security Council centered on the "Women, Peace and Security" triptych.

*Council Resolutions*<sup>437</sup>. It entails taking account of the disastrous consequences of conflicts and political and military crisis on women and girls, and providing inclusive solutions to the gender dimension.

**906-** Moreover as already noted, the Cameroon branch of the WILPF NGO organized multiple sessions to raise awareness of both public and private stakeholders on the importance of involving women in conflict prevention and management.

**907-** Public lamentations were organized to advocate for the rapid resolution of the crisis in the North-West and South-West Regions and call for an inclusive dialogue. More than 500 women participated in these lamentations that took place in Buea and Bamenda in 2018, echoing the voices of women in the peace-building process.

**908-** Besides adopting this Plan, raising awareness in women and girls on the culture of peace is a top public priority and a Workshop was organized in this regard in July 24, 2017 by MINPROFF in collaboration with the Cameroon Association of Muslims Dignitaries and Imams (CIDIMUC), on the theme *"Young Muslim girls faced with the challenge of modernity, development and security."*

## **§2: Reducing Military Expenditure in Favour of Social Spending (Article 10 (3))**

**909-** The subsequent budgets allocated to military expenditure have indeed evolved since 2013 due to the security challenges confronting the State, but this has however not led to a corresponding decrease in social expenditure. In this respect, the budget allocated to the sectors of health, education and women's rights has witnessed a variable curve, as shown in the table below.

## **Section 9: Protection of Women in Armed Conflict (Article 11)**

### **§1. Protection of Displaced, Refugee and Asylum-Seeking Women**

**910-** Security challenges linked to the attacks of the Boko Haram terrorist group since 2013 in the Far North Region, the political crisis in Central Africa Republic and the socio-political crisis in the North-West and South-West Regions since 2016 have led to significant population movements. As of December 2017, Cameroon was hosting approximately 342,000 refugees. The number of internally displaced persons in connection with Boko Haram attacks was about 230,000. On 20 June 2018 when the Government's Emergency Humanitarian Assistance Plan was being launched in the North-West and South-West Regions, there were 74,994 internally displaced persons due to the crisis in these regions, that is 8,732 for the North-West and 66, 262 for the South-West.

**911-** Cognizant of the distinct impact of crises on women, children and men, Government has taken special measures to protect displaced, refugee and asylum-seeking women from violence. These measures, which supplement the general framework for the protection of women, target these particular categories because of their vulnerability. They are legislative, political and institutional in essence in order to prevent or punish violence.

### **A: The legislative framework**

**912-** Law No. 2005/6 of 27 July 2005 on the status of refugees in Cameroon establishes the principle of assimilating refugees to nationals, particularly to a certain extent by guaranteeing the same rights and obligations to Cameroonians, refugees and asylum seekers, including the right to security and protection against violence. Moreover, the legislative framework for the

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<sup>437</sup> Its official presentation took place on November 16, 2017.

protection of women and girls has been strengthened, notably through the adoption of a new Penal Code in 2016, which expanded the range of offences to which women and girls are victims. The Document has been widely disseminated to ensure ownership of it by all social strata.

## **B: Prevention of Violence**

**913-** At the institutional level, the implementation in 2014 of the Project for *"Social cohesion and rehabilitation of refugee women survivors of GBV and rape, victims of the conflict in CAR in the East Region"* made it possible to raise awareness on GBV among 31,680 refugees and 4 centers for information sharing between refugee women and those from host communities were created in Gado Badzere, Timangolo, Mbilé and Lolo.

**914-** A subgroup for the protection of women against GBV was set up in 2016 at MINPROFF, with the objective of bringing together key stakeholders to guide and take care of GBV victims in humanitarian areas. In this context, operational standards to tackle GBV in a humanitarian context were developed. Capacity building was undertaken for social, medical, judicial and security stakeholders and awareness-raising activities were organized for community stakeholders.

**915-** The Civil Society has also undertaken actions to support government action. For example, in 2016, ACAFEJ, assisted by UN Women, organized community activities to raise awareness among women and men for the prevention and control of GBV in localities and villages identified with the support of community relays in villages and localities in the East Region, namely: Timangolo, Kette Gbiti, Mboumama, Garisingo, Yokadouma, Nyabi, Sandji, Kentzou, Lolo, Batouri, and Gari Gombo.

**916-** The Capacity building Project for Police Officers on the protection of women and children against gender-based violence in humanitarian context led by the General Delegation for National Security with the support of UN Women made it possible to train more than 400 National Security Officers working in the East, Adamawa and Far North Regions from 2015 to 2017.

## **C: Punishment of Violence against women and rehabilitation of survivors**

**917-** Psychosocial support and medical care was provided to survivors of violence. To reinforce this support, 102 Centers for the Empowerment of Women and the Family were created, as well as 5 Call Centers in the Littoral (Douala 1), Center (Yaounde VII) and Far North (Maroua) Regions, 17 Gender Desk, 5 Women's Cohesion Centers in Adamawa, East, and Far North, 2 shelters still in the experimental phase and Counseling Centers for women victims of violence. Furthermore, a toll-free number (2 33 42 56 68) is operational since 2 December 2014 at the Akwa Counseling Center (Douala 1).

**918-** In addition, in 2016, ACAFEJ provided psychosocial support and medical and legal counseling to refugee women and girls victims of GBV in the Lolo and Mbile localities by facilitating their access to existing services and providing special support to victims most affected by violence. It also strengthened the capacity of women victims/survivors to increase their social resilience through information, education, orientation and awareness-raising activities on GBV issues.

## **§2. Protection of children and particularly girls in armed conflict**

**919-** The *Boko Haram* terrorist group initially kidnapped civilians, but subsequently changed its *modus operandi* to frontal attacks against the army, then to suicide attacks. Between 2015 and 2017, more than 70 suicide attacks were recorded in the Far North Region, with the abduction, recruitment and use of children, particularly girls as human bombs. According to a

UNICEF Report published in April 2016<sup>438</sup>, a total of 44 children were used by *Boko Haram* in 2015 to carry out suicide attacks in the Lake Chad Basin area, 75 per cent of them girls, some as young as 8 years.

**920-** To offer an alternative to children who might yield to the attraction of terrorist groups, the State of Cameroon has developed social programmes to combat poverty in affected areas as noted above (see developments §468 et al). Rehabilitation of children associated with armed groups was one of the options on the inventory of treatments reserved them, as indicated above.

## **Section 10: The Rights of Vulnerable Groups Benefiting from Special Protection**

**921-** The State has opted for an inclusive approach in the promotion and protection of women's rights, hence the adoption of comprehensive policies benefiting all categories of women, including older women (art. 22), women with disabilities (art. 23) and women in distress (art. 24). This section will lay more emphasis on actions geared towards the interest of widows.

**922-** Enjoyment of fundamental rights by widows (**arts. 20 and 21**) is likely to be impeded by several factors. Indeed, a study conducted in 2015 on the situation of widows in Cameroon revealed that they were still subjected to degrading rites, physical or moral persecution and denied access to inheritance. To address this situation, the Government, in collaboration with civil society, has taken measures regarding raising the awareness of widows on their rights, counselling and assisting them in monitoring administrative and judicial proceedings.

**923-** Indeed widows enjoy a set of rights enshrined both in the non-harmonized legislation derived from the colonial heritage of Germano-Romanic or common law inspiration and in the harmonized post-independence law, notably Ordinance No 81/2 of 29 June 1981 mentioned above. Thus, article 77, paragraph 2, of the said Ordinance provides that *"in the event of death of the husband, his heirs shall have no right over the widow, nor over her freedom nor the share of property belonging to her. She may, provided that she observes her period of widowhood of 180 days from the death of her husband, freely remarry without anyone laying claim whatsoever to any compensation or material benefit for dowry or otherwise, received either at the time of engagement, during marriage or after marriage"*.

**924-** In terms of inheritance, women's property rights have been preserved in the event of the termination of marriage due to the death of their spouse. They differ depending on whether it is civil law or common law. 927In accordance with the provisions of article 767 of the Civil Code, a widow has usufructuary rights over property left by her deceased husband. It is noteworthy that the usufruct concerns the part of the property left by her late husband, death resulting automatically in liquidation of the matrimonial regime before liquidation of the estate.

**925-** Under Common Law, specifically Rule 21 of the Non Contentious Probate Rules 1954, the surviving wife ranks first in the order of succession before legitimate, recognized or adopted children. She is the administrator or co-administrator of the estate, even in case of a polygamous marriage. She administers the assets left by the deceased in the interest of the beneficiaries before liquidation of the estate within one year.

**926-** In the sphere of criminal legislation, article 180-1 of the Criminal Code punishes he who prevents the surviving spouse (widow) or orphans from receiving the reversionary pension due them, while article 358-1 punishes he who, without any judicial procedure, expels the spouse from the matrimonial home without legitimate reason.

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<sup>438</sup> Report published on its website, [www.unicef.org](http://www.unicef.org), April 2016, accessed May 2016.

**927-** As concerns protection of widows' inheritance rights, the action of judicial institutions has made it possible to eliminate the custom that denied widows their inheritance rights. Thus, in Judgment No. 78/TPD of 16 November 2015 pronounced by the Guider TPD, the Judge stated:

*Whereas the assessor explained that according to the Toupouri custom, only men are called to inherit, women being considered as inheritance property;*

*That when a person dies intestate, leaving women and children, his succession is rather devolved to his brothers, precisely to the eldest brother who can, moreover, take widows in levirate marriage;*

*Whereas this custom is in part contrary to public policy and morality, as well as to the provisions of article 745 of the Civil Code, which states in substance that all legitimate children inherit from their father and mother regardless of sex or primogeniture, in equal parts and per capita....*

**928-** In the case of **AMINOU DALIL** vs Succession **DALIL**, subject of Judgment No. 59/TPD of 17 August 2015 pronounced by the Guider TPD, the Judge noted that the omission of the right of usufruct of the widows **DOUDOU KAMBA** and **FATOUMATOU SAMBO**, which is based on the Mousgoum custom, is *obsolete and iniquitous, and is contrary to both public policy and morality as well as to article 767 (3) of the Civil Code, which recognizes under these conditions, a right of usufruct of one quarter of the estate of her predeceased husband.*

**929-** Moreover, 2024 decisions rendered by all CFIs and TPDs recognized the widow as a usufructuary in 2016. Reports are made following some of these decisions: in Judgment No. 546/Civil rendered on 27 June 2016 by the Mfoundi High Court, the Judge ruling in the case of succession in polygamy, declared the three widows of the deceased usufructuaries of their deceased husband's estate and further ordered the liquidation and division of the property that existed between each of his wives; a solution that is consistent with the orthodoxy of case-law in this matter. More reference is made to this orthodoxy in Judgment No. 305/CIV of 18 April 2016 in the following terms: *orders liquidation of the communal property that existed between the deceased and ADA Josiane Amélie on the one hand and between the deceased and NGOUNGOURE MOLUH Zouliatou on the other.*

**930-** Judgment No. 205/Civ of 10 March 2016 of the same court declares the two widows of the deceased usufructuaries of the estate, ordering the liquidation of the estate that existed between the deceased and his two widows in the following statement: *that in the present case, it is undisputed that AKOMO Marie Thérèse Victoire and NGA MVONDO Lucie, married the deceased under the regime of joint property as per article 1400 of the Civil Code; that upon these grounds, it is appropriate therefore to order the dissolution of the community that existed between the deceased and his wives.*

**931-** Also, widows are regularly made aware of their rights through conferences and round table discussions and educational talks, particularly on the occasion of the celebration of International Widows' Day every 23 June. In 2015 and 2016, nearly 448 widows were received at socio-legal clinics, while more than 15 000 people were sensitized on specific problems confronting widows during educational talks organized at the regional level. Furthermore, a capacity building workshop to enhance the legal capacities of widows of the Aloua<sup>439</sup> municipality was organized on 16 and 17 March 2016 by the Cameroon Needy Women's Assistance Committee (CAFENEC), and provided participants with an opportunity to learn about the rights of widows and steps to take to claim their rights.

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<sup>439</sup>Lebialem Division, South-West Region. These meetings brought together participants from the different villages/neighbourhoods of the Alou Sub-division, located about ten kilometers from Fongo-Tongo, a locality bordering the Menoua Division.



**932-** As part of the Project for *Advocacy, Structuring and Support to local communities for the humanization of widowhood* rites pushed forward by the CIPCRE from January 2015 to June 2017 in 8 villages of the West Region<sup>440</sup>, customary codes establishing standard norms for the performance of widowhood rites were developed by the communities. To highlight acceptance of new standards, official presentation ceremonies were held in each locality with the traditional Rulers in their capacity as custodians of tradition, and sometimes in the presence of the administrative authority. To ensure acceptance and enforcement of these codes, an Observatory of Widowhood Rites has been set up in each of the 8 villages with a total of more than 400 members.

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<sup>440</sup> These are the villages of Bafoussam, Baleng, Bamendjida, Bazou, Babete, Balengou, Bamena and Bangoulap

## **Conclusion of Part B**

**933-** The ratification of the Maputo Protocol has contributed in accelerating the progressive transformation of the status of women in Cameroon at the normative, institutional, strategic and operational levels. Indeed, the constitutionally reaffirmed principle of gender equality has positively influenced the normative and institutional framework of which it is now the founding principle. In practice, this has resulted in measures to strengthen women's participation in the management of public affairs, protect women's physical and moral integrity by intensifying the fight against violence, and promote women's economic empowerment as a guarantee of their development and of their health.

**934-** However, the progress achieved does not overshadow challenges which the State is still aware of. It undertakes to pursue efforts to promote women's rights and consolidate them in order to meet emerging political, economic, legal and socio-cultural challenges. At the political level, these challenges concern the institutional appropriation of gender, particularly through increasing the number of women appointed to positions of responsibility.

**935-** At the economic level, initiatives geared towards women's access to inputs could be multiplied (access to credit, access to land, access to appropriate techniques and technologies). In addition, it will also be beneficial to adopt a more structured approach to the informal sector wherein most of them operate.

**936-** Developments in the legal framework will make it possible to discard provisions that are discriminatory against women, and to apply international Human Rights instruments that protect women's rights.

**937-** At the socio-cultural level, the fight against harmful traditional practices is also concerned. This is the case for early and forced marriages, female genital mutilation, degrading widowhood rites and customs that contribute to female drop-out from school. Recent prevalence rates from the latest Demographic and Health Survey have revealed feminization of HIV/AIDS. Furthermore, it is also important to highlight the insufficient provision of reproductive health services and women shying away from health facilities (maternities) and modern contraceptive techniques due to traditional beliefs. That is why the State will continue its efforts to improve the situation of women in Cameroon, in a spirit of dialogue with the Commission.

**PART C:**

**IMPLEMENTATION OF THE RIGHTS CONTAINED IN THE  
KAMPALA CONVENTION**

## Introduction

**938-** In order to establish a legal framework for the prevention and protection of persons against internal displacement, Cameroon adhered to the African Union Convention on the Protection and Assistance to Internally Displaced Persons in Africa, known as the Kampala Convention, by Decree No. 2014/610 of 31 December 2014. In order to make this convention effective in domestic law, reflections have been launched on the process to internalize it in national legislation in order to strengthen the protection of internally displaced persons (IDPs).

**939-** This Convention supplements several other international instruments to which Cameroon is party as well as other domestic laws established either to prevent situations likely to create involuntary movements of persons or to provide them with assistance in the event of such risks in the context of civil protection.

**940-** At the international level, in addition to the Fourth Geneva Convention of 1949 relating to the Protection of Civilian Persons in Time of War, additional Protocols I and II supplementing the Geneva Conventions as well as international treaties, conventions and agreements relating to specific segments of humanitarian intervention (refugees, internally displaced persons, hazardous waste management, CBRN (Nuclear, Radiological, Biological, Chemical) risks, international health regulations...), Cameroon is a party to the Framework Convention on Civil Defence Assistance, initiated on 22 May 2000 by the International Civil Defence Organisation.

**941-** At the national level, without being exhaustive and according to the hierarchy of norms, it is possible to distinguish the Constitution, laws and regulations.

In its preamble, the Constitution of 18 January 1996, guarantees the protection of fundamental rights foreverly individual without distinction. A set of laws aiming to ensure civil protection of the population has been adopted.

**942-** With regard to legislative laws, the following can be mentioned:

- Law No. 69/LF/9 of 12 June 1967 to lay down the general organization of the defence;
- Law No. 86/16 of 6 December 1986 to lay down the general reorganization of Civil Protection in Cameroon;
- Law No. 90-47 of 19 December 1990 relating to the state of emergency;
- Law No. 96/3 of 4 January 1996 to lay down a framework legislation in the field of health;
- Law No. 96/12 of 5 August 1996 to lay down a framework law on environmental management in Cameroon;
- Law No. 96/11 of 05 August 1996 on standardization;
- Law No. 98/15 of 14 July 1998 to regulate establishments classified as dangerous, unhygienic or obnoxious;
- Law No. 99/17 of 22 December 1999 governing the quality control of soils, building materials and geotechnical studies;
- Law No. 2004/3 of 21 April 2004 to regulate urban planning in Cameroon;
- Law No. 2011/12 of 6 May 2011 Framework on consumer protection in Cameroon.

**943-** With regard to regulatory texts, we can mention:

- Decree No. 74/199 of 14 March 1974 to regulate burial and transfer of bodies;
- Decree No. 96/54 of 12 March 1996 to determine the composition and duties of the National Council for Civil Protection;
- Decree No. 98/31 of 9 April 1998 to organize emergency and relief plans in the event of a disaster or major risk;
- Decree No. 99/818/PM of 9 November 1999 to lay down procedures for the establishment and operation of establishments classified as dangerous, unhygienic or

obnoxious Decree No. 2001/184 of 25 July 2001 to organise the National Fire Brigade;

- Decree No. 2004/058 of 23 March 2004 to establish and organize the training and territorial units of the National Fire Brigade together with its subsequent amendments<sup>441</sup>;
- Decree No. 2005/103 of 13 April 2005 on the organization of the Ministry of Territorial Administration and Decentralization;
- Decree No. 2008/0736/PM of 23 April 2008 to lay down rules on safety, hygiene and sanitation in construction;
- Decree No. 2008/737/PM of 23 April 2008 to establish land development procedures and modalities;
- Decree No. 2008/377 of 12 November 2008 to lay down the powers of heads of administrative units and the organization and functioning of their services;
- Decree No. 2011/408 of 9 December 2011 on the organization of the Government, amended and supplemented by Decree No. 2018/190 of 02 March 2018;
- Decree No. 2012/2809/PM of 26 September 2012 to lay down conditions for sorting, collection, storage, transport, recovery, recycling, treatment and final disposal of waste;
- Decree No. 37/PM of 19 March 2003 on the creation, organization and functioning of a National Risk Observatory;
- Decree No. 120/A/MINATD/DPC/CEP/CEA2 of 17 September 2010 on the creation, organization and functioning of the National Platform for Disaster Risk Reduction;
- Presidential Instruction No. 5/CAB/PR of 24 August 1987 on monitoring for national security.

**944-** As it is with the Maputo Charter and Protocol, the direct applicability of the Convention is governed by the provisions of article 45 of the Constitution.

**945-** At the institutional level, the protection of IDPs is a sovereign mission of the State and of crosscutting nature that involves several stakeholders. Thus the Ministry of Territorial Administration is in charge of civil protection in general<sup>442</sup> through a work unit created since 1995; the Department of Civil Protection which is in charge of:

- the general organization of civil protection throughout the national territory;
- studies on civil protection measures during periods of war and peace;
- relations with national and international civil protection organizations;
- preparing programmes for the training of civil protection staff in connection with the Human Resources Sub-Department;
- examining requests for compensation and financial assistance for victims of disasters, and monitoring the use of aid;
- coordinating civil protection resources, including relief, rescue, logistics, use of supplementary and auxiliary forces; and
- transferring bodies, monitoring and managing aid;

**946-** At the decentralized level, Civil Protection affairs fall within the sphere of the missions of the Head of the Division of Economic, Social and Cultural Affairs of the Governor's Office<sup>443</sup>. Structures for discussion and collaboration have been set up to facilitate the

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<sup>441</sup> modified in 2018 with the advent of the 4<sup>th</sup> and 5<sup>th</sup> CNSP groups.

<sup>442</sup> See new article 8 (5) of Decree 2018/190 of 2 March 2018 amending and supplementing certain provisions of Decree 2011/408 of 09 December 2011 to organize the Government

<sup>443</sup> See Decree No. 2008/377 of 12 November 2008 to lay down the powers of the heads of administrative units and the organization and functioning of their services. Moreover, the organization at the local level is the subject of Circular Letter No. 114/LC/MINATD/DPC of 15 January 2010 on the strengthening of risk prevention measures in administrative units, which stipulates in particular the establishment of security watch units.

coordination of civil protection actions throughout the national territory at the strategic and operational levels.

**947-** At the strategic level, the main coordinating bodies include the National Civil Protection Council (NCPC), the National Risk Observatory (NRO), the National Platform for Disaster and Risk Reduction (NPD2R) and the National Security Council.

**948-** The National Civil Protection Council which is an advisory body to the President of the Republic on civil protection matters was created on 12 March 1996. It brings together most of senior government officials in charge of this sector under the supervision of the Secretary General of the Presidency of the Republic;

**949-** The National Platform for Disaster and Risk Reduction is a permanent platform for consultation and information exchange between all national and international Civil Protection partners. Created by MINATD Decree of September 2010, it works to implement the Hyogo 2005-2015 Action Framework which advocates for the integration of Civil Protection concerns into all development plans and programmes to make Nations and Communities more resilient to disasters.

**950-** As for operational structures, we can mention the National Fire Brigade, Civil Protection measures such as Security Monitoring Units, the Commission for the Approval of Emergency Plans and the Commission for the Analysis of Construction Risks.

**951-** Security Monitoring Units are collaboration mechanisms at the local level, placed under the authority of Administrative Authorities (Regional Governors, Divisional Officers) following the terms of a Circular of 15 January 2010 of the Minister of Territorial Administration and Decentralization, as part of the endeavor to strengthen risk prevention measures in the country's administrative units.

**952-** The Commission for the Approval of Emergency Plans is an inter-ministerial platform, placed under the aegis of the Ministry of Industry, Mines and Technological Development, responsible for approving internal operation tools in the event of a crisis, that classified companies (potentially risk-generating companies), on a biannual basis, submit to public authorities for approval and updating before launching their activities.

**953-** The Construction Risk Analysis Commission, for its part, is a consultation mechanism for drawing up construction standards for high-rise buildings or buildings for major public use. It is found at the Ministry of Public Works and brings together the main stakeholders in the Civil Protection chain in the field of construction.

**954-** It is necessary to add to these structures the National Crisis Committee (NCC) with its branches that include the Regional Crisis Committees (RCC) and the Divisional Crisis Committees. The NCC is the planning, assessment and management body for disaster relief. It coordinates relief operations and is responsible for implementing the objectives of the National Contingency Plan (NCP). The NCC includes all sectors and organizations likely to play a leading role in the fight against disasters and major risks.

**955-** To ease the deployment of civil protection actors, Cameroon established a National Contingency Plan since 2002. The Plan was reviewed in 2011 and updated for the period 2017-2020. This Plan maps out the potential risks of disasters and crisis situations. It also recommends synergistic responses built around the following three major axes: risk prevention and intervention preparation (Axis 1), intervention with the implementation of emergency and rescue plans to ensure efficient risk coverage (Axis 2) and rehabilitation which includes feedback, adoption and implementation of victim support measures geared towards restoring their dignity and rehabilitation of infrastructure.

## Financial Resources Allocated to the Management of IDPs

**956-** Funds allocated to the management of displaced persons come from national resources consisting of allocations in the State budget, funds generated from national solidarity as well as resources provided by the State's partners.

**957-** Thus, as part of the endeavour to manage needs generated by the large inflow of refugees and IDPs<sup>444</sup> following repeated attacks by the Boko Haram terrorist group in the Far North Region of Cameroon, an Emergency plan and a Territorial Development Programme for the Norther Regions was established in June 2014 with a budget of CFAF 160,000,000,000<sup>445</sup>. This Plan takes into account the precarious condition in the said Regions, which are also exposed to other health (endemic), human, social or natural risks, such as floods like the ones experienced in 2012 in the Far North Region, involving the displacement of people.

**958-** National solidarity efforts helped raise the sum of CFAF 2,350, 000,000,000<sup>446</sup> secured in an account in the Public Treasury following the instructions of the Head of State on 6 April 2015.

**959-** Partners, particularly the United Nations system agencies, had as from 2015, developed Humanitarian Response Plans necessitating funding to the tune of \$259 million in 2015, \$282 million in 2016 and \$305 million for the 2017-2020 Plan.

**960-** As concerns the crisis in the North West and South West Regions, where violence between police forces and members of secessionist groups has caused mass exodus of people from these Regions to other parts of the country and even to Nigeria, an Emergency Humanitarian Assistance Plan for the civilian population of these regions was launched on 20 June 2018. Estimated at nearly CFAF 12,716,500,000<sup>447</sup>, the Plan includes the basic and recovery needs of some 75,000 displaced people in these localities. The Nation's driving forces both within the country and the diaspora contributed in financing the Plan.

**961-** This Report describes the laws and other measures taken to give effect to the rights and freedoms recognized and guaranteed in the Kampala Convention in order not only to prevent internal displacement, but also to protect the civil and political rights, as well as the economic, social and cultural rights of IDPs. It covers the period from 2013-2018.

**962-** Drafted following an inclusive approach, the Report is the result of contributions made by public institutions, civil society stakeholders and partners, as indicated above (**see General Introduction, § 2 et al.**).

**963-** Information on the implementation of the Convention is provided in the sections relating to the prevention of internal displacement (Chapter 1), protection of IDPs (Chapter 2) and assistance to IDPs and sustainable solutions (Chapter 3).

## CHAPTER 1: PREVENTION OF INTERNAL DISPLACEMENT

**964-** Among major risks identified in the NCP are both natural and anthropogenic risks that can lead to the displacement of people. The measures recommended can therefore contribute to the prevention of internal displacement in general even if more specific actions are envisaged for particular situations.

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<sup>444</sup> About 221,695 persons displaced as at 31 December 2017

<sup>445</sup> About 244,274,809.16 Euros

<sup>446</sup> About 3,587,786.25 Euros.

<sup>447</sup> About 19,414,504 Euros.

## **Section 1: General measures for the prevention of internal displacement (art. 4 (1))**

**965-** Measures explored consist in promoting a favorable environment for the development of human activities in the various parts of the territory and setting up an alert mechanism.

### **§1: Promotion of a Favorable Environment for the Practice of Human Activities on the Territory**

**966-** Rich and diversified owing to its geographical location, Cameroon has a variety of ecosystems that can mirror a multiplicity of natural risks likely to cause natural disasters. In addition, a major socio-economic development process has been initiated under the aegis of the GESP and materialised by the creation of an industrial network and diverse infrastructure that constitute sources of technological risks, with a view to promote social well-being. Moreover, growing patches of insecurity since 2013 constitute more circumstances that can lead to displacement of people. Therefore, aware of these irreducible factors on the movement of these people, the Government has opted to put in place measures to protect Human Rights and prevent risks.

**967-** As concerns the protection of Human Rights, in an effort towards fulfilling commitments made in this area, Cameroon has undertaken legislative, administrative and judicial reforms in order to guarantee Human Rights. A National Action Plan for the Promotion and Protection of Human Rights was adopted in 2015 to anchor human rights culture in Cameroon's society.

### **§2: Establishment of Alert Mechanisms (art 4 al 2)**

**968-** Government has opted for monitoring and alert mechanisms that enable local entities to detect both natural and human risks and channel information to the central authority in a bid to effectively manage situations likely to cause population displacements. The National Risk Observatory, a monitoring mechanism which has already been mentioned, has the mission of collecting, analyzing, storing and disseminating information on both natural and human risks. Its focal points are recruited from the administrations concerned by these issues and from among the personnel of the 10 Governors' offices.

**969-** A new mechanism for collection of data on disaster risk through monitoring of sites and high-risk facilities is being operationalized, particularly through the National Network of Emergency Operations Centres. Indeed, under the aegis of the Ministry of Posts and Telecommunications, Cameroon is currently developing a state-of-the-art infrastructure for the coordination of operations related to emergency situations management.

**970-** In this context, the construction of a National Emergency Operations Centre was completed in Yaoundé in the Ekounou neighbourhood. A similar Centre which will serve as an alternative storage base for the National Centre was completed in Douala in the Bepanda neighbourhood. The construction of 8 centers in Regions yet to be covered is envisaged. The ultimate objective is to set up a functional national telecommunications network that will make it possible to better coordinate operations for monitoring, preparing and responding to disaster risks.

## **Section 2: Specific Measures to Prevent Internal Displacement**

**971-** These measures include prevention of displacement due to disasters and climate change, unrest or development projects.



## A: Displacement due to Disasters and Climate Change (art 4.2)

**972-** Climate change is a matter of top priority to the Government. In anticipation of climate change-related displacements, the Government implemented legislative and institutional measures to address climate change-related environmental impacts in a sustainable manner.

**973-** At the normative level, several laws provide a framework for addressing the issue of climate change in Cameroon, including the Constitution in its preamble, Law No. 96 /12 of 5 August 1996 to lay down a framework legislation on environment management and nature protection, the Kyoto Protocol to which Cameroon adhered in July 2002, Cameroon's proactive long-term vision adopted in 2009, with one of the strategic axes for Phase I (2010-2019) being the development and institution of an ambitious policy to preserve the environment and fight the destructive effects of climate change.

**974-** At the institutional level, a National Observatory on Climate Change (NAOCC) was created by Decree No. 2009/410 of 10 December 2009, with the mission of monitoring and evaluating the socio-economic and environmental impacts of measures implemented to prevent, mitigate and/or adapt to the adverse effects and risks associated with climate change.

**975-** A National CDM Committee created by Ministerial Decision No. 9/MINEP/CAB of 16 January 2006 for the implementation of the Mechanism for the Development of the Kyoto Protocol relating to the United Nations Framework Convention on Climate Change was also been implemented.

**976-** Furthermore, projects and programmes geared towards adaptation or resilience to climate change were adopted. It is the case with the National Climate Change Adaptation Plan (NCCAP) adopted on 24 June 2015 and the **REPECC** Improvement Program, mentioned **above (see § 631 et al)**.

**977-** The NCCAP hinges on the following strategic areas:

- improve knowledge about climate change;
- inform, educate and mobilize Cameroonians to adapt to climate change;
- reduce the vulnerability of the country's main agro-ecological sectors and zones to climate change; and
- integrate climate change adaptation into national sector-based policies and strategies.

**978-** These strategic areas have led to the formulation of 5 projects, including:

- establishing an observation, information management and alert system for climate risks in Cameroon (2016-2020);
- updating the National Contingency Plan in Cameroon and the operationalization of the Emergency Fund (2016-2019);
- taking into account climate risks in updating the land use plan; and
- raising awareness among the population, administrative staff and policy-makers on the effects of climate change and measures to be taken (2016-2019).

**979-** Finally, effective initiatives such as the resumption in 2008 of operation *Green Sahel* in the northern areas **already mentioned (§ 633 et al.)**, the sensitization of farmers and families on the fight against deforestation and the development of renewable energies should be highlighted in the prevention of climate change.

**980-** With regard to disaster prevention, strategic and operational measures are implemented through urban planning and construction regulations.

**981-** Due to a complex relief and hydrography, flooding is particularly a challenge in some regions of the country. This is notably the case in the Far North and North Regions, which suffered severe floods in 2012 leading to the adoption of a set of measures. So, between 15 August and 17 September 2012, the North and Far North Regions experienced exceptionally

heavy rains, which caused floods. These floods considerably damaged irrigation infrastructure and the Maga dam, and destroyed the Logone dike on a stretch of more than 25 km. About a hundred thousand people were directly affected by these floods and temporarily lost their livelihoods. The very high water levels reached a threshold of 70 cm above the alert level of the Maga dam, further degrading the already fragile structure and compromising its downstream capacity due to risk of dam rupture.

**982-** Temporary emergency measures (putting sandbags at vulnerable places, closing gaps, etc.) were taken by local authorities with the help of the population concerned. Sustainable emergency measures deemed necessary, including substantial investments to rehabilitate the Maga barrier dam, the Logone River dike and other relevant structures, while building capacity for sustainable water resource management and preparation for future disasters, were taken as part of the Emergency Flood Control Project (EFCP).

**983-** The overall objective of the project is to rehabilitate the main hydraulic structures and strengthen disaster preparedness in the target areas located in the Far North of Cameroon. The project which cost CFAF 54 000 000 000<sup>448</sup> was structured around three components including: Rehabilitation of major hydraulic structures for protection against floods and rice production; management of disaster risk and emergency situations; and institutional support.

**984-** The area for the implementation of the project is the Logone plain, in Mayo-Danay Division in the Far North Region of Cameroon. It covers 4 sub-divisions which include: Yagoua, Vele (Guémé) and KaïKaï.

**985-** Furthermore, degassing operations are continuing with the help of international cooperation in lakes Nyos and Monoun, which in the past caused many victims due to toxic gas emissions.

**986-** Experiencing all these catastrophes led to the establishment of a civil protection policy in Cameroon in an effort to prevent risks. It is also evident that there is a need to strengthen disaster prevention capacity not only at the operational level, but also, and more particularly at the strategic level.

## **B: Internal Displacement in Crisis Situations (art 4.1)**

**987-** In a context marked by repeated *Boko Haram* attacks in the Far North Region, incursions by armed gangs in the East Region and violence by secessionist groups in the North West and South West Regions, the Government has adjusted its security mechanism to meet these challenges and protect people and their property, as already mentioned above. In addition to security, other government institutions have adapted their response capacities in terms of infrastructure, staff and action strategies to meet increasing demand for basic social services, particularly health and education in displacement areas.

## **C: Displacements as Part of Projects (art 10)**

**988-** To reduce the negative impact of major structural projects on local residents, environmental impact studies were systematically conducted, victims of expropriations compensated and/or resettled and socio-economic amenities and support projects carried out. Examples can be drawn from the construction of the Lom Pangar Hydroelectric Dam and the Kribi Deep-sea Port Project.

**989-** The construction of the Lom Pangar Hydroelectric Dam on a surface area of 32, 400 hectares in the East Region was declared public utility by Decision No. 414.Y.14.4/MINDAF/D410 of 13 March 2009. In this context, the following Plans were adopted:

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<sup>448</sup> About 82,442, 749 Euros.

- the Compensation and Resettlement Plan (PIR) funded by the Cameroonian Government was put in place since 2012. This Plan concerns as a matter of priority the population affected by the destruction of property due to the construction and future operation of the Lom Pangar Dam. Persons affected by expropriation were entitled to compensation as defined in the PIR to the tune of CFAF 1 800 000 000<sup>449</sup>;
- the Environmental and Social Management Plan (PGES), with a budget of CFAF 40 000 000 000 from the French Development Agency, concerns social and environmental investments. The Local Development Plan (DPL) aims to contribute to poverty reduction through the combined action of local authorities, grassroots communities and the private sector;
- The Local Development Plan financed by the World Bank in order to preserve the standard of living of the local population.

**990-** As part of the implementation of all these mechanisms for restoring living standards (PIR, PGES and PDL), many achievements have been made, including:

- organizing training workshops on techniques for the exploitation of the Deng Deng community forest;
- organizing training on agriculture, fish farming, breeding and for gold-panning for the target populations;
- giving new plots of land for cultivation to local populations;
- establishing a permanent anti-poaching mechanism, the actions of which are based on awareness raising, monitoring and fixed controls, surveillance and mobile controls (Mambaya, Deoule, Ouami and Biombe);
- resettling 57 families in the villages of Lom Pangar and Lom II;
- individual resettlement;
- road construction (construction of the access road to the construction site which connects Belabo to Lom Pangar);
- constructing classrooms, health centres, markets and mosques.

**991-** Concerning the Kribi Deep-sea Port Project in the Ocean Division, measures have been taken to resettle and compensate the population evicted for public utility purposes, in accordance with Decree No. 2013/7402/PM of 5 August 2013 amending and supplementing certain provisions of Decree No. 2010/3312/PM of 30 November 2010 on compensation of victims of expropriation and/or destruction of property as part of the construction of the Kribi Industrial Port Complex. Thus, as part of an exploratory mission led by a Delegation of the National Commission for Human Rights and Freedoms (NCHRF), the following observations were made for the monitoring of Human Rights within the framework of this Project:

- the creation of a Committee in charge of the relocation and resettlement of the local population affected by the Project, particularly to raise awareness, distribute plots, follow-up relocation and resettlement as well as manage complaints (p. 7 of the NCHRF Report following the field visit to the South Region, in Kribi, from 14 to 17 March 2017). Chaired by the S.D.O of the Ocean Division, this Committee includes local administrations, heads of the operational Unit of the Port and the traditional chiefs of the villages concerned; and
- the compensation and relocation of victims of expropriations after consultations with them and taking into account the needs they expressed. Thus, the Bagyeli and Mabi Pygmies were resettled in Lolabe, in the forest area in the south-east, near the Campo Ma'an Reserve, while the Batanga and Lyassa, who are fishermen, were given plots of land in Lende-Djibe in the north, near the coastal area.

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<sup>449</sup> About 2,748,091 Euros.

## CHAPTER 2: PROTECTION OF THE RIGHTS OF INTERNALLY DISPLACED PERSONS

**992-** Adaptation measures were taken to address constraints that may affect internally displaced persons in the enjoyment of their rights, both civil and political economic rights, social and cultural rights, although all constraints could not be addressed.

### Section 1: Measures taken to Guarantee Civil and Political Rights

**993-** Contextual factors strongly influenced the enjoyment by internally displaced persons of their civil and political rights, whether in terms of security or the habit of poor documentation in some parts of the territory. Facilitation measures were taken to guarantee the right to birth registration and access to official documents, specific provisions to address violations of the right to life and physical integrity, and specific measures to regulate freedom already mentioned in Part A of this Report. Measures have also been taken to ensure the safety of internally displaced persons, and to guarantee their right to family life. The organisation of elections made it possible to identify specific problems encountered by displaced person, and these will be taken into account in the organisation of future elections.

#### §1: Guaranteeing the Right to Birth Registration and Access to Documentation (art. 13),

**994-** The process for the establishment of civil status documents for internally displaced persons follows the general legal framework established by Ordinance No. 81/2 of 29 June 1981 on the organisation of civil status and various provisions relating to the status of natural persons, as amended by Law No. 2011/2 of 6 May 2011. Amid situations of internal displacement observed in the territory, initiatives were taken to facilitate the establishment of civil status documents for IDPs. This has been the case with the massive return of former hostages of the *Boko Haram* terrorist group and persons displaced as a result of the crisis in the North West and South West Regions.

**995-** Following the influx of people from the Tchenene village in Nigeria since 29 February 2017, a camp for displaced persons was set up in the Mozogo area and a Divisional Commission for the Determination of the Status of these persons was created by the S.D.O of Mayo-Tsanaga<sup>450</sup>. This Commission revealed that these people were of Cameroonian nationality and from the villages of Goudza Verquette, Ldaoutfai, Kourbeche and Anfhourdetch. As of 16 June 2017, this population was estimated at 376 people, including 142 adults (87 women and 57 men) and 232 children (112 girls and 120 boys aged 0-17 years). Following an assessment of urgent needs, multifaceted actions were carried out with the support of partners such as UNICEF and the *Action Locale pour un Développement Participatif et Autogéré* (ALDEPA) (provision of drinking water, fight against malnutrition, waterborne diseases, malaria and supply of mats, food products, hygiene kits and clothing).

**996-** Thus, thanks to UNICEF support, birth certificates were issued for 310 returnee children and 58 children of Mozogo host population and internally displaced children from Mozogo, for a total of 368 birth certificates, after issuance declaratory judgments. The beneficiaries include 200 boys and 168 girls.

**997-** In addition, the Emergency Humanitarian Assistance Plan for the North-West and South-West Regions has integrated the need to reconstitute civil status documents for displaced persons.

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<sup>450</sup>This Commission was composed of the First Deputy Mayor, the Special Commissioner of Mokolo, the Representative of the Company Commander, the Departmental Delegate for Social Affairs and the Departmental Delegate for the Promotion of Women and the Family

## **§2: Guaranteeing the Right to Life and the Right to Physical Integrity**

### **1: Protection against Summary and Arbitrary Executions, Kidnappings, Genocide, Crimes against Humanity, (art. 9 (1) (b), (c) and (c))**

**998-** In order to guarantee the right to life, to physical and moral integrity of internally displaced persons, both preventive and repressive actions have been taken by the Government, with the support of UNHCR and Civil Society Organizations. At the preventive level, in addition to awareness-raising campaigns on the virtues of peace, monitoring mechanisms such as vigilante and joint committees were set up by local authorities and UNHCR in some Divisions of the Far North Region to ensure the protection of refugees, internally displaced persons and asylum-seekers.

**999-** In addition, some internally displaced persons have returned home following security operations carried out in the context of the fight against the *Boko Haram* terrorist group and the restoration of public order and security in the North West and South West Regions. With regard to repressive measures, legal proceedings are initiated against perpetrators of violations of the right to life and physical integrity.

### **2: Protection of Displaced Women against Violence (art. 9 (2) (d)),**

**1000-** In 2014, a UN Women survey on the impact of humanitarian crises on men and women showed that refugee and displaced women and girls are exposed to multiple forms of violence, including sexual and physical violence.

**1001-** To provide a holistic approach to the fight against GBV in the context of humanitarian crisis, the Government and all humanitarian stakeholders defined an integrated and multifaceted assistance strategy for women and girls, which focuses on "social cohesion areas for women" in the sites, the establishment of Call Centres and Gender desks and multi-disciplinary care provided to survivors.

**1002-** Women's social cohesion areas were set up in the sites to provide survivors with discreet psychosocial, medical, legal and security assistance, and to create discussion groups among them.

**1003-** In addition, 4 Call Centres were set up in the Women Empowerment and Family Centres in localities hosting refugees and displaced persons, including Maroua, Mokolo and Mora in the Far North and Bertoua in the East Regions. These are counselling, dialogue and referral centres for GBV victims and survivors.

**1004-** With the support of UN Women, 3 Gender Desks<sup>451</sup> were set up in the central police stations of Batouri, Bertoua and Meiganga. Prior to the implementation of these Gender Desks, 400 police officers in the East, Adamawa and Far North Regions were trained on the protection and care of women and girls victims of GBV between 2015 and 2017.

**1005-** Finally, awareness-raising activities were carried out in communities and sites hosting refugees and IDPs in order to influence and change social norms that promote GBV. Set up on a community-based approach that relies on 142 community relays, these activities reached more than 351,218 men and women refugees and nationals.

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<sup>451</sup>Gender Desks are units set up within police stations to improve the response of police services in the management of GBV survivors in a humanitarian context.

### **§3: Guaranteeing the right to security (right to search for safe places in other parts of the country (art 9 (2) e), settlement of internally displaced persons in safe places 9 (2 g)**

**1006-** Concerning the Far North Region, a study on displaced persons facing housing and property challenges reveals that since 2014, 223,642 Cameroonians have fled their places of origin as a result of *Boko Haram* terrorist activities and that the Government of Cameroon has provided accommodation facilities for some displaced persons while others have been welcomed by the host populations.

**1007-** For the North West and South West Regions, many displaced persons were received by their family members who live in major cities like Bamenda, Buea, Limbe, Yaounde, Douala and Bafoussam.

**1008-** Others also benefited from the assistance and measures taken at the local level by Administrative Authorities. These measures include:

- the reception and resettlement of displaced persons;
- the distribution of bedding, toiletries and food items and basic necessities.

**1009-** This is the case with the displaced population of the villages of Ediki and Bombe-Bakundu in Meme Division, who were received in Mbanga, Moundou Division, under the supervision of the local administrative authorities.

**1010-** Similarly, the population from Lebalem Division in the South West Region was resettled in the Fongo-Tongo Sub-division, in the Menoua Division, under the same conditions.

**1011-** Measures to integrate students from crisis-stricken areas continued in schools in the Littoral, West and Centre Regions during the 2017/2018 academic year. Civil and military actions were carried out by the Defense Forces for the benefit of crisis-affected population in Akwaya Division. Such actions included construction of water points, provision of health care, rehabilitation of classrooms, distribution of medical kits, school supplies and foodstuffs.

### **§4: Protection of the Right to Family Life (art. 9 para. 2 h),**

**1012-** The upsurge in armed attacks by the *Boko Haram* terrorist group and the effects of the crisis in the North West and South West regions have increased population displacement, with women, the elderly and the young being the most affected. This population displacement has resulted in the separation of families. Family reunion is made even more difficult by the security context, a situation aggravated by the loss of civil status documents and the weakening of the birth registration system.

**1013-** In response to these concerns, a multi-annual humanitarian response Plan for Cameroon (2018-2020) was adopted in 2017 by the Government and its partners of the United Nations system, one of the axes of which addresses the issue of displaced persons returning to their places of origin. Thus, eight guiding principles for a sustainable solution to internal displacement are defined, including the principle of family reunion, which is done on voluntary grounds.

**1014-** In addition, the strategy consists in strengthening the temporary alternative support for unaccompanied or separated children and facilitating the family reunification of unaccompanied children. Also, the Plan aims to provide psychosocial and psychological support to all children and adolescents affected by the crisis.

## **§2: Guaranteeing Economic, Social and Cultural Rights: Survival and Pursuit of Livelihoods as Productive Citizens.**

**1015-** The preservation of the livelihoods of internally displaced persons has been part of a response approach that integrates host communities, both in terms of protection against food deprivation and protection of the property of internally displaced persons. The specific mechanisms for compensating damages resulting from internal displacement are yet to be specified.

### **A: Protection against Food Deprivation (art. 9 (1); 9 (2))**

**1016-** The Government's strategy to ensure access to sufficient and quality food consisted in making food available, strengthening the economic capacities of displaced persons and host populations and securing periodic markets, both in the northern regions and in the north-west and South West regions.

**1017-** For the situation in the northern regions, in 2015, the Government implemented a strategy to mobilize food kits estimated at nearly CFAF10,000,000,000<sup>452</sup> to reduce food shortages due to the absence of agricultural activities by the population and its consequences on their health.

**1018-** The support of bilateral and multilateral partners is also worth noting. For refugees and IDPs from the East and Far North, Russia offered a large stock of food products including 1,500 tonnes of bottled sunflower oil and 370 tonnes of wheat flour worth CFAF 1, 300, 000, 000<sup>453</sup>.

**1019-** Furthermore, in support to the Government, international organizations provide multifaceted support each year to improve the living conditions of IDPs. For its part, the International Committee of the Red Cross continued its weekly distribution of food to IDPs in the Mayo-Sava and Mayo-Tsanaga Divisions, enabling hundreds of households to receive food items of various kinds.

**1020-** Support for the development of income-generating activities was reflected through provision of financial and material support in various sectors such as sewing, hairdressing and baking. For example, a total of 5171 people, including 3620 refugees and 1551 IDPs, benefited from some form of livelihood support, including support for agricultural or livestock production (81.5%) and support for micro-enterprise development (16.7%). Furthermore, the FAO provided refugees and host populations in the Eastern Region with an assistance estimated at CFAF250,000,000<sup>454</sup> consisting of equipment, seeds and fertilizers for their farming activities. This organization also set up product-processing units in 10 villages to enable the target population work and support themselves.

**1021-** In addition, with the support of development partners, Government made donations to refugees and IDPs and provided them with equipment for income-generating activities. Thus, the agricultural production capacity of 6,901 people, including refugees and IDPs was boosted through the distribution of quality seeds and more than 1,000 agricultural kits. Similarly, more than 1,260 households with a population of 11,396 people were able to benefit from a monthly cash transfer of CFAF66,000<sup>455</sup> for 3 months to support themselves and promote income-generating activities.

**1022-** For the situation in the North West and South West Regions, the food needs of IDPs in the Emergency Humanitarian Assistance Plan are estimated at CFAF 3,750,000, 000<sup>456</sup>.

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<sup>452</sup>About 15,267,176 Euros.

<sup>453</sup> About 1,984,733 Euros.

<sup>454</sup> About 381,679, 389 Euros.

<sup>455</sup> About 100 Euros.

<sup>456</sup> About 5,725,191 Euros.

## **B: Protection of Property of Internally Displaced Persons (9 (2) (i))**

**1023-** In the period spanning 2013-2018, Cameroon ensured the protection, as per article 9 of the said Convention as regards protection of individual, collective and cultural property abandoned by displaced persons as well as places where displaced persons are located. As Cameroonian citizens, IDPs retain all their rights, including the right to property protection. In abandoned localities, Law Enforcement Officers conducted surveillance missions to protect the property of displaced persons. For example, those who committed an offence by looting property left behind by displaced persons were prosecuted.

## **C: Mechanisms for Fair and Equitable Compensation for Damages Resulting from Internal Displacement (art. 12)**

**1024-** In the absence of a legal framework which provides specific mechanisms to compensate for damages suffered by IDPs, the latter may seize the courts in accordance with ordinary law provisions. Thus, when IDPs are identified as victims in prosecutions for kidnapping, destruction, false arrest or any other violation of physical or moral integrity, they are entitled to claim damages.

**1025-** Assistance plans for displaced persons generally include a rehabilitation and reconstruction dimension. The Government's action, with the support of some United Nations agencies and non-governmental organizations, has also taken the form of donation of basic necessities to relieve the plight of internally displaced persons.

## **CHAPTER 3: ASSISTANCE TO INTERNALLY DISPLACED PERSONS AND SUSTAINABLE SOLUTIONS**

**1026-** Massive population displacements have generated a need for humanitarian assistance to which the State, with the support of humanitarian actors, has responded as part of the implementation of the duty of assistance while ensuring that the response is in accordance with the principles of humanitarian action. The assessment of humanitarian action has been placed at the core of the response mechanism with a view not only to make readjustments to the action, but above all, to make it consistent with sustainable solutions to internal displacement.

### **Section 1: Implementation of the Duty of Humanitarian Assistance**

**1027-** The structure of the response to risks provided for in the NCP is in line with the various sequences of the implementation of the duty of humanitarian assistance set out in the Convention. In particular, it relates to preparing means of response, the assessing the needs of the population concerned, consulting the said population, quick and non-discriminatory deployment of assistance and taking into account specific needs.

### **A: Measures taken to Assist Internally Displaced Persons (State resources, requested cooperation (art. 5 (2)), accepted assistance offers, facilitation of assistance provided by third parties) (art. 3j) (art. 4 (3), art. 5 (6)),**

**1028-** Since 2014, Cameroon has, under the impetus of United Nations Specialized Agencies, aligned itself to the Sahel Regional Strategy, which carries out an annual humanitarian response planning exercise. This action is taking place in a particularly difficult situation where much is yet to be done in the humanitarian sector in Cameroon, given the security context. With regard to security, the backlash of the fight against the *Boko Haram* terrorist group, and repercussions of the socio-political crisis in the Central African Republic have brought in a significant number of refugees, not to mention the internally displaced persons in the Far North Region. Thus, since 2014, humanitarian response plans have been established



by agencies of the United Nations system. This is the case with the Humanitarian Response Plan 2017-2020. This Plan mainly concerns the Adamawa, East, North and Far North Regions, which accounted for 95% of the 2.9 million people in need of assistance at the time. Needs were estimated at 305 million dollars to provide protection and assistance to 1.3 million affected people, including refugees, internally displaced persons, persons hosting refugees and internally displaced persons and other persons in need.

**1029-** A delegation of Ambassadors representing the Fifteen Member States of the United Nations Security Council visited Cameroon from 2 to 7 March 2017 as part of a mission to assess the situation on the ground as well as progress made and challenges faced in the fight against *Boko Haram* in the Lake Chad Basin countries.

**1030-** With the socio-political crisis in the North West and South West Regions, the Government launched a Humanitarian Assistance Plan on 20 June 2018 and established an Emergency Humanitarian Assistance Coordination Centre to address the situation in the North West and South West Regions by Order No. 2018/127/CAB/PM of 21 November 2018.

**1031-** Subsequently, an AU mission was dispatched to Cameroon in July 2018 by the Chairperson of the AU Commission to assess the situation in the Far North Region affected by atrocities of the *Boko Haram* terrorist group and the two other crisis-ridden regions mentioned above, in view of the support the continental organization could provide to Cameroon. In the same vein, in order to express active African solidarity, the AU proposes to organize an International Donors' Conference as part of the implementation of the Emergency Humanitarian Assistance Plan for the North West and South West populations<sup>457</sup>.

## **B: Mechanisms to Estimate Assistance Needs (art. 5 (5))**

**1032-** The population of Cameroon is suffering from the impacts of a humanitarian crisis connected to conflicts in the Lake Chad Basin region, the Central African Republic and the North West and South West Regions, as well as chronic vulnerability leading to high levels of food insecurity and malnutrition.

**1033-** The number of refugees and internally displaced persons has hiked since 2015, generating an increase in humanitarian needs for both displaced persons and host communities already vulnerable before the crises.

**1034-** Cameroonian government authorities are working with international organizations to estimate the needs of displaced persons and refugees, as well as host communities, in the areas of civilian protection, education, health, food insecurity and severe malnutrition.

**1035-** There are two mechanisms for evaluating assistance, including purely administrative mechanisms and specific mechanisms implemented by humanitarian organizations.

**1036-** With regard to administrative mechanisms, as soon as a disaster or crisis occurs, the administrative authorities assess the damages as well as conduct a census of displaced persons in order to determine health, nutrition and first aid needs. It is an emergency approach that takes into account short-term intervention.

**1037-** As for specific intervention, it is carried out by humanitarian organizations through a Rapid Initial Multi-sector Assessment (MIRA) which is implemented as soon as disaster strikes and which focuses on identifying basic needs.

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<sup>457</sup> China has pledged to provide humanitarian assistance equipment worth \$2.9 million that is about 1.8 billion CFAF

## **C: Mechanisms for Consulting Displaced Persons on the Assistance and Protection they Receive (9 (2k))**

**1038-** As consultation with beneficiaries is necessary to ensure that solutions are in line with needs, administrative authorities at all levels, through their local relays (traditional chiefs, vigilance committees and other community leaders), consult displaced persons to find out about assistance needs.

**1039-** Thus, for the management of humanitarian assistance in the North-West and South-West Regions, the Emergency Humanitarian Assistance Coordination Centre has a branch office in each of the two regions, with technical coordination of activities being ensured at the regional level by the Regional Governors. These branch offices are intended to consult with beneficiaries in order to define appropriate intervention strategies for them.

**1040-** As part of cooperation, some agencies, such as the IOM, have set up a Community mechanism for tracing displaced persons.

## **D: Rapid and Non-Discriminatory Assistance (Art 5, Art 9 (2 a and b))**

**1041-** Assistance operations are carried out on the basis of assessments that take into account the specific needs in the intervention areas. To curb the risk of discrimination due to social realities prior to the situation that led to the displacement, awareness-raising programmes on peaceful coexistence between displaced persons and host communities are conducted.

## **E: Assistance taking into Account Persons with Special Needs (separated and unaccompanied children, women heads of household, pregnant women, mothers with young children, the elderly and persons with disabilities or transmissible diseases) (art 9.2 c)**

**1042-** The multiplicity of humanitarian actors makes it possible to take into account the specific needs of various target population. The Humanitarian Response Plan 2017-2022 thus integrates the protection needs of children under the coordination of UNICEF, women in particular with regard to gender-based violence under the coordination of UNFPA.

**1043-** The Government's Humanitarian Assistance Plan for the North West and South West Regions also integrates the needs, in terms of protection, of vulnerable groups, particularly women, against GBV, children, with an emphasis on the rehabilitation of schools and protection of teachers and students, protection against early marriage and pregnancy, child labour, drug consumption and recruitment of young people into armed groups.

## **Section 2: Measures taken to ensure Compliance by Humanitarian actors (art 6)**

**1044-** Mechanisms for monitoring humanitarian actors' compliance with their obligations are implemented both by Government and humanitarian actors themselves.

**1045-** Administrative authorities thus supervise assistance operations at the local level while regular (monthly) consultations are organized at the central level to monitor humanitarian assistance operations. In addition, joint Government/partners operations are conducted. Humanitarian actors have laid down internal codes of conduct which are applied by the various agencies.

## **Section 3: Mechanisms for Monitoring and Assessing the Impact of Humanitarian Assistance (art. 9 (2) (m))**

**1046-** With the first experiences in humanitarian emergency management, which also concern internally displaced persons, periodic consultations were organized by the administrative authorities to monitor and assess the implementation of humanitarian assistance. This experience was useful in the management of subsequent crises with a more structured

mechanism between Government and humanitarian actors<sup>458</sup>. Thus, the Emergency Humanitarian Assistance Coordination Centre for the situation in the North West and South West Regions has a mission to monitor and assess the implementation of the humanitarian assistance plan in these Regions. This is carried out within the framework of periodic consultations between the Government<sup>459</sup> and national and international humanitarian agencies, under the coordination of the Minister in charge of territorial administration.

**1047-** To this end, the Regional branch offices of this Centre are required to submit a quarterly report and an annual report on their activities to the Minister in charge of territorial administration.

**1048-** To ensure sustainability of the impact of humanitarian assistance beyond the emergency situation, implementation of structural support projects and programmes are included in humanitarian interventions, in particular through plans to support host communities. One of the preferred options is the inclusion of these support plans in local development plans, particularly in the already mentioned Strategy for Recovery and Consolidation of Peace in the North and East Regions of Cameroon (2018-2022).

#### **Section 4: Sustainable Solutions (return, local integration or resettlement) (art 11)**

**1049-** Sustainable solutions depend on the persistence or not of the situation causing the displacement, but also on recovery measures. Thus, the gradual restoration of peace in crisis-stricken areas is an incentive for the return of people whose movements vary with the situation.

**1050-** As a result of the above-mentioned efforts to restore security in some deserted areas in the Far North Region, approximately 36,068 IDPs representing nearly 6,477 households were able to return to their homes. The ICRC has supported the State in the ministerial sectors for the resettlement of the latter by supporting their agro pastoral activities. For IDPs who decided to settle permanently in resettlement sites, the ICRC supported the initiatives of the projects that had been launched.

**1051-** Voluntary return movements are also observed in several localities in the North West and South West Regions. With the creation of the National Committee for Demobilization, Disarmament and Reintegration following Decree No. 2018/719 of 30 November 2018<sup>460</sup>, it is to be hoped that the situation will gradually de-escalate and that the displaced population will return in greater numbers.

**1052-** In the case of disasters, recovery measures also depend on the impact of the disaster. As already noted for displacements related to major projects, relocation of the people, where necessary, is a measure included in the environmental and social management plans of these projects.

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<sup>458</sup> In relation to humanitarian actors in the United Nations system, an OCHA (Office for the Coordination of the Humanitarian Assistance) Office was opened in Cameroon in 2015.

<sup>459</sup> The government party is represented at these periodic consultations by the following 13 administrations: Ministry in charge of territorial administration, Ministry in charge of external relations; Ministry in charge of defense, Ministry in charge of public health, Ministry in charge of agriculture and rural development, Ministry in charge of livestock, fisheries and animal industries, Ministry in charge of communication, Ministry in charge of secondary education, Ministry in charge of basic education, Ministry in charge of social affairs, Ministry in charge of the promotion of women and the family, State Secretariat for Defense, in charge of the National Gendarmerie, General Delegation for National Security and the General Directorate for External Research

<sup>460</sup> Officials of this Committee were appointed in accordance with Decree No. 2018/742 of 4 December 2018 appointing the National Coordinator of the National Committee for Demobilization, Disarmament and Reintegration and Decree No. 2018/131/PM of 7 December 2018 appointing the Heads of Regional Centres of the National Committee for Demobilization, Disarmament and Reintegration

## Conclusion of Part C

**1053-** Massive population movements recorded in Cameroon for more than 30 years have so far consisted of waves of refugees from neighbouring countries. The logic of intervention was based on the country's traditional hospitality and the call for international solidarity in the context of humanitarian emergencies arising from these situations, with the United Nations humanitarian agencies and other humanitarian actors at the forefront.

**1054-** Massive movements of internally displaced persons have become a new reality in recent years. This situation has led to a change in response approach towards greater national mastery of humanitarian response. It has resulted in the expression of national solidarity and, above all, the adaptation of the normative and institutional framework, thus capitalizing on experience gained from previous natural risk management undertakings and major projects, as well as humanitarian action in favour of refugees.

**1055-** In addition to preventing risks that could lead to situations of internal displacement, the option is to not reduce humanitarian action to emergencies, but to pursue a development-based approach by adopting sustainable measures.

**1056-** Thus, in order to lay the foundations for a civil protection system that is more suitable to respond to emergencies and disasters to which Cameroon is exposed, the Minister for Territorial Administration created by Order No. 00000275/D/MINATD/SG/DAJ of 19 June 2017, a Working Group on Legal and Institutional Reform of Civil Protection. In particular, it is expected that a preliminary draft law setting out the general framework for civil protection in Cameroon be drafted and a proposal for a new institutional and operational architecture for this sector, adapted to the requirements and contingencies of the current civil protection system.

## GENERAL CONCLUSION

**1057-** With the aim to make Human Rights a concrete reality for the benefit of all persons living under its jurisdiction, the Government of Cameroon has spared no effort to guarantee civil and political rights, economic, social and cultural rights, rights of specific groups and collective rights of the population. However, varying constraints induced by the socio-political situation, corporatist demands that have evolved towards claims for secession in the North West and South West Regions, security challenges resulting from the abuses of the *Boko Haram* terrorist group and armed gangs coupled with the economic crisis are no exemptions from the obligation to promote and protect Human Rights. In this logic, progress registered sounds like probative aggregates of the balance perpetrated by the State between the issues at stake. These advances have had a particular impact at the institutional, legislative, political and strategic levels, while judicial actors have reaffirmed their position as custodians of Human Rights.

**1058-** Thus, the establishment of institutions such as the Senate and the Constitutional Council helped to strengthen the democratic process and had a special effect on civil and political rights during the period under reference. In the same way, various economic constraints did not hinder the conduct of structural projects dedicated to national development and with a high macroeconomic impact. Basic social projects have made it possible to find sustainable short-term solutions aimed at reducing poverty and unemployment and improving the living conditions of populations, particularly those belonging to the most vulnerable groups. As such, equity concerns have been at the core of public policies and development plans, with an inclusive approach designed to "leave no one behind". This is why the situation of women, young people, and children, persons living with disabilities, indigenous peoples, refugees and displaced persons has not been neglected, reflecting a practical respect of the rights enshrined in the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the Convention on Internal Displacement in Africa.

**1059-** However, in an approach of resilience and despite the repercussions of the above-mentioned security challenges, Cameroon intends to continue its efforts for the well-being of the population, in a spirit of dialogue and social inclusion. It is also for purposes of appeasement and easing of tension that the National Committee for Demobilization, Disarmament and Reintegration created by Decree No. 2018/719 of 30 November 2018 must be considered.

**1060-** Nevertheless, Cameroon deplores the irredentism of its citizens who have openly chosen to undermine national construction efforts by taking up arms to demand the partition of the country in defiance of historical traditions and established case law of the African Commission on Human and Peoples' Rights.

**1061-** This is the opportunity for the State of Cameroon to reiterate its commitment to continue the constructive dialogue with the African Commission on Human and Peoples' Rights./-

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