# REPORT BY THE MINISTRY OF JUSTICE ON HUMAN RIGHTS IN CAMEROON IN 2011



### Summary

TABLE OF CONTENTS	7
ADMINISTRATIVE MAP OF CAMEROON	24
JUDICIAL MAP OF CAMEROON	25
FOREWORD	27
LIST OF ACCRONYMS AND ABBREVIATIONS	29
PREFACE	37
GENERAL INTRODUCTION	39
PRELIMINARY CHAPTER: CAMEROON'S COOPERATION	
WITH INTERNATIONAL MECHANISMS THAT PROMOTE	
AND PROTECT HUMAN RIGHTS	47
PART ONE: CIVIL AND POLITICAL RIGHTS	63
INTRODUCTION TO PART ONE	65
CHAPTER 1: RIGHT TO LIFE, FREEDOM, SECURITY AND THE	
RIGHT NOT TO BE TORTURED	67
CHAPTER 2: RIGHT TO FAIR TRIAL	89
CHAPTER 3: FREEDOM OF EXPRESSION AND COMMUNICATION .	. 109
CHAPTER 4: HUMAN RIGHTS DEFENDERS	. 119
CHAPTER 5: PROTECTION OF REFUGEES	. 125
CHAPTER 6: RIGHT TO PARTICIPATE IN THE MANAGEMENT	
OF PURIC AFFAIRS	137

PART TWO: ECONOMIC, SOCIAL AND CULTURAL RIGHTS,	
AND THE RIGHT TO A HEALTHY ENVIRONMENT	161
INTRODUCTION TO PART TWO	163
CHAPTER 1: GOOD GOVERNANCE AND CORRUPTION	
CONTROL	165
CHAPTER 2: RIGHT TO EDUCATION	177
CHAPTER 3: RIGHT TO HEALTH	201
CHAPTER 4: RIGHT TO ADEQUATE STANDARD OF LIVING	221
CHAPTER 5: RIGHT TO WORK AND SOCIAL SECURITY	243
CHAPTER 6: RIGHT TO CULTURE	263
CHAPTER 7: RIGHT TO HEALTHY ENVIRONMENT	269
PART THREE: CROSS-CUTTING ISSUES AND THE RIGHTS	283
INTRODUCTION TO PART THREE	285
CHAPTER 1: DETENTION CONDITIONS	287
CHAPTER 2: PROMOTION AND PROTECTION OF THE RIGHTS	
OF SOCIALLY VULNERABLE GROUPS	297
CHAPTER 3: PROMOTION AND PROTECTION OF WOMEN'S	
RIGHTS	319
CONCLUSION OF PART THREE	338
GENERAL CONCLUSION	339

### Table of contents

SUMMARY	5
FOREWORD	. 27
LIST OF ACCRONYMS AND ABBREVIATIONS	. 29
PREFACE	. 37
GENERAL INTRODUCTION	. 39
PRELIMINARY CHAPTER: CAMEROON'S COOPERATION WITH	
International mechanisms that promote and	
PROTECT HUMAN RIGHTS	. <b>47</b>
SECTION 1: COOPERATION IN NON-LITIGIOUS MATTERS	. 49
§1: Cooperation with Special Procedures	. 49
<b>A</b> : Visits	. 49
1: Negotiated Visits	. 49
2: Visit of the Special Rapporteur for Human Rights Defenders in Africa	. 50
a) Normative and Institutional Framework	. 50
b) Evaluation of the Rights Guaranteed by the African Charter	
on Human and Peoples' Rights	. 51
<b>B</b> : Questionnaires and Appeals from Mandate Holders	. 52
1: Questionnaires	. 52
2: Appeals	. 53
§ 2: Defence of the Report before the Committee on Economic,	
Social and Cultural Rights	. 54
A: Recommendations	. 55
1: Recommendations on the Ratification of International Instruments	. 55
2: Recommendation relating to the Justiciability of Economic, Social	
and Cultural Rights (ESCR)	. 55

3: Recommendation on Good Governance	. 56
4: Recommendations on the Right to Education	. 56
5: Recommendations on the Right to Health	. 56
6: Recommendations on the Right to Adequate Standard of Living	. 57
a) Recommendations on the Right to Housing	. 57
(b) Recommendations on the Right to Water	. 57
(c) Recommendations on the Right to Food	. 58
7: Recommendations relating to the Rights of Vulnerable Groups	. 58
(a) Recommendations on the Rights of Persons with Disabilities	. 58
b) Recommendations on the Rights of Indigenous Peoples	. 58
8: Recommendations on Women's Rights	. 59
<b>B:</b> State of Implementation of Recommendations	. 59
1: Awareness of the Rights of PLWH	. 59
2: Legislative Measures for the Promotion and Protection of Persons	
with Disabilities	. 60
SECTION 2: LITIGATION COOPERATION	61
PART ONE: POLITICAL AND CIVIL RIGHTS	. 63
INTRODUCTION TO PART ONE	65
CHAPTER 1: RIGHT TO LIFE, FREEDOM, SECURITY AND THE	
RIGHT NOT TO BE TORTURED	. 67
SECTION 1: CAPACITY BUILDING OF LAW ENFORCEMENT	
OFFICIALS	. 69
SECTION 2: DISCIPLINARY MEASURES AND PROSECUTION	
OF LAW ENFORCEMENT OFFICIALS	. 70
§1: Disciplinary Measures	. 70
§ 2: Judicial Proceedings	. 71
A: Military Tribunals	
B. Civil Courts	84

<b>SECTION 3:</b> METHOD AND OUTCOME INDICATORS RELATED	
TO VIOLENT CRIME	85
<b>SECTION 4:</b> APPLICATIONS FOR BAIL	86
CHAPTER 2: RIGHT TO FAIR TRIAL	89
SECTION 1: STRENGTHENING THE LEGAL FRAMEWORK	
FOR THE PROMOTION OF THE RIGHT TO FAIR TRIAL	91
§ 1: Amendment of Judicial Organisation	91
§2: Special Criminal Court (SCC)	92
A: Competence and Composition of the SCC	93
<b>B</b> : Procedure before the SCC	93
<b>C</b> : Appeals	94
<b>D</b> : Stay of Proceedings	94
SECTION 2: COURTS AND PROCEEDINGS	94
§ 1: Access to Justice and Equality before the Courts	95
A: Granting of Legal Aid and Designation of Interpreters	95
1) Allocation of Legal Aid	95
2) Designation of Interpreters	96
<b>B</b> : Criminal Justice	97
$\S 2$ : Impartiality, Independence of the Judiciary and Public Trial	99
A: Judicial Impartiality	99
<b>B</b> : Independence of the Judiciary	99
1: Investigations Concerning Judicial Staff	99
2: Budget Allocated to the Judiciary	. 100
C: Public trial	. 101
<b>SECTION 3:</b> GUARANTEES GRANTED TO PROSECUTED PEOPLE	. 101
§ 1: Right to Counsel	. 102
§2: Right to be tried without Undue Delay	. 102
A: Identified Causes of Judicial Delays	. 102

<b>B</b> : Proposed Solutions to Judicial Delays	103
<b>§</b> 3: Appeals	104
SECTION 4: CASE-LAW	105
§1: Non-retroactivity of the Law	105
§2: Role of the Judge as to Inquiry Measures	105
§3: Nature and Qualification of the Appealed Judgment	106
<b>§</b> 4: Effect of the Statement of Appeal	107
CHAPTER 3: FREEDOM OF EXPRESSION AND	
COMMUNICATION	103
SECTION 1: CAPACITY BUILDING	111
§ 1: Public Assistance to the Private Press	111
A: Results of the 2011 Session	111
<b>B</b> : Suggestions for Better Aid Management	112
§2: Seminars and Workshops	113
SECTION 2: PROSECUTION OF JOURNALISTS	114
CHAPTER 4: HUMAN RIGHTS DEFENDERS	119
SECTION 1: NEW ARRESTS	121
§ 1: Arrest and Detention of François FOGNO FOTSO	121
§2: Inquiries relating to the case of FOGUE FOGUITO, Chair of	
"Positive Generation" and Paul Guy HYOMENI, Chair of Réseau	
Camerounais des Droits de l'Homme (RECODH).	122
SECTION 2: PREVIOUS CASES	123
§1: BIKOKO Jean Marc and Others	123
§2: Paul Eric KINGUE	123
CHAPTER 5: PROTECTION OF REFUGEES	125
SECTION 1: ORGANISATION AND FUNCTIONING OF THE	
ORGANS OF MANAGEMENT OF REFUGEES	127
§ 1: Multi-sectoral composition of commissions	127
A: Composition of the Eligibility Commission	128

<b>B</b> : Composition of the Appeals Commission
C: Designation of Members of Commissions
§2: Common guarantees of impartiality of members 129
<b>A</b> : Oath
B: Limitation of mandate
C: Incompatibilities
<b>D</b> : Salary of Commission Members
E: Motivation of Decisions
§3: Technical Secretariat
<b>§</b> 4: Common Procedures
A: Frequency of Meetings
<b>B</b> : Quorum
C: Mobilisation of Material Means
SECTION 2: ELIGIBILITY PROCEDURES FOR REFUGEE STATUS 131
§ 1: Confirmation of Double Degree in Examination of Asylum
Applications
A: Examination at the First Instance
§ 1: Individual Refugee Status Determination Procedure
a) Referral to the Commission
b) Processing the Application
i) Asylum Interview
ii) Other Investigative Measures
iii) Examination Timeframes
c) Preparing the File
d) Decision
B: Examination at the Last Instance
<b>§</b> 2: Consequences of the Procedure
A: Right to Identification Documents
<b>B</b> : Obligation to Leave the Country for Refusal or Loss of Refugee
Status

CHAPTER 6: RIGHT TO PARTICIPATE IN THE MANAGEMENT	
OF PUBLIC AFFAIRS	37
SECTION 1: ORGANIZATION AND CONDUCT OF THE	
PRESIDENTIAL ELECTION	39
§1: Strengthening of the Normative and Institutional Framework	
of the Electoral System	39
A: Legislative Instruments	39
B: Regulatory Acts	10
C: Redeployment of ELECAM Members	11
<b>§</b> 2: Pre-election Operations	12
A: Registration on the electoral lists	12
B: Validation of Candidates for the Election	13
1: Applications validated by ELECAM	13
2: Pre-election disputes	14
(a) Outcome of the Appeal brought on 4 October 2010 by the	
SDF before the Administrative Bench of the Supreme Court 14	14
(b) Proceedings instituted against decisions of ELECAM to reject	
certain candidates for the presidential election: case of Anicet	
EKANE Georges (MANIDEM) and Daniel SOH FONE(PSU) 14	14
c) Proceedings to reject the candidacy of Paul BIYA	15
d): Provision of financial, material and human resources 14	16
1: Financial Resources	16
2: Electoral Material	17
3: Strengthening Human Resources	18
§3: Conduct of the polls	19
A: Electoral Operations	19
1: Actual Voting	19
2: Participation of People with Disabilities in Voting	50

150
150
151
151
152
153
155
155
155
156
157
157
158
160
161
163
165
167
167
167
168
169
169

SECTION 2: CORRUPTION CONTROL AND MISAPPROPRIATION	
OF PUBLIC PROPERTY	170
§ 1: Non-judicial Control	171
<b>A</b> : ANIF	171
B: CONAC	171
C: Measures by CONSUPE	172
1: Denunciations	172
2: Control Missions	173
3: Activities of the CDBF's Permanent Secretariat	173
a) Files Received	173
b) Files Examined and Enlisted	173
c) Decisions	174
§2: Judicial Control	176
CHAPTER 2: RIGHT TO EDUCATION	177
SECTION 1: BASIC EDUCATION	179
§ 1:Establishment of Policies Governing the Right to Education	
in Cameroon	179
A: Measures Concerning the Girl Child	179
B: Measures taken in Favour of Children from Indigenous	
and Disadvantaged Families	180
§2: Consolidation of Basic Education Promotion Achievements	181
A: Education Provision Measures	181
1: Infrastructure Development	181
2: Special Recruitment of New Teachers	182
<b>B</b> : Continuation of Education Quality Improvement	182
1: School Curricula Review	.183
2: Teaching Human Rights	183
3: Teaching of National Languages	183
4: Family Life, Population and HIV/AIDS (EVF/EMP/HIV/AIDS)	
Education	184
C: Primary School Enrolment Indicator Trends	185

SECTION 2: SECONDARY EDUCATION	18/
§ 1: Expanding Access to Education	187
A: Enlargement of School Map	187
1: Increase in Schools	187
2: Student Downsizing and Increasing the Number of Teachers	188
a) Student Downsizing	188
b) Number of Teachers	189
<b>B</b> : Development of the Public School Infrastructure	190
C: Guaranteed Accessibility	191
§2: Improving the Quality and Effectiveness of Education Service	191
A: Improving Education Quality	191
1: Strengthening Supervision Quality	191
2: Adaptability of Education System to the Economic and	
Social Context	192
a) Teaching Professionalisation	192
b) Promotion of Bilingualism and National Languages	193
c) Human Rights Education	193
d) Family Life, Population and HIV/AIDS Education	193
e) Moral Education	194
f) Organisation of School Games	194
<b>B</b> : Improvement of the System's Efficiency	194
SECTION 3: HIGHER EDUCATION	196
§ 1: Increase in Higher Education Offer Indicators	196
A: Extension of the University Map	196
B: Increased Enrolment	197
§2: Supervision Improvement	197
§3: Governance and Corruption Control	198

CHAPTER 3: RIGHT TO HEALTH	201
SECTION 1: STRENGTHENING OF THE LEGAL AND	
Institutional framework	203
SECTION 2: STRENGTHENING OF HUMAN RESOURCES	
and infrastructure	204
§ 1: Increase in Medical Staff	204
A: Increase in Human Resources	204
<b>B</b> : Distribution by Age Group and Gender	205
C: Regional Staff Distribution	205
§2: Health Infrastructure Development	206
SECTION 3: DISEASE CONTROL	206
§ 1: Priority Actions	207
A: AIDS Control	207
B: Malaria Control	207
C: Tuberculosis Control	209
§2: Control of other Diseases	209
A: Cancer Control	209
B: Cholera Control	209
SECTION 4: MOTHER, ADOLESCENT AND CHILD	
HEALTH CARE	210
§ 1: Mother Health Care	210
§2: Adolescent and Child Health Care	211
A: Adolescent Health Care	211
B: Child Health Care	211
SECTION 5: HEALTH PROMOTION	212
§ 1: Government Action	212
A: Healthy Life and Hospital Hygiene	212
1: Healthy Life	

2. Hospital Hygiene	. 213
<b>B</b> . Nutrition	. 213
C: Immunisation	. 216
<b>§</b> 2: Actions by NGOs	. 216
A: African Action on AIDS (AAA)	. 216
<b>B</b> : Afrique Future Cameroon	. 218
C: Mutual Health Insurance	. 219
CHAPTER 4: RIGHT TO ADEQUATE STANDARD OF LIVING	. 221
SECTION 1: GUARANTEE OF THE RIGHT TO FOOD	. 223
§ 1: Agricultural Policy Guidelines	. 223
§2: Measures to Ensure Food Availability	. 224
A: Vegetable Production	. 224
1: Slight Production Increase	. 224
a) Incentives	. 224
b) Sector-based Production Apparatus Development	. 225
2) Foodstuff Quality Concerns	. 227
<b>B</b> : Animal and Fish Production	. 227
§3 Food Accessibility Measures	. 229
A: Strengthening the Normative and Institutional Framework	. 229
1: Adoption of Consumer Protection Law	. 229
2: Setting up of MIRAP	. 230
B: Standard Measures	. 231
1: Organisation of Promotional Sales Campaigns	. 231
2: Construction of Periodic Markets	. 231
3: Taskforce Controls	. 232
SECTION 2: RIGHT TO WATER AND ENERGY	. 232
§ 1: Energy Supply Improvement	. 232
A: Strengthening of the Legislative Framework	. 232
<b>B</b> : Energy Production Investments	. 233

1: Major Development Projects	. 233
2: Continuation of other Programmes	. 234
C: Electricity Sector Quality Service	. 234
<b>§</b> 2: Water Sector Achievements	. 235
<b>SECTION 3:</b> RIGHT TO ADEQUATE HOUSING	. 236
§ 1: Legal Security of Tenure	. 236
A: Legal Framework Consolidation	. 236
<b>B</b> : Securing Land Title and Integrity of Procedures	. 237
C: Launching of the Study on the Town Planning Master	
Plan (TMP) and Land Occupation Plan in Douala	. 238
<b>D</b> : Preservation of the Populations' Rights in Major Development	
Projects	. 238
<b>E</b> : Sanctions for Violation of Rules	. 239
1: Unpaid Rents	. 239
2: Non-compliance with Expropriation Procedures for Public	
Purposes	. 239
§2: Real Estate Development Apathy	240
CHAPTER 5: RIGHT TO WORK AND SOCIAL SECURITY	. 243
SECTION 1: PROMOTION AND PROTECTION OF THE	
RIGHT TO WORK	. 245
§ 1: Measures for Access to Decent Employment	. 245
A: Activities for Professional Integration	. 245
1: Structural Initiatives	. 245
2: Work Placement	. 246
<b>B</b> : Recruitment into the Public Service	. 247
1: Special Recruitment of 25,000 Graduates into the Public Service $\ldots$	. 248
a) Eligibility Conditions	. 248
b) Recruitment Outcome: Statistics and Categories of	
Vulnerable People Selected	. 248
2: Traditional Recruitment Operations	. 250

<b>§</b> 2: Improvement of Working Conditions	. 252
A: Measures to Preserve Freedom of Association	. 252
<b>B</b> : Protection of Workers' Interests	. 255
C: Health and Safety at Work	. 255
<b>D</b> : Labour Dispute Management	. 256
1: Labour Disputes	. 256
§ 3: Rights of Vulnerable Categories	. 257
A: Migrant Workers	. 257
<b>B</b> : Domestic Workers	. 257
SECTION 2: ACTIONS FOR STRENGTHENING THE RIGHT	
TO SOCIAL SECURITY	. 258
§ 1: Enjoyment of the Right to Social Security	. 258
A: Increase in the Number of Insured Persons	. 258
<b>B</b> : Recovery of Social Security Contributions	. 258
C: Social Benefits Payment	. 258
<b>D</b> : Irregularities Related to Payment of Social Benefits	. 259
E: Sanctions to Companies for Non-compliance with their	
Social Security Obligations	. 259
§2: Social Welfare Litigation	. 260
A: Disputes before the Appeals Committee	. 260
1: Disputes on the Recovery of Social Security Contributions	. 260
2: Disputes on Payment of Social Benefits	. 260
<b>B</b> : Disputes before the Courts	. 260
CHAPTER 6: RIGHT TO CULTURE	. 263
SECTION 1: PROMOTION OF THE RIGHT TO CULTURE	. 265
§ 1: Promoting Cultural Creativity and Mobilisation of	
Cultural Dissemination Vectors	. 265

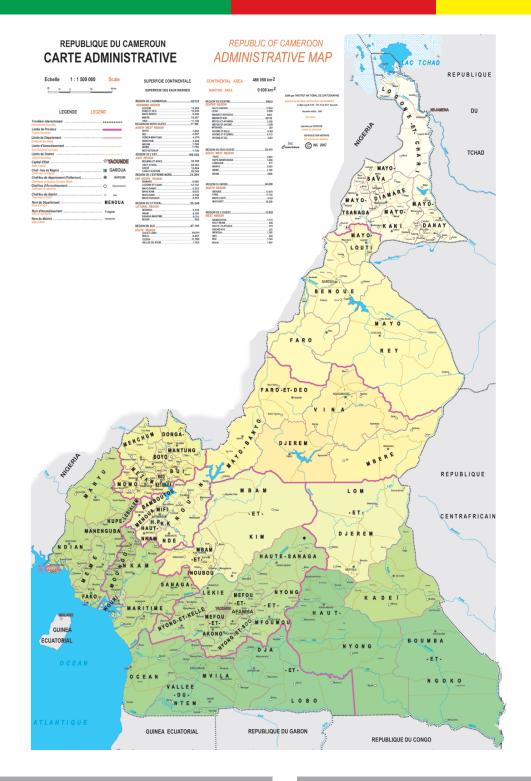
A: Cultural Events	265
<b>B</b> : Dissemination Channels	265
SECTION 2: PROTECTION OF THE RIGHT TO CULTURE	266
§ 1: Arbitration Commission	266
§ 2: Increase in Royalties	266
CHAPTER 7: RIGHT TO HEALTHY ENVIRONMENT	269
SECTION 1: POLLUTION AND FILTH CONTROL	271
§ 1: Legal Framework	271
§ 2: Hygiene, Sanitation and Waste Management Campaigns	273
§ 3: Environmental Inspections	273
SECTION 2: BIODIVERSITY CONSERVATION AND SUSTAINABLE	
MANAGEMENT OF FOREST AND WILDLIFE RESOURCES	275
§ 1: Population-based Activities under the Lom Pangar Project	275
§2: Reforestation	275
SECTION 3: FOREST AND ENVIRONMENTAL DISPUTE	
MANAGEMENT	276
§ 1: Forest and Wildlife Sector	276
A: Administrative Procedures	277
<b>B</b> : Judicial Procedures	277
§2: Environmental Sector	277
C: Administrative Procedures	277
1: Sound Nuisance	278
2: Other Environmental Disputes	278
A: Judicial Procedures	280
CONCLUSION OF PART TWO	281

PART THREE: CROSS-CUTTING 1880ES AND THE RIGHTS OF	
SPECIFIC GROUPS	283
INTRODUCTION TO PART THREE	285
CHAPTER 1: DETENTION CONDITIONS	287
SECTION 1: SUPERVISION OF PRISON STAFF	. 289
SECTION 2: PRISON STATISTICS	. 291
SECTION 3: HEALTH COVERAGE	293
SECTION 4: DIET OF INMATES	293
SECTION 5: SOCIO-CULTURAL ACTIVITIES, RECREATION	
AND EDUCATION	. 294
§ 1: Socio-cultural activities.	. 294
§2: Recreation	. 294
§3: Education	295
SECTION 6: CONTROL AND VISIT OF PRISONS	295
CHAPTER 2: PROMOTION AND PROTECTION OF THE	
RIGHTS OF SOCIALLY VULNERABLE GROUPS	297
SECTION 1: MEASURES TO PROMOTE AND PROTECT THE	
RIGHTS OF CHILDREN	299
§ 1: Promotion Measures	. 299
A: Intellectual Capacity Building	300
B: Material Capacity Building	301
§2: Measures to Protect the Rights of the Child	301
A: Strengthening of the Legal Framework of Child Protection	302
<b>B</b> : Campaign against Child Abuse and Sexual Violence	302
C: Taking Care of Children in Distress and Moral Danger	302
<b>D</b> : Judicial Protection of Children	303
E: Adoption Procedures	310
F: Curbing the Phenomenon of Street Children	. 311

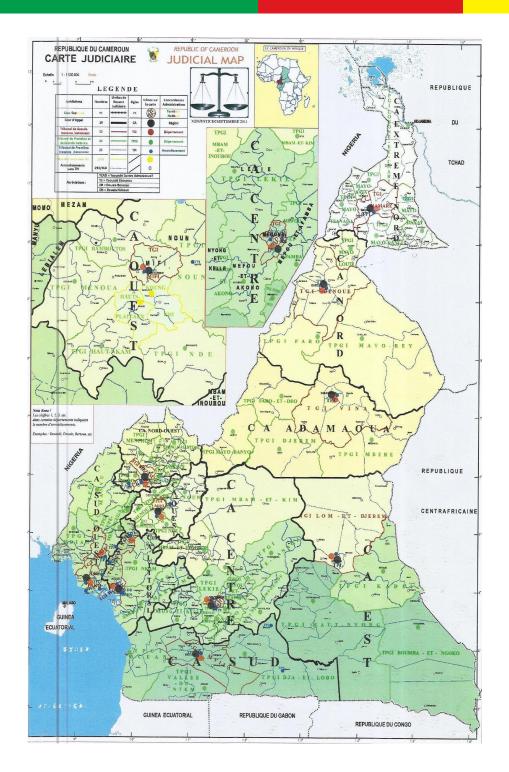
<b>SECTION 2:</b> MEASURES TO PROMOTE AND PROTECT THE	
RIGHTS OF PERSONS WITH DISABILITIES	312
§ 1: Promotion Actions	312
A: Facilitating Access to Work	312
<b>B</b> : Access to Buildings	313
<b>C</b> : Capacity Building of Organisations for Persons with Disabilities	313
<b>D</b> : Celebration of the 20th edition of the International Day of	
Persons with Disabilities	314
SECTION 3: PROMOTION AND PROTECTION OF THE	
ELDERLY	314
<b>SECTION 4:</b> PROMOTION AND PROTECTION OF THE	
RIGHTS OF INDIGENOUS POPULATIONS	315
§ 1: Identification of Indigenous Populations	315
§2: Vocational Training of Pygmies	316
§3: Official Documents	316
§4: Celebration of the International Day of Indigenous People	316
CHAPTER 3: PROMOTION AND PROTECTION OF WOMEN'S	
RIGHTS	319
SECTION 1: PROMOTION OF EQUALITY AND	
NON-DISCRIMINATION	321
§ 1: Promotion of Equal Access to Education and Employment	321
A: Access to Education.	321
<b>B</b> : Access to Employment	322
§2: Sector Plans for the Implementation of the National	
Gender Policy (NGP)	323
A: Rights and the Law Sector Plan	323
<b>B</b> : Health Sector Plan	324
§3: Participation of Women in the Management of Public Affairs	324
A: Participation in Political Life	
1: Registration on Electoral Lists	
a) TCHANA Lamartine	
h) DANG BAYIBIDIO Esther and WALLA Edith KAHBANG	

i) DANG BAYIBIDIO Esther	326
ii) WALLA Edith KAHBANG	326
3: Voting	326
<b>B</b> : Participation in Decision-making Process	326
SECTION 2: PROTECTION OF WOMEN AGAINST VIOLENCE	327
§ 1: Preventive Measures against Violence on Women	327
A: Platform for the Control of Gender-based Violence	327
B: Gender-Based Violence	.328
1: Celebration of the International Widows Day	328
a) Widows in Cameroon	329
b) Legal framework for the Protection of Widows' Rights	329
i) Normative Framework	329
(ii) Institutional Framework	330
c) Possible Solutions to Weaknesses of the System	331
i) Identified Weaknesses	331
ii) Possible Solutions	331
2: Celebration of the International Day of the Rural Woman	331
3: Celebration of 16 Days of Advocacy against Violence on	
Women	332
§2: Punishment of Violence against Women	332
§3: Support and Rehabilitation of Victims of Violence	333
SECTION 3: WOMEN'S MARITAL RIGHTS	333
§ 1: Promotion of Equal Rights in Marriage	333
§2: Judicial Protection of Women's Marital Rights	334
A: Management of Property upon the Dissolution of Marriage	334
<b>B</b> : Resolution of Conflicts Arising from the Management of Assets	
of the Marriage	336
CONCLUSION OF PART THREE	338
GENERAL CONCLUSION	339

### MINJUSTICE



### MINJUSTICE





#### **FOREWORD**

"...On my part, I renew my commitment to continue an inexorable and ruthless fight against corruption. Corruption is a crime and should be treated as such!!! Corruption is not only a moral crime but also an economic crime because through unacceptable misappropriation, it takes away large portions of our financial means and deprives us of funds required for our development. In this fight, nobody can be considered above the law..."

Paul BIYA, President of the Republic Speech made during the 2011 presidential election campaign, Douala, 6 October 2011.



# ACRONYMS AND ABBREVIATIONS

AAA : African Action on Aids

ACAFEJ : Cameroon Association of Female Jurists

A/C : Senior Warrant Officer

ACHPR : African Commission on Human and Peoples'

Rights

ACM : Senior Warrant Officer "Major"

ADD : Alliance for Democracy and Development of

Cameroon

Adjt. : Warrant Officer (Second Class)

AIW : African Immunisation Week

AMEC : Alliance for Meritocracy and Equal Chances
ANIF : National Financial Investigation Agency

APERP : Support for the Promotion of Employment and

Reduction of Poverty

APF : Alliance of Progressive Forces

APPT : Applicants

A P U : African Population Union

ARSEL : Electricity Sector Regulatory Board

Art. : Article

ARV : Anti Retro Viral
AU : Africa Union

BEPC (O'Level) : Brevet d'Etudes du Premier Cycle (Ordinary

Level)

BFDB : Budgetary and Financial Disciplinary Board

BMP : Bachelor-Master-Ph.D

BRIC : Bloc pour le Redressement et l'Indépendance

Economique du Cameroun

C D U : Cameroon Democratic Union

CA : Court of Appeal

CAED : Welcome Centre for Children in Distress

CAEDBEE : African Committee of Experts on the Rights

and Welfare of the Child

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

Cal. : Corporal

CAM : Welcome Centres for Minors

CAMB : Welcome Centres for Minors, Bertoua
CAMPOST : Cameroon Post and Telecommunications

CAMSO : Cameroon Society Organisation

CAMTEL : Cameroon Telecommunications

CAO : Welcome and Observation Centres

CAP : Certificate of Professional Competence

CAPEF : Chamber of Agriculture, Fishery and Forestry

CBF : Cameroon Business Forum

CCTU : Confederation of Cameroon Trade Unions
GCPDTC : Gendarmerie Command Professional Deve-

lopment and Training Centre

CEDAW : Convention on the Elimination of All Forms of

Discrimination against Women

CEMAC : Central African Economic and Monetary

Community

CEP : Certificat d'Etudes Primaire (First School Lea-

ving Certificate)

CETIF : Technical, Industrial and Family Education

College

TC : Traditional Court
CFI : Court of First Instance

CHOC : Change Behaviour-Oppose Corruption

CM2 : Cours Moyen deux (Class 6)
CNC : Cameroon National Congress

CNSPM : Children in Need of Special Protection Mea-

sures

CONAC : National Anti-Corruption Commission

CONSUPE : Higher State Audit

CPC : Criminal Procedure Code

CPDM: Cameroon's People Democratic Movement

CPP : Cameroon People's Party

CPPJ : Judicial Police Further Training Centre

CPTMO : Centre for Further Training in Law Enforce-

ment Techniques

CSO : Civil Society Organisations

CVECA : Village Savings and Self-managed Credit

**Funds** 

DFT : Defendant

DGSN : General Delegation of National Security

DS : Direct Summons
DUC : City Council, Douala
ELECAM : Elections Cameroon

ENAM : National School of Administration and Ma-

gistracy

ENAP : National School of Penitentiary Administration
ENIEG : General Education Grade I Teachers Training

College

ENIET : Technical Education Grade I Teachers Trai-

ning College

ENSP : National Advanced School of Engineering
 ENSTP : National Advanced School of Public Works
 EPI : Expanded Programme on Immunisation
 ERSUMA : Higher Regional School for the Training of

**Legal Officers** 

ESCR : Economic, Social and Cultural Rights
FENASSCO : National Federation of School Sports

FNE : National Employment Fund
GAPE : Electoral Process Support Group

GBV : Gender-Based Violence

GC : Grand Cameroun

GCF : General Certificate of Education

Gend. : Gendarme

GESP : Growth and Employment Strategy Paper
GICAM : Interprofessional Group of Cameroon

HC : High Court

HCR : High Commissioner for Refugees
HIV : Human Immune Deficiency Virus
HSS : Humanitarian Strategic Services
IAI : African Institute of Computer Studies

ICCPR : International Covenant on Civil and Political

Rights

ICE : Cameroon Childhood Institutions

ICESCR : International Covenant on Economic, Social

and Cultural Rights

ICRC : International Red Cross Committee

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

ICT : Information and Communication Technology

ILO : International Labour Office

IMCI : Integrated Management of Childhood

Illnesses

IMP : Imprisonment

INJS : National Institute of Youths and Sports

IWD : International Widows Day

KOICA : Korean International Cooperation Agency

LD : Legal Department

LLAIBN : Long-Lasting Action Insecticide Treated Bed

Nets

MAETUR : Mission for the Development and Equipment

of Urban and Rural Land

MANIDEM : African Movement for New Independence

and Democracy

MBOSCUDA : Mbororo Social and Cultural Development

Association

MDG : Millennium Development Goals

MDL : Sergeant

MDLC : Squadron Sergeant - Major

MEC : Ecologists' Movement of Cameroon

MERCI : Movement for Citizen's Emergence and Re-

awakening

MINADER : Ministry of Agriculture and Rural Development

MINAS : Ministry of Social Affairs

MINATD : Ministry of Territorial Administration and De-

centralisation

MINCOM : Ministry of Communication

MINCOMMERCE : Ministry of Commerce

MINAC :Ministry of Culture and Arts

MINDCAF : Ministry of Lands, Surveys and Land Tenure

MINDEF : Ministry of Defence

MINDUH : Ministry of Urban Development and Housing

MINEDUB : Ministry of Basic Education

MINEE : Ministry of Energy and Water Resources

MINEFOP : Ministry of Employment and Vocational Training

MINEPAT : Ministry of the Economy, Planning and Re-

gional Development

MINEPDED : Ministry of Environment, Protection of Nature

and Sustainable Development

MINEPIA : Ministry of Livestock, Fisheries and Animal

Husbandry

MINESEC : Ministry of Secondary Education
MINESUP : Ministry of Higher Education

MINFI : Ministry of Finance

MINFOF : Ministry of Forestry and Wildlife

MINFOPRA: Ministry of Public Service and Administrative

Reforms

MINJEUN : Ministry of Youth Affairs

MINJUSTICE : Ministry of Justice

MINMIDT : Ministry of Mines, Industry and Technological

Development

MINPLAPDAT : Ministry of Planning, Programming and Re-

gional Development

MINPMEESA : Ministry of Small and Medium-size Enter-

prises, Social Economy and Craft

MINPOSTEL : Ministry of Posts and Telecommunications
MINPROFF Ministry of Women Empowerment and the Family
: Ministry of Scientific Research and Innovation

MINREX : Ministry of External Relations

MINTSS : Ministry of Labour and Social Security

MIRAP : Essential Goods Supply Regulation Authority

MNT : Maternal and Neonatal Tetanus

MOH : Ministry of Public Health
MPF : Progressist Forces Movement

MU : Management Unit

NCHRF: National Commission on Human Rights and

Freedoms

NGO : Non-Governmental Organisation

NGP : National Gender Policy
NIS : National Institute of Statistics
NSIF : National Social Insurance Fund

NSP-OVC : National Support Programme for Orphaned

and Vulnerable Children

OBC : Baccalauréat Board of Cameroon

OHADA : Organisation for the Harmonisation of Busi-

ness Law in Africa

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

OVC : Orphaned and Vulnerable Children

PADDEC : Patriotic Democrat for the Development of Ca-

meroon

PAJ : Justice Sector Support Programme

PAME : Self-Employment and Micro-Enterprises Pro-

gramme

PAP : People's Action Party

PARETFOP: Technical Education and Vocational Training

Support Reform Programme

PC : Penal Code

PDFP : Pig Sector Development Programme

DUP : Urban Development Plan

PED : Graduate Emloyment Programme

PFLHE : Population/Family Life and HIV/AIDS Education

PIB : Public Investment Budget
PLWHA : People Living with HIV/AIDS

PMDL/PNG: Sector Plan for the Implementation of National

Gender Policy Law and Legislation

PMTCT : Prevention of Mother-To-Child Transmission of

HIV

PGS : Professional Guidance in School
POU : Professional Guidance in University

PROPELCAM : Operational Research Project for the Tea-

ching of Languages in Cameroon

PSY : Police School, Yaounde
PTA : Parent-Teacher Association

RCPU : Révolution Camerounaise du Peuple Uni RECODH : Cameroon Human Rights Network

RFI : Radio France International
RLA : Regional and Local Authorities

s/s : Suspended Sentence

SASNIM : Action Week for Maternal and Child Health,

and Nutrition

SC : Supreme Court

SCC : Special Criminal Court
SDF : Social Democratic Front

SIC : Cameroon Real Estate Corporation

SLC : Social Liberal Congress

STD : Sexually Transmissible Disease

MT : Military Tribunal

UEMOA : West African Economic and Monetary Union

UFC : United Front of Cameroon

UFDC : Union of Democratic Forces of Cameroon

UFP : Union for Fraternity and Prosperity

UNAPHAC : National Associations and Institutions of and

for Persons with Disabilites of Cameroon

UNCHRD-CA : United Nations Centre for Human Rights and

Democracy in Central Africa

UNDP : United Nations Development Programme
UNESCO : United Nations Education, Scientific and

Cultural Organization

UNGEI : United Nations Girls' Education Initiative

UNICEF : United Nations Children's Fund

UNIFEM : United Nations Development Fund for

Women

UNO/WOMEN : United Nations Organization for Gender

**Equality and Women** 

UNODC : United Nations Office on Drugs and Crime

UPR : Universal Periodic Review

USAID : US Agency for International Development

USP : Unified Socialist Party
VI : Violation of Instructions
WHO : World Health Organisation

YUC : City Council, Yaounde



## **Preface**

The Ministry of Justice, committed to continuing the approach adopted since 2005 to account for Government actions in the promotion and protection of human rights, makes public the 2011 Report.

This edition is both a descriptive and analytical review of the major human rights events in Cameroon in 2011. It relates especially to economic, social and cultural rights as well as civil and political rights.

With regard to the realisation of economic rights, the holding of the agropastoral show from 17 to 22 January 2011 has been the largest meeting
of the rural world for several years. On this occasion, it was established that
the state of our country's agriculture and livestock was not very bright in
spite of huge potentials. The Head of State, personally presiding at the
event, defined the broad lines to relaunch Cameroon's agricultural policy,
geared at national food self-sufficiency and export development. To illustrate his determination, he announced, among others, the launching of the
tractor assembly plant, the setting up of the agricultural bank and the bank
for small and medium-sized enterprises, the establishment of a fertilizer
plant and the rehabilitation of seed farms. To encourage farmers, the Head
of State gave them a significant donation of inputs and agricultural equipment.

Pertaining to the implementation of political rights, the African Charter on Democracy, Elections and Governance was ratified and the presidential election held during the reference year.

Adopted by the eighth ordinary session of the Conference of Heads of State of the African Union, held in Addis Ababa in Ethiopia on 30 January 2007, the African Charter on Democracy, Elections and Governance was ratified by Cameroon by Decree No. 2011/240 of 9 August 2011. In so doing, Cameroon is committed to implementing the principle of good governance in the management of public affairs.

# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

In this context, the presidential election of 9 October 2011 was the opportunity to confirm these commitments. The organisation of this election by a new independent body can be considered a remarkable step forward. Strategies to promote the right to vote, participation of persons with disabilities, women and young people of voting age, support of national stakeholders and some international organisations and most importantly, the availability of election material and the peaceful conduct of elections and related litigation all contributed to the smooth running of the electoral process. However, Government took note of the recommendations made by other States, international institutions and non-governmental organisations for better management, organisation and supervision of elections, especially, in view of the upcoming legislative and municipal elections. These include, inter alia, the adoption of a single Electoral Code, the revision of electoral lists, the introduction of biometrics and ensuring greater participation of women, persons with disabilities and indigenous people in the electoral process. Cameroon is currently implementing these recommendations thereby confirming her political will to give our electoral system and human rights protection more credibility.

It is therefore obvious that henceforth, the State shall ensure that all Cameroonians and all persons within its jurisdiction effectively enjoy their fundamental rights. It is in this light that the powers of the Ministry of Justice in monitoring human rights issues were redefined and strengthened with the organisation of the Government of 9 December 2011.

With the refinement of the methodological approach henceforth aligned to international data collection standards, the Report produced by the Ministry of Justice should, more than in the past, serve as a barometer to both Government and other stakeholders not only of achievements and progress, but also, the inertia and weaknesses of its normative and institutional device for the promotion and protection of fundamental human rights. This document is therefore a priceless source of information on Cameroon for any observer interested in human rights issues.

Laurent ESSO

Minister of State, Minister of Justice, Keeper of the Seals

# GENERAL

# INTRODUCTION



- 1- Human rights issues were dominated from the beginning of 2011 by the organisation, holding and continuation of the agropastoral show which revamped the short, average and long term development vision of agriculture, livestock and fisheries. Other significant events followed suite with special focus on the preparation and organisation of the presidential election of October 2011.
- **2-** These major events did not overshadow other measures taken by Government supported by its development partners and the civil society to guarantee citizens' rights including the:
  - deployment of Cameroon's cooperation with United Nations and African Union organs;
  - continuation of the decentralisation process;
  - strengthening Judicial Power to better control high level corruption and improve the guarantees of the right to fair trial;
  - setting up of the institutional framework for the management of refugees and asylum seekers;
  - continuation of measures to control the prices of basic consumer goods; and
  - promotion of access to decent employment with especially the recruitment of 25,000 young graduates into the Public Service.
- **3-** Besides these guarantees, the strengthening of the normative and institutional framework for the promotion and protection of Human Rights as well as training and awareness-raising thereon were ensured.

## Strengthening of the Normative and Institutional Framework

- **4-** The following legislative and statutory measures can be mentioned:
- 4.1- Civil and Political Rights:
  - Law No. 2011/1 of 6 May 2011 to amend and supplement certain provisions of Law No. 2006/11 of 29 December 2006 to set up and lay down the Organization and Functioning of Elections Cameroon (ELECAM);
  - Law No. 2011/2 of 6 May 2011 to amend and supplement certain provisions of Law No. 92/10 of 17 September 1992 to lay down conditions governing the vacancy of and election to the Presidency of the Republic;

- Law No. 2011/13 of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad;
- Law No. 2011/27 of 14 December 2011 to amend and supplement certain provisions of Law No. 2006/15 of 29 December 2006 on judicial organization;
- Law No. 2011/28 of 14 December 2011 to set up a Special Criminal Court;
- Decree No. 2011/237 of 8 August 2011 to lay down the conditions for implementing the Law of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad; and
- Decree No. 2011/389 of 28 November 2011 on the organization and functioning of management organs of the status of refugees in Cameroon
- **4.2-** Economic, social and cultural rights and the right to a healthy environment:
  - Law No. 2011/12 of 6 May 2011 framework on consumer protection in Cameroon;
  - Law No. 2011/18 of 15 July 2011 relating to the organisation and promotion of physical and sports activities;
  - Law No. 2011/22 of 14 December 2011 governing the electricity sector in Cameroon;
  - Decree No. 2011/19 of 1 February 2011 relating to the setting up of the Essential Goods Supply Regulation Authority (MIRAP);
  - Decree No. 2011/1131/PM of 11 May 2011 to lay down conditions for the practice of the profession of co-ownership administrator;
  - Decree No. 2011/1131/PM of 11 May 2011 to lay down the enforcement modalities of Law No. 2010/22 of 21 December 2010 on real estate co-ownership;
  - Decree No. 2011/1137/PM of 12 May 2011 to amend and supplement certain provisions of Decree No. 2000/2/PM of 6 January 2000 relating to the organisation of the activities of management centres and to lay down tax benefits of members of approved centres;
  - Decree No. 2011/1521/PM of 15 June 2011 to lay down the enforcement modalities of Law No. 2010/21 of 21 December 2010 governing electronic commerce in Cameroon;
  - Decree No. 2011/2582/PM of 23 August 2011 to lay down rules for the protection of the atmosphere;
  - Decree No. 2011/2583/PM of 23 August 2011 to regulate noise and odour nuisance;
  - Decree No. 2011/2584/PM of 23 August 2011 to lay down rules for the protection of soil and subsoil;
  - Decree No. 2011/2585/PM of 23 August 2011 to establish the list

of harmful or dangerous substances and the rules governing the deposit of such substances into inland waters.

**4.3-** Cross-cutting and specific rights: Law No. 2011/24 of 14 December 2011 relating to the fight against trafficking in persons and slavery.

#### **Consolidation of International Commitments**

- **5-** International commitments were consolidated by the signing or ratification of the following international legal instruments:
  - Convention on Small Arms Ammunition adopted on 30 May 2008, ratified on 9 June 2011;
  - Convention No. 144 on Tripartite Consultations regarding International Labour Standards of 2 June 1976, ratified on 14 December 2011;
  - Convention No. 155 on Occupational Safety and Health, ratified on 14 December 2011;
  - African Charter on Democracy, Elections and Governance, ratified by Decree No. 2011/239 of 9 August 2011; and
  - Amended Treaty of the Central African Economic and Monetary Community and related conventions, ratified on 9 August 2011.

#### Seminars, Workshops and Celebrations

- **6-** Since development and capacity building are the mainstay of the effective implementation of legal norms, Government has embarked thereon with the help of civil society organisations and its technical and financial partners.
- **7-** The Ministry of Justice, continued to train its staff by organising seminars in different areas especially on commercial matters.
- 8- These include:
  - Training seminars in OHADA Law: 1 seminar in each jurisdiction of the Court of Appeal; and
  - special training session of 30 Judicial professionals at the Higher Regional School for the Training of Legal Officers (ERSUMA) in April 2011.
- **9-** In prelude to the setting up of Administrative Courts, 33 seminars were organised for 229 Judicial professionals including 75 Judicial and Legal Officers, 94 Court Registrars, 41 Lawyers and 19 Bailiffs.

#### 10- Training in other areas comprised:

- the organisation of 4 seminars for 60 Judicial and Legal Officers on the application of the Criminal Procedure Code (CPC), in partnership with the Bar, the Embassy of the United States of America and the Catholic Relief Services;
- training of 15 Judicial and Legal Officers on maritime terrorism, in partnership with UNODC, from 18 to 23 October 2011;
- training of 30 Judicial and Legal Officers on the Independence of the Judiciary, in partnership with the Commonwealth, from 5 to 6 May 2011;
- organisation of 2 seminars on intellectual property with the support of the Embassy of the United States of America and the France-based company, SAGE; and
- holding of 5 seminars at the National School of Administration and Magistracy (ENAM) for 200 judicial and penitentiary staff on:
  - protecting the rights of detainees;
  - statistics and court records;
  - proceedings on procurement;
  - · result-based management; and
  - further training on the use of computers.
- **11-** Capacity building activities were also organised by the Sub-Regional Centre for Human Rights and Democracy in Central Africa (CNUDHD-AC) and the National Commission on Human Rights and Freedoms (NCHRF). These activities are discussed in the relevant chapters<sup>1</sup>.

#### Methodology

- 12- As in 2010, collecting data for the drafting of the 2011 Report was aligned as much as possible to standards set by the United Nations High Commissioner for Human Rights. To this end, the presentation of data collection forms was modified to make them more understandable and easier to exploit. The modified forms were sent to units interested and/or concerned by the indicators.
- **13-** As in the past, the 2011 Report was drafted based on a participatory approach with national and international contributors.

<sup>&</sup>lt;sup>1</sup> See for example infra, chapters on the right to participate in the management of public affairs and freedom of expression and communication.

- **14-** The Supreme Court, Courts of Appeal and Lower Courts and the following ministries and administrative units collaborated in preparing this Report:
  - Ministry of Territorial Administration and Decentralization (MINATD);
  - Ministry of Agriculture and Rural Development (MINADER);
  - Ministry of Social Affairs (MINAS);
  - Ministry of the Economy, Planning and Regional Development (MI-NEPAT);
  - Ministry of Commerce (MINCOMMERCE);
  - Ministry of Culture and Arts (MINAC);
  - Ministry of Defence (MINDEF);
  - Ministry of Basic Education (MINEDUB);
  - Ministry of Public Service and Administrative Reform (MINFOPRA);
  - Ministry of Environment and Protection of Nature and Sustainable Development (MINEPDED);
  - Ministry of Secondary Education (MINESEC);
  - Ministry of Higher Education (MINESUP);
  - Ministry of Forests and Wildlife (MINFOF);
  - Ministry of Housing and Urban Development (MINHDU);
  - Ministry of Women Empowerment and the Family (MINPROFF);
  - Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts (MINPMEESA);
  - Ministry of Labour and Social Security (MINTSS);
  - Ministry of Youth Affairs (MINJEUN);
  - Ministry of External Relations (MINREX);
  - Ministry of Health (MOH);
  - Ministry of Water and Energy (MINEE);
  - Ministry of Mines, Industry and Technological Development (MIN-MIDT);
  - Ministry of Lands, Surveys and Land Tenure (MINDCAF);
  - Ministry of Livestock, Fisheries and Animal Husbandry (MINEPIA);
  - Services of the Supreme State Audit (CONSUPE);
  - General Delegation for National Security (DGSN); and
  - National Gendarmerie.

- **15-** The independent administrative units, public and semi-public establishments, civil society organisations and some international partners below also contributed:
  - National Agency for Financial Investigation (ANIF);
  - Mission for the Development and Equipment of Urban and Rural Land (MAETUR);
  - National Electricity Regulation Agency (ARSEL);
  - National Institute of Statistics (NIS);
  - National Commission on Human Rights and Freedoms (NCHRF);
  - National Anti-Corruption Commission (CONAC);
  - City Council, Douala (CUD);
  - City Council, Yaounde (CUY);
  - National Social Insurance Fund (CNPS);
  - Elections Cameroon (ELECAM);
  - African Action on Aids (AAA);
  - Afrique Future;
  - Mbororo Social and Cultural Development Association (MBOS-CUDA);
  - National Union of Associations for People with Disabilities of Cameroon (UNAPHAC);
  - National Employment Fund (FNE);
  - Cameroon Real Estate Company (SIC); and
  - United Nations Sub-Regional Centre for Human Rights and Democracy in Central Africa.

#### Structure of the Report

**16-** The Report includes the three traditional parts on Civil and Political Rights, Economic, Social and Cultural Rights and the Right to a Healthy Environment and Cross-cutting Issues on Human Rights and the Rights of Specific Groups. These parts are preceded by a preliminary chapter on Cameroon's cooperation with international mechanisms for the promotion and protection of human rights.

# PRELIMINARY Chapter

CAMEROON'S COOPERA-TION WITH INTERNATIO-NAL MECHANISMS THAT PROMOTE AND PROTECT HUMAN RIGHTS



17- As in previous years, Cameroon continued to cooperate with international human rights promotion and protection mechanisms. In 2011, this cooperation involved non-litigious and litigious matters both with the United Nations (UN) organs as well as the African Commission on Human and Peoples' Rights (ACHPR).

#### **SECTION 1: COOPERATION IN NON-LITIGIOUS MATTERS**

**18-** Cooperation in non-litigious matters was marked by collaboration with special procedures. It was also characterised by the defence of two periodic reports: a maiden report on the African Charter on the Rights and Welfare of the Child<sup>2</sup> and the third and fourth Periodic Reports by Cameroon on the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>3</sup>. Since the African Committee of Experts on the Rights and Welfare of the Child (CAEDBEE) has not yet communicated its concluding comments to the State, only the defence of the Report before the Economic, Social and Cultural Rights Committee shall be discussed.

#### §1: Cooperation with Special Procedures

**19-** Cooperation with special procedures involved visits as well as questionnaires and inquiries by mandate holders.

#### A: Visits

**20-** In 2011, several visits were negotiated but only that of the Special Rapporteur for Human Rights Defenders in Africa was paid.

#### 1: Negotiated Visits

**21-** During the reference period, the Government of Cameroon approved the visit of 4 UN holders of mandates. These included the Special Rapporteur on

<sup>&</sup>lt;sup>2</sup> The defence took place on 26 November 2011 in Algiers at the 18th session of the CAEDBEE.

<sup>&</sup>lt;sup>3</sup> The defence took place on 19 and 20 November 2011 in Geneva at the Committee's 47th session.

the Right to Food, the Independent Expert on Minorities, the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression and the Independent Expert on Access to Water and Sanitation.

#### 2: Visit of the Special Rapporteur for Human Rights Defenders in Africa

- **22-** On invitation of the Cameroonian Government, Mrs. Lucy ASUAG-BOR, Special Rapporteur for Human Rights Defenders in Africa carried out a promotion mission in Cameroon from 1 to 7 February 2011. She was accompanied by lawyer Queen ALAPINI-GANSOU, President of the ACHPR.
- **23-** The mission covered Yaounde, Douala and Buea. It was marked by meetings with government authorities, the Supreme Court, independent administrative authorities, the Bar, the press and civil society organisations as well as visits to detention places.
- **24-** The issues discussed were related to the normative and institutional framework of the promotion and protection of human rights and the assessment of policies and programmes implemented for the enjoyment by persons within the jurisdiction of Cameroon of the rights guaranteed by the African Charter on Human and Peoples' Rights. The Report on the visit is not yet published.

#### a) Normative and Institutional Framework

**25-** With regard to the normative framework, the plea of the delegation focused on the participation of Cameroon in African regional instruments on the promotion and protection of human rights as well as the culmination of the legislative reforms undertaken in some areas.

- **26-** On the first point, the delegation argued for the ratification of the Protocol to the African Charter on Human and Peoples' Rights to set up an African Court on Human and People's Right and that of the African Charter on Democracy, Elections and Governance<sup>4</sup>.
- **27-** On the second point, it wished that the Code of Persons and the Family and the law on violence against women and harmful traditional practices as well as the abolition of death penalty be adopted.
- **28-** As concerns the institutional framework, the delegation was interested in the decentralisation process, the activities of the Department of Human Rights and International Cooperation of the Ministry of Justice, NCHRF and ELECAM.

## b) Evaluation of the Rights Guaranteed by the African Charter on Human and Peoples' Rights

- **29-** The delegation insisted on civil and political rights and on specific themes by relying on the recommendations previously made to the State of Cameroon by the ACHPR.
- **30-** On civil and political rights, the delegation was interested in the fight against torture, the popularisation of the *Robben Island Guidelines*, the right to vote with emphasis on the involvement of women and people with disabilities, freedom of association, restrictions on freedom of assembly and demonstration, freedom of expression and mass communication, the impunity of law enforcement personnel and the right to fair trial and the independence of the Judiciary, the resources allocated to the justice sector, the training of personnel responsible for implementing the laws on human rights and difficulties in applying the CPC.
- **31-** As regards specific themes, the delegation was interested in the rights of women, vulnerable groups, such as indigenous peoples, children, persons with disabilities and the elderly. It was also interested in detention conditions.

<sup>&</sup>lt;sup>4</sup> This Charter was ratified by Decree No. 2011/240 of 9 August 2011 (see preface).

To assess the situation of persons deprived of liberty, the delegation visited detention facilities at the central services of the National *Gendarmerie* and cells for remand in custody in three police units including the 2nd and 8th District Police Stations in Yaounde and the Central Police Station No.1 in Douala. The delegation also visited the Central Prisons of Yaounde and Douala as well as the Production Prison of Buea.

- **32-** The Delegation noted the efforts made since 2006 observing for example the extension and development of the premises of the Central Prisons of Yaounde and Douala. The provision of a visiting room for counsel and family in Douala was noted with satisfaction. Efforts made in improving the health of detainees were identified although there were still some problems.
- **33-** The Delegation was however concerned about the decrease in the food ration allocated to prisoners. It expressed much concern at the persistence of prison overcrowding that induces extreme promiscuity and poor hygienic conditions. It also showed concern about the length of preventive detentions in general and those for people held in military tribunals in particular.

#### B: Questionnaires and Appeals from Mandate Holders

#### 1: Questionnaires

- **34-** Cameroon received 9 questionnaires from mandate holders. They comprise:
  - questionnaire on access to water from the Independent Expert on Rights to Water and Sanitation;
  - questionnaire on the state of health from the Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health;
  - request for views, comments and suggestions on the implementation of the right to development from the Inter-governmental Working Group on the Right to Development;

- survey on Development and Natural Extraction Projects on or near indigenous lands from the Special Rapporteur on the Rights of Indigenous Peoples;
- follow-up of the study on Violence against Children;
- survey on the Work and Life of Street Children as well as the Thematic Study on Violence against Women and Girls with Disabilities sent by the UN High Commissioner for Human Rights;
- questionnaire on pornography involving children from the Special Rapporteur on the sale of children, child prostitution and child pornography;
- questionnaire on the implementation of Resolution 16/15 of the Committee on the Rights of Persons with Disabilities; and
- questionnaire from the Special Rapporteur on the Independence of the Judiciary and Lawyers.

#### 2: Appeals

- **35-** Both the UN and ACHPR institutions appealed to Cameroon.
- **36-** The UN Working Group on Arbitrary Detention seised the Government with a communication concerning Mr. Pierre Roger LAMBO SANDJO alias LAPIRO de MBANGA for violation of his rights, especially, the right to freedom of expression, the right to freedom of association and the right to participate in the management of public affairs. The author of the communication, arrested in connection with the riots of February 2008, argued that his arrest in April 2008 was motivated by his political views, particularly his opposition to the amendment of the Constitution. He complained also that he had not received fair trial. A response was made to this communication in July 2011<sup>5</sup>.
- **37-** The Commission on Women's Empowerment questioned Cameroon on the alleged violation of the rights of Mrs. DJAMILA HAMADOU in Maroua.

<sup>&</sup>lt;sup>5</sup> The Working Group gave its opinion on this Communication on 13 January 2012 which will be commented on in the 2012 Report.

- **38-** The NGO, "GIC EVENIR FEMME" petitioned the UN Commission on Women's Empowerment on behalf of Mrs. DJAMILA, an alleged victim of theft and rape resulting in HIV infection, whose casefile was allegedly closed even though the Judicial Police carried out an investigation and sent its findings to the State Counsel of Maroua.
- **39-** Notified of this petition, Government carried out investigations to submit a defence to the UN body. These investigations revealed that the alleged perpetrator, BOUBA BIRI, had been referred to the Legal Department of the Court of First Instance and High Court of Maroua on 23 December 2008 for theft and rape. In the absence of medical evidence on sexual assault and proof that witnesses had been heard, the State Counsel returned the file to the judicial police for further investigation and the suspect was released after five days in custody pending the outcome of further investigation.
- **40-** The Head of the Judicial Police sent the file back to the State Counsel without evidence on 29 December 2011. However, the State Counsel seised the Examining Magistrate on 10 January 2012 to open investigation against BOUBA BIRI and other unidentified persons, for rape and accessory in theft provided for and punishable under Sections 74, 96, 296 and 318 (1) of the PC<sup>6</sup>.
- **41-** The ACHPR seised Cameroon through letters alleging violation of the rights of some human rights defenders including FOGNO FOTSO and Maximilienne NGO MBE. The issues will be addressed in the chapter on human rights defenders.

## § 2: Defence of the Report before the Committee on Economic, Social and Cultural Rights

**42-** On 19 and 20 November 2011, Cameroon defended its second and third periodic reports on the implementation of ICESCR. At the end of this exercise, the Committee made recommendations on various issues. Some of these recommendations which are being implemented will be examined.

<sup>&</sup>lt;sup>6</sup> The inquiry was closed by a committal order which seised the competent court on juvenile delinquency on 4 April 2012 because the defendant was a minor at the time the acts were committed. The case on trial was adjourned several times the last of which was 3 September 2012 for service on the victim.

#### A: Recommendations

#### 1: Recommendations on the Ratification of International Instruments

**43-** The Committee recommends that Cameroon should sign and ratify the instruments below:

- the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;
- the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment<sup>7</sup>;
- the Optional Protocol to the Convention on the Sale of Children, Child Prostitution and Child Pornography;
- the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts<sup>8</sup>;
- the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families;
- Convention on the Rights of Persons with Disabilities and its Optional Protocol:
- the International Convention for the Protection of all Persons against Enforced Disappearances; and
- the second Optional Protocol relating to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty.

## 2: Recommendation relating to the Justiciability of Economic, Social and Cultural Rights (ESCR)

**44-** The Committee recommends the implementation of ICESCR by instituting an enabling instrument, creating awareness amidst judicial staff and the population on the justiciability of ESCR. It would like to see proof of justiciability in Cameroon's next periodic report.

<sup>&</sup>lt;sup>7</sup> Cameroon ratified the Protocol by Decree No. 2010/347 of 19 November 2010.

<sup>&</sup>lt;sup>8</sup> Cameroon ratified this Convention by Decree No. 2012/234 of 30 May 2012.

#### 3: Recommendation on Good Governance

**45-** The Committee recommends the taking of effective measures on corruption control.

#### 4: Recommendations on the Right to Education

#### **46-** The State is called upon to:

- ensure free education and its accessibility to all;
- give low-income families financial assistance that covers education costs; and
- take additional measures to reduce drop-out rate in accordance with General Comment No.13 (1993) on the Right to Education.

#### 5: Recommendations on the Right to Health

#### 47- It is recommended that the State should:

- take appropriate measures to reduce maternal and infant mortality, facilitate access of women and adolescents to sexual health services and family planning;
- dismantle the informal network of supply and distribution of poor quality drugs and provide greater access to generic medicines<sup>9</sup>;
- prevent cholera and develop public service sanitation, ensure waste treatment and safe water supply in rural areas and schools;
- provide in its next periodic report information on the percentage of schools with decent toilets;
- improve access, availability and AIDS prevention quality services;
- sensitize people living with HIV/AIDS (PLWHA) on their human rights and laws that protect them;
- develop an effective public policy to combat tobacco consumption;
- intensify the prohibition of tobacco advertisements; and
- make all closed public areas strictly smoking-free zones, allocate a portion of revenue from taxes on cigarettes to combat smoking.

<sup>&</sup>lt;sup>9</sup> Campaigns were conducted against street drugs for health promotion. Government seized and destroyed street drugs worth around CFAF 2 000 000 000 (About 3 076 923,08 Euros) during Operation COBRA.

#### 6: Recommendations on the Right to an Adequate Standard of Living

**48-** The Committee recommends the intensification of poverty control especially in rural areas and in disadvantaged and marginalised regions and requests the State to provide, in the next periodic report information on the budget invested in poverty control. Besides this general recommendation, recommendations were also made concerning the various indicators of the right to an adequate standard of living.

#### a) Recommendations on the Right to Housing

#### **49-** It is recommended that the State should:

- set up a national strategy and a plan of action to guarantee the right to decent housing;
- ensure that the construction of new housing should primarily be earmarked for disadvantaged and marginalised individuals and groups as recalled in General Comment No.4 (1999) on the Right to Decent Housing;
- ensure that the legal framework regulating the conduct of planning projects guarantees appropriate compensation or rehousing;
- ensure that in practice, no one is without a roof due to eviction as noted in General Comment No.7 (1997) on Forced Evictions;
- speed up the land tenure review process; and
- ensure that the right to ancestral and community lands is guaranteed to all without discrimination.

#### (b) Recommendations on the Right to Water

#### **50-** The State is called upon to:

- redouble efforts to improve access to drinking water especially in rural areas;
- ensure that the 70,000 expected low costs connections benefit the most disadvantaged groups; and
- create awareness to the fact that the health of children is seriously undermined by carrying large jugs of water on their heads as stated in General Comment No.15 (2002) on the Right to Water.

#### (c) Recommendations on the Right to Food

#### **51-** The State is invited to:

- take necessary measures to protect the right to adequate food;
- implement a system of food distribution to the regions and the most disadvantaged and marginalized groups; and
- tackle the structural problems of food insecurity such as land security, transportation and the availability of agricultural credit in accordance with General Comment No.12 (1999) on the Right to Adequate Food.

#### 7: Recommendations relating to the Rights of Vulnerable Groups

**52-** They focus on the rights of persons with disabilities and the rights of indigenous peoples.

#### (a) Recommendations on the Rights of Persons with Disabilities

- **53-** The Committee recommends that legislative measures be taken to:
  - promote and protect persons with disabilities on the employment market with the introduction of quotas; and
  - consider persons with disabilities in the construction of public buildings in accordance with General Comment No. 5 (1990) of the Committee on Persons with Disabilities.

#### b) Recommendations on the Rights of Indigenous Peoples

#### **54-** The Committee recommends the:

- adoption of effective measures to protect the rights of persons to their ancestral lands and natural resources therein; and
- respect of the principle of participation and the protection of the cultural identity of each of these peoples in the implementation of development programmes.

#### 8: Recommendations on Women's Rights

#### **55-** The Committee recommends the:

- abolition of all forms discrimination against women in legislation under review in accordance with its General Comment No.16 (2005);
- enact laws to strengthen the legislative framework to curb domestic violence against women and girls; and
- ensure that domestic violence, female genital mutilation and sexual harassment, breast ironing and marital rape are punishable under the PC.

#### **B: State of Implementation of Recommendations**

**56-** Measures were taken for the implementation of certain recommendations by the Committee with regard to both the normative framework as well as the realisation of some rights.

#### 1: Awareness of the Rights of PLWHA

- **57-** Government cooperates within the framework of this awareness with development partners. A Project to consolidate protection of the rights of PLWHA was jointly drawn up by the International Labour Office (ILO) and the UN Joint Programme on HIV/AIDS (UNAIDS) in August 2011 for a period of 12 months. It is designed to contribute to the reduction of stigmatisation and discrimination against people infected with HIV, the most recurrent cases being in hospitals, places of work and communities.
- **58-** The project started in August 2011 coordinated by the Central Technical Group of the National Committee for AIDS Control and the Ministry of Justice that went on a mission to Douala and Buea to identify PLWHA communities in these two cities.
- **59-** Subsequently, a working visit took place in the same cities from 31October to 4 November 2011 to identify representatives of healthcare facilities, places of work and communities within the framework of the training of trainers.

- **60-** A training seminar for for Judicial and Legal Officers and awareness-raising sessions for PLWHA were organised.
- **60-1-** To promote the access of PLWHA to justice, a capacity building workshop for Judicial and Legal Officers on human rights related to HIV/AIDS was organised in Douala from 6 to 8 December 2011, for Judicial and Legal Officers of Courts of Appeal of the Littoral and South West Regions.
- **60-2-** Two forums/conference-debates on the rights of PLWHA were organised on 1 December 2011 within the context of activities to mark the International Day and International Week for the fight against HIV/AIDS in Douala and Buea. These forums were attended by 130 persons including PLWHA, healthcare staff and community relay workers. Discussions focused on Cameroon's substantive law to protect the rights of PLWHA as well as their duties on the intentional transmission of the virus.

## 2: Legislative Measures for the Promotion and Protection of Persons with Disabilities

61- 400 persons with disabilities were selected in 2011 during the recruitment of 25,000 young people into the Public Service. Sections 38-40 of Law No. 2010/2 of 13 April 2010 on the protection and welfare of persons with disabilities provide preferential recruitment measures for those with proven academic or vocational training. These measures include age exemption, sheltered employment that is consistent with the functional possibilities and performance capabilities of persons with disabilities. The Law also provides incentives for job creation by persons with disabilities, including tax and customs facilities, installation support, provision of technical coaches, credit guarantees and technical support of public organisations responsible for studying and monitoring projects.

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

**62-** With regard to legislative measures to consider persons with disabilities in the construction of public buildings in accordance with General Comment No. 5 (1990) by the Committee on Persons with Disabilities, Section 33 of Law No. 2010/2 of 13 April 2010 mentioned above ensures the accessibility of persons with disabilities to public and private buildings. It specifies that the authorisation to construct or operate a public or private building is subject to compliance with the accessibility requirement.

#### **SECTION 2: LITIGATION COOPERATION**

**63-** On 22 March 2011, the United Nations Human Rights Committee published its findings in Communication No. 1813/2009 (Ebenezer DEREK MBONGO AKWANGA).

**64-** The author of the communication was prosecuted before the Military Tribunal, Yaounde with several other people in a trial opened in 1997 against secessionists of the Southern Cameroon's National Council. By Judgment No. 203/99 of 5 October 1999, he was convicted for illegal possession of firearms and war ammunitions and the like, aggravated robbery and sentenced to 20 years imprisonment with fine of CFAF 100,000<sup>10</sup>. He, as well as the other defendants, the Legal Department and some civil parties appealed against the judgment.

**65-** While the case was pending before the Court of Appeal, Centre, Yaounde, the inmate AKWANGA was evacuated to the Central Hospital, Yaounde. He escaped to seek asylum in Nigeria. He subsequently fled to the United States where on 20 June 2008 he introduced a Communication against Cameroon before the UN Human Rights Committee for violation of articles 7, 9, 10 and 14 of the Covention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment the right to liberty and security, the right of all persons deprived of liberty to be treated humanely and with respect, human dignity, and the right to fair trial.

\_

<sup>10</sup> About 152.67 Euros.

- **66-** The Committee established that the following rights of the author of the communication were violated:
  - the right not to be subjected to torture guaranteed by article 7;
  - the right to humane treatment and respect for human dignity and the right to separation between accused persons and convicts guaranteed by paragraphs 1 and 2 of article 10;
  - the right to be informed of the reasons for arrest, the right to be brought in time before a judge or an authority empowered by law to exercise judicial power and the right to have access to a remedy for immediate release guaranteed by paragraphs 2, 3 and 4 of article 9; and
  - the right to fair trial guaranteed by article 14.
- **67-** The Committee recommended that Cameroon should provide a useful remedy to the author of the communication including:
  - the review of his conviction with the guarantees provided in the Covenant;
  - an investigation into the alleged facts and the prosecution of the persons responsible; and
  - an appropriate remedy particularly compensation.
- **68-** The Committee urged the State to ensure that similar violations do not occur in the future and to make public such findings.
- **69-** Besides, it wished to receive information on the measures taken to give effect to such findings from the State within a period of 180 days<sup>11</sup>.
- **70-**To conclude, in 2011, Cameroon pursued her open-door cooperation policy with international human rights promotion and protection mechanisms. Progress was highlighted during constructive dialogue with these mechanisms. Weaknesses or challenges were also identified and possible solutions proposed to improve Cameroon's human rights promotion and protection system.

<sup>11</sup> Comments by the State of Cameroon on the findings by the Human Rights Committee on this Communication were sent to the United Nations High Commissioner for Human Rights in February 2012.

# PART ONE

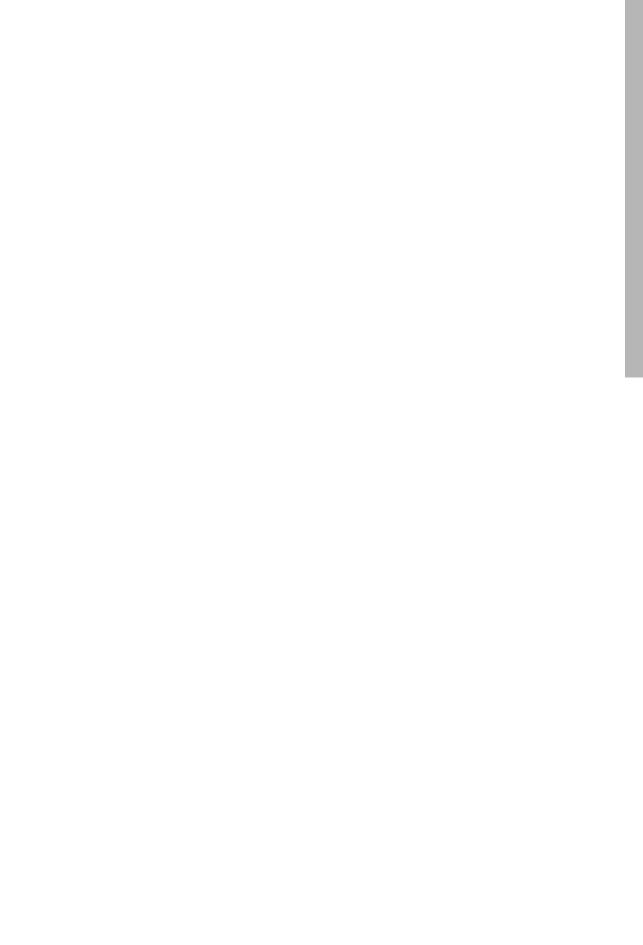
# POLITICAL AND CIVIL RIGHTS



## INTRODUCTION TO PART ONE

71- The promotion and protection of civil and political rights were manifested in 2011 through measures taken to build the capacity of law enforcement staff to better protect the right to life, the right not to be subjected to torture, cruel, inhuman or degrading treatment or punishment, the right to liberty and the right to security. The guarantee of these rights was also assessed through disciplinary and judicial measures taken against persons who are the most in contact with target users, and proceedings against perpetuators of violent crime and violation of freedom of movement. To ensure equality of all before the law, the legal framework for the implementation of the right to fair trial was strengthened. The evolution of the implementation of safeguards relating to jurisdiction and authority and those granted to persons prosecuted was assessed while the Supreme Court redefined certain precedents. Although the capacity of mass communication stakeholders was built, legal actions were instituted against those who violated the privacy of others. Interest in human rights defenders was materialised by measures taken by the Government to respond to inquiries from special rapporteurs concerning them and the monitoring of court proceedings involving them.

**72-** During the reference year, the State set up the institutional framework for protecting the rights of refugees by signing Decree No. 2011/389 of 28 November 2011 on the organization and functioning of organs in charge of the Management of the Status of Refugees in Cameroon. The organisation and holding of presidential elections, registration of new political parties, bringing the total to 274, and the evolution of the decentralisation process with the transfer of new powers and resources to regional and local authorities have revamped the implementation of the right to participate in the management of state affairs



# Chapter

RIGHT TO LIFE, FREE-DOM, SECURITY AND THE RIGHT NOT TO BE TORTURED



**73-** The right to life, the prohibition of torture, cruel, inhuman and degrading punishment or treatment, the right to liberty and security are guaranteed by the State that ensures this sovereign mission through the Judiciary whose auxiliaries are the National Gendarmerie, National Security and the Penitentiary Administration. This chapter will deal with the measures taken to build the capacity of law enforcement officials to protect the above-mentioned rights. The guarantee of these rights within the state apparatus can also be assessed in terms of disciplinary and judicial measures taken against law enforcement officials in these four services, methods and results indicators linked to violent crime and freedom ofmovement.

# SECTION 1: CAPACITY BUILDING MEASURES FOR LAW ENFORCEMENT OFFICIALS

**74-** This section will deal with measures for the training of Judicial and Legal Officers, the Police, Gendarmes and Penitentiary Administration staff.

#### **75-** The CNUDHD-AC organised a:

- training of trainers seminar from 18-22 July 2011 at the National School of Penitentiary Administration on Human Rights in the Penitentiary Administration<sup>12</sup>; and
- training on human rights for Judicial Police Officers in Yaounde on 3
   November 2011 at the Police Development Centre.

**76-** The table below indicates training given to the staff of the National Gendarmerie.

<sup>12</sup> See infra, Part 3, Chapter 1 on Detention Conditions, §647 for details

**Table 1:** Summary of training on human rights given to Commanders of Gendarmerie Schools and Training Centres (CECIG) in 2011.

Schools	No. of Hours	Instructors	Subjects	
		United Nations	- Law Enforcement and Human	
CPTMO	60	Subregional Centre for	Rights Officials.	
		Human Rights and	-Respect for Human Rights in Law	
		Democracy in Central	Enforcement.	
		Africa and the United	-Legislation on Law Enforcement.	
		Nations High		
		Commissioner for		
		Refugees		
			Human Rights and Fundamental	
CPPJ	24	ICRC	Freedoms	
		HCR		
TCY	20	CECIG Instructors	Introduction to Human Rights	
ESO				

Source: National Gendarmerie

Legend:

- CPTMO: Centre for Further Training in Law Enforcement Techniques
  - CPPJ: Judicial Police Further Training Centre
  - TCY: Training Centre, Yaounde
  - ICRC: International Committee of the Red Cross

**77-** Where, in spite of attempts at creating awareness through measures for the promotion of human rights, there are still violations, such violations are punished.

## SECTION 2: DISCIPLINARY MEASURES AND PROSECU-TION OF LAW ENFORCEMENT OFFICIALS

**78-** Disciplinary sanctions were taken for violating the right to life, freedom and security and the right not to be subjected to torture. Judicial proceedings were equally instituted for violation of these rights.

## §1: Disciplinary Measures

**79-** Squadron Sergeant Major (SSM) Ganna ADOUM, sanctioned with 15 days of arrest for torture was the only case from the National Gendarmerie.

80- The table below summarises cases registered at the National Security

Table 2: Disciplinary measures against National Security staff

Scale	Number	Nature of Offence	Sanctions	Total
Assistant Superintendent of Police 1st Scale	1	Brutality, torture, assault on colleagues in distress.	3 months suspension	1
Police	3	-Assault on wife	20 days suspension with salary	1
Inspector 2 <sup>nd</sup> Scale		-Assault on third party -Threat and assault on third party	7 days suspension with salary	1
			10 days suspension with salary	1
Inspector of Police 1 <sup>st</sup> scale	2	-Assault on third party -Assault on colleague during the sharing of booty after extorsion on the highway	3 months suspension	1
		of booty after extorsion on the highway	7 days suspension with salary	1
Senior Police Constable	1	Assault on third party	7 days suspension with salary	1
Police Constable 2 <sup>nd</sup> Scale	12	Violence and assault on third party	7 days suspension with salary	5
		Violence and assault on third party	10 days suspension with salary	1
		Assault on third party	15 days suspension with salary	1
		Assault on third party	3 months suspension	3
		Abuse and threat against Pupil Magistrates on internship	Written warning	1
		Assault on colleague during the sharing of booty after extorsion on the highway	3 months suspension	1

Source: DGSN

**81-** Disciplinary measures are taken without prejudice to judicial proceedings.

## § 2: Judicial Proceedings

**82-** Proceedings pending before military tribunals and civil courts will be presented in this paragraph.

### A: Military Tribunals

Table 3: Proceedings in Military Tribunals

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
1	-WINDZEEREN ABDOU -ABEA Raphaël -ETOUMAN Richard	Private 2 <sup>nd</sup> class Civil	Arrest and false arrest, threats, aggravated robbery and accessory in rape	Inquiry Order No. (01) 582 of 18 November 2011	Ongoing Judicial inquiry Military Tribunal (MT), Buea
2	FAKMEGNE Joseph	Senior warrant officer	Oppression and extorsion	Inquiry Order No. 559 of 11/11/2011	Ongoing Judicial inquiry MT, Younde
3	MAMA Nestor	Gendarme	Violation of instructions (non- compliance with requirements relating to the detention of service weapon and murder)	Inquiry Order No. 541 of 10/11/2011	Adjournment Order No. 21 of 28/02/12 MT, Garoua
4	-MEH James CHE -KUM YUH Valentine		Violation of instructions (irregular use of service weapon and murder, accessory to murder)	Inquiry Order No. 541 of 31/10/2011	Ongoing Judicial inquiry MT, Buea
5	ABOUBAKAR	Sergeant	Arrest and false arrest	Inquiry Order No. 500 of 12/12/2011	No-case ruling (Lack of identification) MT, Garoua
6	-TAKENJIO Celestin -YAYA IBRAHIM -NANA Théophile		Arrest and false arrest	Inquiry Order No. 446 of 19/08/2011	Notification order No. 24 of 22/2/12 MT, Buea
7	-NGUNKENG -ZRENCE FONGANG -MUNGWATON Wilson -AKAYA -WIBOU	Privates 2 <sup>nd</sup> class	Dangerous bearing of a weapon of defence, breach of instructions, complicity in false arrest	Inquiry Order No. 430 of 12/08/2011	Ongoing Judicial inquiry MT, Douala
8	TOUME ITIA Justin	Warrant Officer	Violation of instruction (had intimate relationships with a person remanded in custody) and rape	Inquiry Order No. 418 of 12/08/2011	Ongoing Judicial inquiry, MT, Douala

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
9	-KPOUMIE MAMOUDA -NKOULOU Serges		Oppression and illegal retention of another person's property	Inquiry Order No. 392 of 19/7/2011	Committal Order No. 22 of 23/1/12 MT, Bafoussam
10	-MENGUE Samuel -MANNE Mireille Sonia		Arrest and false arrestand harm, accessory in arrest and false imprisonment	Inquiry Order No. 357 of 15/6/2011	Ongoing Judicial inquiry MT, Yaounde
11	TCHIJIP TEUPDJIEU Rolince	Senior Warrant Officer	Arrest and false arrest Violation of instructions (non- compliance with requirement relating to judicial custody.	Inquiry Order No. 352 of 15/6/2011	Ongoing Judicial inquiry MT, Yaounde
12	-AFANE Françis -NDJIDDJA NYAMSI Hervé G. -NJUME Lovet EWANG -FONDENE ZAMBO -SOUMA Richard	Privates	Violation of instructions (irregular service) torture, accessory in aggravated theft, attempted murder, threat	Inquiry Order No. 280 of 31/5/2011	Notification Order of 14/12/11 MT, Yaounde
13	-OTELE -SALE -DAOUDA HAMDJODA -IDRISSOU	Private 2 <sup>nd</sup> class Private 2 <sup>nd</sup> class	Arrest and false arrest, oppression and accessory in same facts.	Inquiry Order No. 276 of 11/05/2011	Ongoing Judicial inquiry MT, Garoua
14	BIAGNE ABEGUIDE Charles		Violation of instructions (non-compliance with rules relating to conditions of judicial inquiry) Arrest, false arrestand oppression	Inquiry Order No. 263 of 30/5/2011	Ongoing Judicial inquiry MT, Yaounde
15	-CHINDO AMADOU		Oppression, torture, violation of instructions (irregular service), arrest and false arrestand accessory	Inquiry Order No. 233 of 10/5/2011	Ongoing Judicial inquiry MT, Garoua
16	-SALI Thomas -BANGAINA Jean Félix -ABDOURAMAN HAMADOU	Senior Warrant Officer Squadron Sergeant Major Civil	Accessory in arrest and false arrestand harm and accessory in same facts	Inquiry Order No. 232 of 10/5/2011	Ongoing Judicial inquiry MT, Garoua

	NAMES AND	RANK	OFFENCES	PROSECUTION	FINAL
No.	SURNAMES			ORDERS	SANCTIONS
17	-NSOM Bernard	Squadron Sergeant	Arrest and false arrestand harm	Inquiry Order No. 231 of 10/5/11	Committal Order No. 24/2/12 MT, Douala
18	ABO DJOULDE	Private 2 <sup>nd</sup> class	Arrest and false arrest	Inquiry Order No. 211 of 28/03/11	Ongoing Judicial inquiry MT, Garoua
19	NGO BIDJEM Laurentine	Senior Warrant Officer	Violation of instructions (act in impairment of military honour, arrest, false arrestand torture)	Inquiry Order No. 210 of 28/3/11	Ongoing Judicial inquiry MT,Yaounde
20	-MPENG Sylvain Albert Loïc -MANGUI BIANGO Anicet	Squadron Sergeant Major Squadron Sergeant	Violation of instructions (irregular service) arrest and false arrest, rape and accessory)	Inquiry Order No. 144 of 17/3/11	Adjourned for hearing to 3/4/12 MT, Douala
21	-ANGOUMOU Louis Patrice -NYAME NGAKE Francis -EKWALLA SIDONIE		Violation of instructions (non-compliance with requirements relating to the conduct of judicial inquiry), oppression and false arrest, accessory in same facts.	Inquiry Order No. 137of 17/3/11	Adjourned for hearing on 27/3/12 MT, Douala
22	ONANA MBIA Paul	Corporal	Violation of instructions (irregular use of service weapon and murder)	Inquiry Order No. 124 of 11/3/11	Listed for hearing on 7/3/12 MT, Yaounde
23	OKALA Eugène		Contempt of superior, arrest and false arrest	Inquiry Order No. 074 of 03/02/11	Ongoing legal proceedings, MT, Yaounde
24	-BIHINA MBARGA Gabriel -HYENG René -DJABARAKNA Maurice -ATANGA Gabriel -DONFACK Dieudonné		Torture and accessory	Inquiry Order No. 442 of 12/08/11	Ongoing Judicial inquiry, MT, Yaounde

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
25	FOUMBA MPENTSIO Eric BLAMA	Sergeant Sergeant	Torture	No. 202/RP/10	Adjourned to 2/8/12 MT, Garoua
	MATAKOUN TOUDOU ZOURMBA	Sergeant			
	NDJAWA Serges	Private 2 <sup>nd</sup> class Private			
	AMIMBA Aurélien	2 <sup>nd</sup> class Private 2 <sup>nd</sup> class			
	NJITAN Christophe				
26	MVONDO Hyacinthe CHE ZEKEKENOUS BUH	Private 2 <sup>nd</sup> class Corporal	Slight harm and accessory in assault against a child	No. 175/RP/11	Adjourned to 2/8/12 MT, Garoua
	ANEGUE MVOMO Remy Landry	Master Corporal			
27	TOUREK MAKOTCHA IYA Augustin	Squadron Sergeant Major Gend	Assault against an inferior	No. 109/RP/09	Adjourned to 17/7/12 MT, Maroua
28	AKENDELA Jacques ATANGANA ATANGAN Dieudonné Soter NIKOUDSIA HATWORA Kevin Elvis MUKETE BUTAME	Squadron Sergeant Major Gendarme Senior Warrant Officer	Assault occasioning death	No. 168/RP/07	Adjourned to 16/7/12 MT, Maroua
29	LAOU Ernest	G/M Sergeant	Torture and harm	No. 107/RP/10	Adjourned to 16/7/12
30	ANUGUE MESUMBE alias NELEO	Private 2 <sup>nd</sup> class	Murder	No. 701/RP/11	MT, Maroua Adjourned to 31/7/12 MT, Garoua
31	SILATCHA TENE Eric	Corporal	Attempted rape, threat, harm and attempted murder	No. 162/RP/07	Adjourned to 31/7/12 MT, Garoua
32	AMOUGOU AWONO Thomas Patrick	Private 1st Class	Threat	No. 232/RP/11	Adjourned to 31/7/12 MT, Garoua
33	HAMAN CHETIMA	Senior Warrant Officer	Oppression, false imprisonment and arrest	No. 71/RP/09	Adjourned to 3/8/12 MT, Garoua
34	TAPMO YANGASSI Raoul	G/M	Manslaughter and assault or slight harm	No. 160/RP/10	Adjourned to 2/8/12 MT,Garoua
35	MINKOULOU	Sergeant	Slight harn	No. 208/RP/11	Adjourned to

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
	MINKOULOU Zacharie				2/8/12 MT, Garoua
	DJELAO TOSTAO	Squadron Sergeant Major			
36	NDJIGOUMBE MAZOU	Private 2 <sup>nd</sup> class	Slight harm	No. 155/RP/08	Adjourned to 2/8/12 MT, Garoua
37	MAMA Nestor	Gendarme	Murder	No. 221/RP/11	Adjourned to 6/9/12 MT, Garoua
38	DJODA Jonas	Sergeant	Slight harm	No. 01/RP/09	Adjourned to 6/9/12 MT, Garoua
39	RIBAMA Gabriel  MANAOUDA  KOMSAIR	AT Squadron Sergeant Major	Murder, manslaughter and accessory in murder	No. 151/RP/11	Adjourned to16/7/12 MT, Maroua
40	NKOA Jean Jacques YAOUBA HAMAN	Squadron Sergeant Major Inspector of Police	Oppression and slight harm	Inquiry Order No. 550 of 5/11/7 OR No.257 of 16/10/09	Jgt No. 18/12 of 5/1/12 indictable offence MT, Garoua Full hearing A/PC-default A/accused-guilty- 5 years imprisonment and CFAF 100,000 fine-costs CFAF 205,814 - CPC 12 months-Application of S. 564 CPC
41	TEMWA Prosper  NGANSOU Gabriel	Private 2 <sup>nd</sup> class Private 2 <sup>nd</sup> class	Assault occasioning death and accessory in same facts	OR No.004 of 14/02/11 and OI No.352 of 16/07/10	Jgt No.18/12 of 5/1/12 indictable offence MT, Garoua Full hearing A/accused-Default A/ deceased successors-guilty- CA – 2 years imprisonment with 4 years suspended sentence each – jointly liable to pay CFAF 198,476 - Application of S. 564 CPC – 10 days for appeal or opposition

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
42	DOBOM Robert SARATOU	mil civ Civil	Assault occasioning death	OR No.285 of 19/8/08 and OI No.139 of 21/2/06	Jgt No.195/11 of 13/9/11 indictable offence MT, Garoua Default – guilty- 15 years imprisonment - costs CFAF 79,206 Application of S. 564 CPC - 10 days for appeal or opposition
43	FOUDA André ITCHIMOU	occasioning death and violation of No.		OR No.290 of 29/08/08 and OI No. 50 of 11/1/06	Jgt No. 306/11 of 13/12/11 indictable offence MT, Garoua
	MIMBARY				Full hearing a/ BIWOLE — Default a/ others— BIWOLE not guilty- costs payable by PT- Application of S. 564 CPC - 10 days for Appel or Opposition
44	BABILA FON	S/C	Murder (arts 74 and 276 PC)	No. 330/OR/08 and No. 116/OI/08	Jgt No. 242/11 of 3/11/11 indictable offence MT, Garoua Full hearing – guilty— death sentence by public shooting—Damages CFAF 15,000,000 to Mrs ELOLE and CFAF 13,000,000 to Mrs DOBO – Costs payable by PT - Application of S. 564 CPC - 10 days for appeal or opposition
45	KENYAM NGOUFFO Jean Clovis	Private	Violation of instructions, dangerous bearing of weapon and harm	CD No.224 of 24/07/08	Jgt No.26/11 of 29/3/11 summary trial MT, Garoua Default – guilty- 5 months imprisonment– CFAF100,000

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
46	MBOZO'O Roger	AT(DCD)	Violation of	OR No.290 of	AF - Costs CFAF 200,000 - CPC 12 months - Application of S. 564 CPC - 10 days for Appeal or Opposition Jgt No.55/11 of
	ITCHIMOU MIMBANG II Alain FOUDA André Bertrand ATANGANA Charles HAMADOU SALOU BIWOLE BIWOLE Agée	S/C Private 2 <sup>nd</sup> class Private 2 <sup>nd</sup> class Corporal G/M	instructions, arrest and false imprisonment and assault occasioning death	29/08/08 (OI No.050 of 11/01/06	26/4/11 CRIM MT, Garoua Full hearing A/ ITCHIMOU – Default a/ les co-accused , victim deceased and his successors - Extinction AP v. MBOZO'O due to death – Reindictment the facts – Guilty–CA for ITCHOUMOU – 3 years imprisonment suspended for 5 years sentence–10 years imprisonment for each of the others – Costs to be paid jointly - Application of S. 564 CPC - 10 days for appeal or opposition
47	GOUDOKWE Promesse	Corporal	Violation of instructions and murder	OR No.005 of 25/02/10	Jgt No. 70/11 of 5/5/11 CORR MT, Garoua Full hearing- guilty – CA - 10 years imprisonment - Application of S. 564 CPC - 10 days for appeal
48	DIN GANOUDI René	Private 2 <sup>nd</sup> class	Undue demand, harm and violation of instructions	OR No.058 of 27/04/10 (OI No.609 of 09/10/06)	Jgt No.78/11 of 5/5/11 summary trial MT, Garoua Default – guilty – 2 years DMF – Costs - Application of S. 564 CPC - 10 days for opposition

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
49	BOUBA HAMAN et autres	Privates	Arrest and false imprisonment, torture, violation of instructions, accessory in torture	OR No.211 of 30/06/08 (OI No.227 of 18/05/05)	Jgt No.115/11 of 24/5/11 CRIM MT, Garoua Default – guilty – 10 years imprisonment and CFAF 500,000 fine each – jointly liable to pay costs – Damages CFAF 3,000,000 – Declare MINDEF/DAA RCR – MA - Application of S. 564 CPC - 10 days for appeal or opposition
50	ISSA Jacob and Other	Privates	Violation of instructions and harm	OMJD No.08 of 22/01/09	Jgt No.119/11 of 31/5/11 CORR MT, Garoua Full hearing a/ victim – Default a/ Accused – Guilty – CFAF 50,000 fine – order the sum of CFAF 320,000 to victim as damages – Costs CFAF 350,000 - Application of S. 564 CPC - 10 days for appeal or opposition
51	MANDENGUE Emmanuel BOLE Arsène	Sergeant Major Corporal	Arrest and false imprisonment and illegal retention of another person's property	OR No.289 of 29/12/09 (OI No.566 of 12/09/06)	Jgt No.120/11 of 31/5/11 summary trial MT, Garoua Default – AP declared inadmissible a/ MANDENGUE for lack of identification— BOLE guilty— 5 years imprisonment and CFAF 20,000 fine – MA- Costs CFAF 310,250 – Application of S.564 CPC - 10 days for appeal

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
52	BIWOLE BIWOLE Agée	G/M	Violation of instructions, arrest and false imprisonment and assault occasioning death	OR No.290 of 29/8/08 (OI No.50 of 11/1/06)	or opposition  Jgt No. 306/11 of 13/12/11 CRIM MT, Garoua Full hearing – ADD – Order to release BIWOLE s'il n'est DPAC – Reserve costs – matter adjourned to 26/7/11 for execution of ADD et CD for all the profices
53	NYNAM ADAM ISSA ALHADJI ABBA HASSAN	Master Corporal Sergeant	Reciprocal harm and violation of instructions	OMJD No.18 of 4/3/10	all the parties Jgt No. 154/11 of 28/6/11summar y trial MT, Garoua Default a/ NYNAM – Full hearing c/ ALHADJI – ALHADJI not guilty— acquitted – NYNAM guilty— CFAF 50,000 fine—costs CFAF 300,000— MI - Application of S. 564 CPC - 10 days for appeal or opposition
54	NJOYEP MOUNGANG C. TONYE JOEL EMMANUEL	Warrant Officer Squadron Sergeant Major	Theft, oppression, undue demand, harm, violation of instructions	Inquiry Order No. 528 of 27/10/04 OR No.253 of 06/08/08	Jgt No.100/12 of 24/4/12 Summary trial MT, Garoua Default – not guilty – discharged and acquitted FNE – Costs borne by Public Treasury - 10 days for opposition
55	BISSOHA Dieudonné	Sergeant	Attempted murder	Inquiry Order No. 213 of 08/04/08 OR No.92 of 06/10/11	Jgt No. 26/12 of 2/2/12 CRIM MT, Garoua Default a/ Accused – Reindictment to assault occasioning grievous harmguilty – 10 years

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
					imprisonment and CFAF 200,000 of fine - costs CFAF 157,540 - MI- 12 months - Application of S. 564 CPC MA - 10days for appeal
56	BAIDADJE André	Gendarm e	Arbitrary arrest and threat	Inquiry Order No. 565 of 21/9/10	Ongoing Judicial inquiry  Military Tribunal, MT, Douala
57	PANGA HOPMAN Joseph	Warrant Officer	Torture and slight harm	No. 119/RP/04 and OMJD No.387 of 13/04/04	Ongoing prosecution (adjourned to 8/8/12 for further hearing) MT, Buea
58	BILONGO Zacharie	Private 2 <sup>nd</sup> class	Violation of instructions (irregular use of service weapon) and murder	No. 065/RP/11 and OR No.048 of 06/12/11	Ongoing prosecution (adjourned to 26/7/12 for further hearing) MT, Buea
59	DOWE MOISE	MLOT 2° CL	Abandonment of office, theft and attempted murder	No. 96/RP/03 and OR No.107 of 21/04/04	Ongoing prosecution (adjourned to 8/8/12 for continuation of hearing) MT, Buea
60	NDONGO ESSOLA Simon Jules NJEBOH Clément Alubas	Squadron Sergeant Major GM/R	Torture for the first case and attempted torture for the second	No. 073/RP/06 and OR No.616 of 27/11/06	Ongoing prosecution (adjourned to 26/7/12 for State Counsel's submissions) MT, Buea
61	TINA Ernest  MBACHAM Stephen  EBENEZER Mendel Nji	PM Civil Civil	Misappropriation of military equipments, threats, dangerous carriage of weapons, murder	No. 114/RP/10 and OR No.213 of 30/09/11	Ongoing prosecution (adjourned to 4/9/12 for continuation of hearing) MT,
(2)	EVA Francis D	A.T.	for the 1 <sup>st</sup> , theft for the 3rd; and accessory after the facts for 2 <sup>nd</sup> .	N- 22/DB/11	Buea
62	EYA Francois Desire  NGOME Charles	AT	Assault occasioning severe wounds, violation of instructions	No. 32/RP/11 and OMJD No. 50 of 25/01/11 No. 88/RP/09	Ongoing prosecution (adjourned to14/8/12 for hearing) MT, Buea Ongoing

	NAMES AND	DANIZ	OFFERIGES	BDOSEGUEION	ENERGY A. F.
No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
			instructions, threat and oppression	and OR No.056 of 22/03/11	prosecution (adjourned to 21/8/12 for notification) MT,Buea
64	DIVINE TSEBE NDIFOR LADJI	QM 2°CL	DITP, filouterie de boissons et harm	No. 149/RP/11 and OR No.076 of 27/6/12	Ongoing prosecution (adjourned to 14/8/12 for all parties to be summoned) (MT Buea)
65	BATOURE	Corporal	Assault of a superior and harm		Jgt No.20/11 of 19/11/11 summary trial MT, Buea Default c/ Accused – guilty – 3 years imprisonment – damages CFAF 500,000 – costs CFAF 145,000–10 days for appeal or opposition
66	NDONG Benjamin	MP	Harm		Jgt No.57/11 of 16/6/11 summary trial MT, Buea Default a/ accused – guilty– 6 months imprisonment-3 years suspended sentence – CFAF 100,000 fine – costs CFAF 140,000 failure which 12 months imprisonment in replacement – 10 days for appeal or opposition
67	TANG TANG Alphonse Foe Frederick	Senior Warrant Officer Squadron Sergeant Major	oppression, harm, arrest and false imprisonment	No. 57/RP/07 and IO No. 098 of 25/05/07	Jgt No. 159/11 of 24/10/11 MT, Bafoussam Both parties heard – guilty – CA - CFAF 200,000 fine each – cost
68	MEFENYA Maurice NWEDLATON Evaristus	Senior Warrant Officer	Oppression, torture and assault occasioning death	No. 9/RP/10 and OI No.135 of 11/3/10	Jgt No.137/11 MT, Bafoussam Full hearing a/
		Squadron			NWEDLATON

No.	NAMES AND SURNAMES	RANK	OFFENCES	PROSECUTION ORDERS	FINAL SANCTIONS
		Sergeant Major			and in default a/ MEFENYA – guilty- C.A Del prim – 5 years imprisonment and 3 years suspended sentence for NWEDLATON – 5 years imprisonment for MEFENYA – parties jointly liable to pay costs
69	OLO NGUEMA Xavier	Corporal	Rape, indecency on minors aged less than 16 years and others	No. 57/RP/11 and OR No.250 of 17/11/11	Awaiting judgment MT, Bafoussam
70	OKALA NDIH Romain	AT/Grie	Harm		Jgt No. 22/11 of 10/5/11 MT, Yaounde Full hearing – Guilty– 5 years imprisonment – Costs CFAF 102,655 – 10 days for appeal

**Source: MINDEF** 

**Legend:** 2nd CL : Private 2nd class

ACM: Senior Warrant Officer

CST : Gendarme

AdJt : Warrant officer

A/C : Senior Warrant Officer

MDL : Battery or Squadron Sergeant

MDLC : Battery or Squadron Sergeant-Major

CAL : Corporal

SGT : Sergeant

IM : Imprisonment

BFM : Bafoussam

D.S. : Direct summons

V.I. : Violation of instruction

**84-** These matters under the jurisdiction of MTs should be supplemented by those entertained by civil courts.

#### **B: Civil Courts**

- **85-** Pertaining to convictions for torture, a highly significant case should be mentioned, namely Judgment No. 135/CRIM of 28 June 2011 delivered by the HC, Mifi, in The People, TAGNE Jean Michel and YIENDE Salifou v. KOM Georges, WAFO Stéphane, MINKALA MINKALA and YENGO Goldfred.
- **86-** On 4 September 2008, FAHA Mathieu reported TAGNE Jean Michel and YIENDE Salifou, co-detainees in the Central Prison, Bafoussam for concealing money in a pair of shoes he handed over to them for repairs. On 6 September 2008, MINKALA MINKALA Magloire, Prison Superintendant and Head of Financial Affairs at the said prison, ordered his collaborator YENGO Godfred, Prison Warder, to conduct the relevant investigations. On the instructions of MINKALA, YENGO Godfred took TAGNE and YIENDE to his office, in the presence of KOM Georges and WAFO Stéphane, where gruesome physical and moral violence was administered on them to extort a confession.
- 87- Kom Georges, Wafo Stéphane, Minkala Minkala Magloire and Yengo Goldfred were prosecuted and found guilty of torture pursuant to the provisions of Sections 74 and 132 (bis) of the PC. KOM Georges and Wafo Stéphane were sentenced and convicted to two years imprisonment each. Minkala Minkala Magloire and Yengo Goldfred were sentenced and convicted to four years imprisonment each suspended for five years.
- **88-** The preceding activities and proceedings, based on statistics on violent crime, explain the challenges Government faces in guaranteeing people's security and physical integrity.

### SECTION 3: METHOD AND OUTCOME INDICATORS RELATED TO VIOLENT CRIME

**89-** This section will comprise statistics on violent crime, violent crimes committed with firearms and the number of gendarmes killed or injured on duty.

**90-** The following table provides an overview on compiled statistics in the ten regions of Cameroon on violent crime, excluding cases of rape, abduction of minors, and violence on children, which are dealt with in specific chapters. These statistics do not contain data on military tribunals.

Table 4: Statistics on violent crime

Offerices	Officeros	Number of investigations		Number of prosecutions initiated	Number of convictions	Number of acquittals	Number Victims			Authors			
		stigations	Under judicial inquiry	Before trial courts		ittals	M	F	С	Law enforcement officials	Persons with authority over the victim	Others	
Callent Canada	Canifel Murder	87	244	185	126	37	203	57	25	5	4 (1 case involving a family relation)	101	
Mininger	35	50	245	187	120	23	220	32	4	2	6	75	
Totale		14	11	8	6	00	11	3	4	2	3	1	
harm	21	11	176	96	70	4	138	50	00	2	4	47	

Source: MINJUSTICE

**91-** Whereas the Courts have provided the facts and data given above, statistics from gendarmerie units provide a general view of the typology and number of violent crimes. They include 1,600 cases of involuntary harm, 22 cases of violence on ascendants, 17 cases of people killed by the forces of law and order, 16 cases of infanticide and 14 cases of abduction of persons with ransom demanded.

**Table 5:** Violent crimes committed with firearms

Nature of the crime	Total
Armed robbery	524
Vehicle hold up	199
Highway robbery	71
Institutions	220
hijacked or burglarised	
Home robbery	312
Maritime attack	16
Weapons seized	110 and 1,049 ammunitions
Hostages released	8
Robbery and burglary	72

Source: National Gendarmerie

Table 6: Number of gendarmes killed on duty

No.	Name and Surname	Rank	Residence	Summary of circumstances- Date - Place, - Brief Description of Facts	Awards
1	ENOW Maurice	AT	TIKO	died on 11/12/2010 in Tiko during service	
2	BOUNVANG Gilbert	MDLC	BARN DAKE	died in an accident during service	
3	James EBONG	MDL	GAROUA	died in an accident during service	
4	DJON FABE Ibrahim	GM	LAGDO	died in an accident during service	
5	CHEFOR Peter	AT	MBAIBOUM	killed 13/6/2010 at MBAIBOUM during an attack by highway robbers	
6	SOULEYMANOU Ahmadou	MDL	GARI OKRA	killed by a hunting weapon while he was executing a court judgment	
7	YANA	MDL	YAOUNDE	victim of a fractured right tibia on the night of 27 to 28/4/2010 during service	
8	KOUDA Parfait	GM	YAOUNDE	victim of a fractured left leg in a road accident while returning from service	
9	ABDOULAYE Mbirvi	MDL	TIGNÈRE	wounded during the execution of a warrant	
10	YAMBEHA Gilles	AT	BERTOUA	rupture of Achilles tendon on 11/15/2010 at the sports complex, TIGAZA	
11	BELACK Buinda	GM	KOUOPTAMO	victim of fractured leg in an attack by highway robbers	
12	MENGUE Jean Paul	A/C	AKWA (BAKASSI)	kidnapped and killed by pirates at KOMBO- ABEDIMO 6/2/2011	
13	NGUIDJOL Emmanuel	MDL	AKWA (BAKASSI)	kidnapped and killed by pirates at KOMBO- ABEDIMO 6/2/2011	
14	NGO'O MBE	G/D	AKWA (BAKASSI)	kidnapped and killed by pirates at KOMBO- ABEDIMO 6/2/2011	
15	BENE MBALLA Pierre	A/C	ISANGELE	murdered by pirates on 10/9/2011 at IDIBANYANGE	A/C posthumously
16	AYEKE Jean	MDL	ISANGELE	murdered by pirates on 10/9/2011 at IDIBANYANGE	MDL posthumously
17	GOUYOUYANG DURA	MDLC	MAGA	killed by a bullet while arresting criminals	

Source: National Gendarmerie

#### **SECTION 4: APPLICATIONS FOR BAIL**

**92-** The table below provides trends on bail applications brought before the courts excluding military tribunals.

Table 7: Statistics on applications for bail

	Number of detentions	Applicat bail	application was granted): Granted (G) Rejected (R)						Rlease/acquittals	Release decisions reviewed by courts of appeal					
		granted	rejected	With surety	With Without Administrative Military Ordinary Others surety surety detention detention detention			detention detention law detention			Rlease				
						(G):	R:	(G):	R:	(G):	R:	(G):	R:		
<u>CFI</u>	8182	3486	944	2924	512	00	00	00	00	26	14	00	00	918	19
HC	3792	823	619	462	333	00	2	3	37	120	310	11	00	233	6
CA	449	111	88	48	39	00	00	2	00	00	4	34	1	44	6
CS															

Source: MINJUSTICE

**93-** Because arrest, oppression and forced labour are related to freedom of movement, statistics on investigations and prosecutions instituted on these grounds are presented in the following table.

Table 8: Statistics on prosecutions on freedom of movement

Offences	Number of investigations	Number of prosecutions	s initiated	Number of convictions	Number of acquittal/s Releases	Victin	15		Authors		
	-	Under judicial inquiry	Before trial courts			M	F	С	Law enforcement officials	Persons with authority over the victim	Others
Arrest and confinement	85	29	84	40	2	45	10	4	3	4	7
Oppression	16	10	16	13	2	15	00	00	5	00	1
Forced lahour	5	2		1	00	00	2	1	4	6	1

Source: MINJUSTICE

- **94-** Ultimately, the State, supported by its international partners and the civil society, focused the capacity building of staff in charge of law enforcement on training. This, however, can be effective if it is continuous and is open to all stakeholders.
- **95-** Moreover, prosecutions and measures, both disciplinary and judicial, pronounced against these staff mostly reflect personal efforts than ensure respect for fundamental rights which are the right to life, the right to physical integrity, the right to liberty and security and the right not to be subjected to torture. Only systematic prosecution and appropriate penalties may however limit the suspicions of impunity.

# Chapter 2 RIGHT TO FAIR TRIAL



**96-** The legal framework for the implementation of the right to fair trial was strengthened in 2011 by instruments to improve certain characteristics. This normative activity will be reviewed. The state of the implementation of safeguards for the court, proceedings and guarantees granted to prosecuted persons will be analysed. Finally, details on case-law by the Supreme Court on some aspects of this right will be presented.

### SECTION 1: STRENGTHENING THE LEGAL FRAMEWORK FOR THE PROMOTION OF THE RIGHT TO FAIR TRIAL

- **97-** To improve the efficiency of the Judiciary, the judicial organisation was reviewed through two laws comprising:
  - Law No. 2011/27 of 14 December 2011 to amend and supplement certain provisions of Law No. 2006/15 of 29 December 2006 on judicial organisation; and
  - Law No. 2011/28 of 14 December 2011 to set up a Special Criminal Court.

#### §1: Amendment of Judicial Organisation

- **98-** The Law on judicial organization sets up civil, commercial, social, criminal, summary trial and simple police benches as well as benches for minors in HC and CFI.
- **99-** The President of the Court of Appeal of the jurisdiction appoints presidents of those benches, amidst Judicial Officers in service in the court by an order at the beginning of the judicial year. The order of appointment is subject to change before the end of the judicial year due to unavailability of the president of the bench or poor performance.
- **100-** The expected impact of this change is the accountability of Judicial Officers in charge of the follow-up of specific issues. With regard especially to commercial matters, the objective is to promote an efficient legal and judicial system in order to encourage foreign investors and national economic promoters to invest in Cameroon. The setting up of commercial benches

has, in the short term, facilitated the settlement of disputes resulting from the enforcement of commercial contracts by overcoming the setting up of a commercial court.

**101-** Similarly, the functions of HC and CFI in commercial matters have been redefined to cover:

- disputes relating to commitments and transactions between traders, or between credit institutions or between traders and credit institutions;
- disputes between partners in a business partnership or an economic interest group; and
- disputes arising from commercial companies, acts and effects of trade between all persons as provided by the Uniform Act of the Organization for the Harmonization of Business Law in Africa (OHADA) relating to General Commercial Law.

**102-** The criterion for the allocation of competence to each of these courts is the monetary evaluation of the dispute. Thus, the CFI entertains disputes whose amount is less than or equal to CFAF10 million<sup>13</sup> while the HC entertains those whose amount exceeds CFAF10 million<sup>14</sup>.

**103-** Law No. 2011/27 of 14 December 2011 introduced the Special Criminal Court in the judicial organization whose composition and functioning are laid down by law.

#### §2: Special Criminal Court (SCC)

**104-** Law No. 2011/28 of 14 December 2011 sets up the SCC, with national competence specialised in punishing the most serious cases<sup>15</sup> of misappropriation of public property and related offences. The court departs from the norm by its composition and domain of competence, the speed with which it deals with procedures, the use of extraordinary remedies and the possibility of staying proceedings.

<sup>14</sup> About 15,267.17 Euros

<sup>13</sup> About 15,267.17 Euros

<sup>&</sup>lt;sup>15</sup> The law was amended in 2012 and the amendments will be analysed in the 2012 Report.

#### A: Competence and Composition of the SCC

**105-** The SCC is competent to adjudicate on cases of misappropriation of public property and related offences provided by the P C and international conventions ratified by Cameroon, where the injury suffered is of a minimum amount of CFAF 50,000,000<sup>16</sup>.

**106-** It consists, on the Bench, of a president, vice-presidents, judges and examining magistrates; at the Legal Department of a procureur general, advocates general and deputy procureurs general; at the Registry of a registrar-in-chief, section heads, court registrars and examining court registrars<sup>17</sup>.

#### B: Procedure before the SCC

**107-** The procedure is primarily that provided by the Criminal Procedure Code (CPC). Amendments made in the treatment of cases by the SCC can be summarised as follows:

- 1. preliminary investigation is carried out by a specialised corps of judicial police officers, placed under the authority of the Procureur General;
- 2. deadlines are set for the completion of each stage of the process thus:
  - preliminary investigation must be concluded within a period of 30 days renewable 2 twice, or within a total period of three months;
  - applications for bail must be processed within a period of 48 hours;
  - judicial inquiry must be closed by the Examining Magistrate within a period of 180 days from the date of the holding charge by the Procureur General;
  - the first hearing must begin no later than 30 days after the committal order indicting the accused before the court;
  - the Court must render its judgment within a period of 6 months that may be extended for 3 months, giving a total of 9 months; and

\_

<sup>&</sup>lt;sup>16</sup> About 76,335.88 Euros

<sup>&</sup>lt;sup>17</sup> Judicial and Legal Officers of this court were appointed at the end of the Higher Judicial Council meeting held on 18 April 2012. The administrative organisation of the court was laid down by Decree No. 2012/223 of 15 May 2012; the Registrar-in-Chief and the Service Heads were appointed by orders of the President of the Republic on the same date.

 in case of an appeal to the Supreme Court, the specialised section of that Court has a maximum period of 6 months to hear and determine the matter.

**108-** Non-compliance with the time limits can lead to the opening of disciplinary actions against the defaulter.

#### C: Appeals

**109-** Judgments of the SCC are not subject to appeal except before the Supreme Court. Moreover, the grounds of appeal are not the same for all parties. Thus, the appeal of the Legal Department focuses on facts and points of law while that of the other parties are restricted only to points of law.

#### **D: Stay of Proceedings**

**110-** Proceedings may be stayed where the embezzled money is restituted. Such stay may be instituted by the Procureur General on the instruction of the Minister in charge of Justice either before the court is seised or before any decision on the merits if restitution is made after the court has been seised.

**111-** The accused who restitutes the corpus delecti is released without prejudice to the application of the forfeitures provided for by the PC and disciplinary sanctions if he is a public employee.

**112-** With the putting in place of the SCC and the taking up of duty by officials, the State of Cameroon intends to accelerate the fight against large-scale corruption, whose ultimate goal is the recovery of the money embezzled to develop the country.

#### **SECTION 2: COURTS AND PROCEEDINGS**

**113-** Progress on safeguards relating to courts and proceedings in 2011 will be reviewed with regard to aspects concerning access to justice and equality before the courts, public hearings and the impartiality and independence of the Judiciary.

#### §1: Access to Justice and Equality before the Courts

114- To assess the level of access of citizens to the courts in order to be rendered equitable justice in 2011, the following aspects will be considered: the allocation of legal aid and the designation of interpreters, the state of criminal justice including the relationship between offences and proceedings bearing in mind that the number of courts has not changed <sup>18</sup>.

#### A: Granting of Legal Aid and Designation of Interpreters

#### 1) Allocation of Legal Aid

115- The tables below indicate the outcome of the implementation of Law No. 2009/4 of 14 April 2009 on the organisation of legal aid in courts.

Table 1: Legal aid

Courts	Number of Applications	Number of Judgments Delivered	Number of Refusals	Numbe Approv		Benefi	iciaries	Remarks
				Total	Partial	M	F	
CFI	184	114	9	95	10	96	28	The remaining applications are pending
НС	202	199	22	155	22	156	27	Idem
CA	34	23	14	19	00	16	7	Idem
SC	12	7	5	2	/	2	/	The other 5 were adjourned to the next session of the commission
Total	432	343	50	271	32	270	62	

Source: MINJUSTICE

95

<sup>&</sup>lt;sup>18</sup> See 2010 Report, § 93 et seq.

**116-** Just as in 2010, this Table is not comprehensive because the application of the Law of 2009 continues to meet the same barriers reported which require the starting of a reflection for a better impact of this Law signed to enable the poorest social groups to have access to Justice<sup>19</sup>.

117- However, there is an increase in the number of applications for legal aid up from 396 in 2010 to 432 in 2011. Therefore, out of 343 applications reviewed, 303 were approved. Changes between 2010 and 2011 are as follows:

Table 2: Evolution of the granting of legal aid from 2010 to 2011

Courts	Number of Applications Recorded in 2010	Number of Applications Recorded in 2011	Evolution	Number of Approved Decisions in 2010	Number of Approved Decisions in 2011	Trend
CFI	158	184	+26	126	105	-21
HC	149	202	+53	96	177	+81
CA	65	34	-31	11	19	+08
SC	24	12	-12	3	2	-1
Total	396	432	+36	236	303	+67

Source: MINJUSTICE

#### 2) Designation of Interpreters

118-The courts continued to designate interpreters to interprete dialogues between the Court and litigants in 2011. The number of cases in which the services of an interpreter were recorded increased. Thus, the number of cases in which parties were assisted by interpreters rose from 3,330 in 2010 to 13,554 in 2011.

<sup>&</sup>lt;sup>18</sup> See 2010 Report, § 101 et seq.

Table 3: Assistance of an interpreter

Level of Court	Number of Persons Assisted in 2010	Number of Persons Assisted in 2011	Trend
All			
jurisdictions	3,330	13,554	+10224
combined			
except the			
Supreme			
Court and			
military			
tribunals			

Source: MINJUSTICE

#### **B:** Criminal Justice

119- The criminal response to various human rights violations following the activity of Legal Departments and the trial courts is as follows in 2011.

Table 4: Criminal response to human rights violations

Offences	Numb er of report s receiv ed	er of report s receiv	er of report s receiv	Number Prosect Initiate	itions	Numb er of Decid ed Cases	Number of Convicti ons	Number of Acquittals/Rele ases.	Victi	ms		Authors		
		A judici al inqui ry	Trial Cour ts				M 20	F	С	Law enforcem ent officials <sup>21</sup>	Person s with author ity over the victim	Othe rs		
Capital murder	289	245 186		164	127	37	204	58	25	5	5	102		
Murder	353	245 190		143	120	23	223	32	4	2	6	78		
Torture	14	11.8		6	6	00	11	3	4	2	3	1		
Grievous harm	22	176 97		74	70	4	139	50	00	2	4	48		
Arrest and confinement	85	29 84		42	40	2	45	10	4	3	4	7		
Oppression	11	10 17		15	13	2	16	00	00	5	00	1		
Forced labour	5	2 1			1	00	00	2	1	4	6	1		
Slavery	4	4 00		00	00	00	00	00	2	00	00	00		
Trafficking in persons	9	4 3		00	00	00	1	1	1	00	1	00		
Assault on children	29	07 24		14	12	4	6	5	13	1	1	3		
Kidnapping	155	67 103		52	46	6	17	24	88	2	9	17		

<sup>&</sup>lt;sup>20</sup> M: Male; F: Female; C: Child.

<sup>&</sup>lt;sup>21</sup> E.g.: Judicial and Legal Officers, Forces of Law and Order, Penitentiary Administration staff.

<sup>&</sup>lt;sup>22</sup> Family relationship, subordination relationship (Professional, spiritual or otherwise).

Offences	Numb er of report s receiv	Numbe Prosect Initiate	itions	Numb er of Decid ed Cases	Number of Convicti ons	Number of Acquittals/Rele ases.	Victi			Authors		
	ed	A judici al inqui ry	Trial Cour ts				M 20	F	С	Law enforcem ent officials <sup>21</sup>	Person s with author ity over the victim	Othe rs
Kidnapping by fraud	45	17 39		29	19	10	7	4	18	2	3	10
Indecency to a minor of less than 16	535	443 317		259	212	47	17	119	35 0	1	14	117
Indecency to a minor of 16-21 years	227	153 183	}	143	123	20	5	109	96	3	10	77
Forced marriage	4	00 02		00	00	00	00	00	2	00	00	00
Prostitution	16	00 23		13	11	2	00	11	00	00	00	1
Homosexuali ty	36	12 25		16	14	2	21	00	08	00	1	9
Defamation by press	26	13 09		18	7	11	12	4	00	00	00	00
Corruption	37	14 21		8	8	00	13	11	00	00	00	1
Misappropria tion of public property	244	180 110	6	84	69	15	56	7	00	4	00	49
Rape	272	91 94		65	48	17	24	89	59	2	1	55
Incest	22	10 16		4	4	00	4	7	5	00	3	4
Pollution	11	03 08		08	5	3	1	00	00	00	00	4
Other offences	30607	8550 29354		18623	14663	3962	543 5	205 8	86	21	3	5434
TOTALS	33254	10285 30820		19782	15617	4168	625 7	260 4	75 8	59	74	6020

Cource MINIUSTICE

#### 120- Thus, it can be said that:

- in 2011, the Legal Departments of lower courts received 33,254 police and gendarmerie reports. Of this number, prosecutions were commenced both directly before the courts and by way of judicial inquiry. These prosecutions added to the pending cases before both the Examining Magistrate and trial court judges; and
- out of the 41,105 cases registered in the Chambers of the Examining Magistrate and in the registries of the courts, 19,782 were heard and determined and resulted in 15,617 convictions against 4,168 acquittals and releases.
- **121-** The guarantees of fair trial require that the principles of impartiality, independence of the courts and publicity of the trial are observed.

#### §2: Impartiality, Independence of the Judiciary and Public Trial

#### A: Judicial Impartiality

**122-** The impartiality of some Judicial Officers was challenged in 2011 through procedures for recusal from the courts, the state of which is reflected in the following table

Table 5: Right to an impartial court

		T	<u>C</u>	Cl	FI	H	<u>C</u>	<u>C</u> .	A	S	2.7
	Number of applicat ions	Appro ved	Rejec ted								
Recusa l proced ures	48	5	13	17	3	2	2	6	00	/	_

Source: MINJUSTICE

#### B: Independence of the Judiciary

**123-** Indicators of the independence of the Judiciary include the proportion of judicial staff suspected or investigated for violation of ethics, irregularities, excesses (corruption) and the share of the budget allocated for its functioning.

#### 1: Investigations Concerning Judicial Staff

- **124-** Within the framework of the fight against corruption in the Judiciary for a more efficient justice, the Unit for the Fight against Corruption in the Ministry of Justice carried out control missions in some jurisdictions of the Courts of Appeal of the South and South West Regions, in September 2011, to:
  - ensure that rates for registry acts and dues to be paid to law officials are effectively posted;
  - check suggestion boxes; and
  - check the display of the messages condemning corruption.
- **125-** At the end of the missions, posters were affixed where they were needed. The checking of suggestion boxes resulted in the opening of investigations on 6 reported cases. This unit also produced an inquiry model.

**126-** As a follow-up to the discipline of judicial staff, the examination of 370 files that may result in disciplinary measures is ongoing.

#### 2: Budget Allocated to the Judiciary

**127-** The budget allocated to the Ministry of Justice experienced a drastic cut in 2011 dropping from 1 per cent in 2010 to 0.6 per cent of the total State budget. The variations are as follows:

Table 6: Budget of the Ministry of Justice

Budget of the Ministry of Justice	Amount in Billion CFAF	Amount in Billion CFAF	
	2010	2011	Variations
General budget	26,32923	15,570 <sup>24</sup>	-10,759 <sup>25</sup>
Recurrent budget	21,729 <sup>26</sup>	13,750 <sup>27</sup>	-8,159 <sup>28</sup>
Investment budget	$4,600^{29}$	$2,000^{30}$	$-2,600^{31}$

**Source: MINJUSTICE** 

**128-** Such reduction inevitably has a negative impact on the implementation of duties entrusted to the Ministry of Justice<sup>32</sup> which is particularly responsible for the functioning of the courts, the career management and discipline of Judicial and Legal Officers, Court Registrars and other staff of the judicial services.

**129-** The following table illustrates that the Supreme Court's budget for 2011 experienced the same fate.

<sup>&</sup>lt;sup>23</sup> About 40.20 million Euros

<sup>&</sup>lt;sup>24</sup> About 33.17 million Euros

<sup>&</sup>lt;sup>24</sup> About 16.43 million Euros

<sup>&</sup>lt;sup>24</sup> About 7.02 million Euros

<sup>&</sup>lt;sup>24</sup> About 23.77 million Euros

<sup>&</sup>lt;sup>24</sup> About 12.46 million Euros

<sup>&</sup>lt;sup>24</sup> About 20.99 million Euros

<sup>&</sup>lt;sup>24</sup> About 3.05 million Euros

<sup>&</sup>lt;sup>24</sup> About 3.97 million Euros

<sup>&</sup>lt;sup>24</sup> About 33.17 million Euros

<sup>&</sup>lt;sup>25</sup> About 16.43 million Euros

<sup>&</sup>lt;sup>26</sup> About 7.02 million Euros

<sup>&</sup>lt;sup>27</sup> About 23.77 million Euros

<sup>&</sup>lt;sup>28</sup> About 12.46 million Euros

<sup>&</sup>lt;sup>29</sup> About 20.99 million Euros

<sup>30</sup> About 3.05 million Euros

<sup>&</sup>lt;sup>31</sup> About 3.97 million Euros

<sup>32</sup> Decree No. 2011/408 of 9 December 2011 to organize the Government

Table 7: Budget allocated to the Supreme Court

CHAPTER		Budget in AF		t Budget in FAF	TOTAL (CFAF)		
	2010 2011		2010	2011	2010	2011	
Supreme Court	4,385 <sup>33</sup>	3,376 <sup>34</sup>	700 <sup>35</sup>	400 <sup>36</sup>	5,085 <sup>37</sup>	3,776 <sup>38</sup>	

Source: Finance Law No.2010/15 of 21 December 2010

**130-** Much still has to be done to stabilise if not increase the budget of the Ministry of Justice and that of the Supreme Court.

#### C: Public trial

**131-** In respect of the universal principle of the publicity of trial, cases were heard as follows in 2011.

Table 8: Right to public trial

	Number of Procedures in Public Trials	Number of Cases Heard in Camera	Remarks
TC	67289	609	
CFI	69871	772	
НС	5799	132	
CA	4885	32	

**Source: MINJUSTICE** 

### SECTION 3: GUARANTEES GRANTED TO PROSECUTED PEOPLE

**132-** The implementation of the right to be assisted by counsel, tried without undue delay and to have a case heard and determined by a higher court shall be discussed below.

<sup>33</sup> About 6.69 million Euros

<sup>34</sup> About 5.15 million Euros

<sup>35</sup> About 1.07 million Euros

<sup>&</sup>lt;sup>36</sup> About 610,687,022.9 Euros

<sup>37</sup> About 7.76 million Euros

<sup>38</sup> About 5.76 million Euros

#### §1: Right to Counsel

**133-** In 2011, many litigants benefited from the assistance of a counsel in compliance with international conventions ratified by Cameroon, the provisions of the CPC<sup>39</sup> and texts on judicial organisation. The following table is illustrative.

Table 9: Right to counsel

Court		Nui	Assigne d Counsel	Counsel Remunerated by the					
	Civil Plaintiff	Defendant 41	Social Plaintif f	Defendan t	Traditiona l Law	Summar y Trial	Indictabl e Offences		Accused/Defendan t
CFI	2693	1833	629	752	7279	10487	18	284	5485
НС	582	287	213	115	00	146	1186	1153	812
CA	916	97	817	831	115	611	298	81	1135

Source: MINJUSTICE

#### §2: Right to be tried without Undue Delay

**134-** In order to find solutions to judicial delays, the Heads of the 10 Courts of Appeal of Cameroon and of the Supreme Court as well as officials of the Ministry of Justice, discussed the issue at the traditional annual meeting of Heads of Courts held from 6 to 9 December 2011.

**135-** During discussions, causes of the delays were identified and solutions proposed.

#### A: Identified Causes of Judicial Delays

**136-** The following main causes were identified:

- inadequacy of judicial map to population growth;
- inadequacy of infrastructure: offices, courthalls, office equipment, libraries, computers, photocopiers, printers and internet access;

<sup>&</sup>lt;sup>39</sup> 2010 Report, §126.

<sup>&</sup>lt;sup>40</sup> Plaintiffs.

<sup>&</sup>lt;sup>41</sup> Defendants.

- lack of motivation<sup>42</sup>;
- corruption and fanciful adjournment of cases;
- absence of effective control of subordinates;
- abuse of privilege of jurisdiction for certain categories of litigants;
- changes in composition of panels in the same matter;
- unusually long enrolment time limits in urgent matters while time limit for appeal is 15 days; and
- the requirement for the multiplication of files.
- 137- Solutions were envisaged for these cases.

#### **B: Proposed Solutions to Judicial Delays**

**138-** To remedy judicial delays, the following solutions were outlined:

- creation of a work environment conducive to staff development and performance;
- investment in continuous training and specialisation of personnel;
- setting up of Courts of First Instance taking into account the administrative map of the country and the effective construction of courthalls of these courts;
- regular and unannounced controls by the ministry;
- supply of rolling stock and working material to courts;
- staff motivation:
- specialisation of Judicial and Legal Officers;
- implementation of Section 11 of the Rules and Regulations governing the Judicial and Legal Services which provides for the granting of longterm training scholarships;
- harmonisation of procedural legal provisions such as those relating to time limits for appeal and enrolment provided by the Civil and Commercial Procedure Code;

<sup>&</sup>lt;sup>42</sup> This includes among others insufficient salaries.

- implementation of the reform of the judicial Division of the ENAM; and
- organization of hearings within prisons to solve the problem of escort of detainees.

**139-** At the end of the discussions, the Minister in charge of Justice, Keeper of the Seals ordered the preliminary draft of the Civil and Commercial Procedure Code to be sent to Heads of Courts of Appeal for their contribution.

#### §3: Appeals

**140-** The number of appellants to superior courts is given below:

Table 10: Right to appeal

Type of Appeal	Number of Appeals Received				Applicants			Number of Convictions Reduced or Cancelled				Number of Reviewed Custody Matters			
Court that rendered appealed judgment	"TPD"	CFI	НС	CA	LD	Parties	Others	TC	CFI	НС	CA	тс	CFI	НС	CA
Objection	238	760	68	109	9	821	65	1	91	11	5	00	58	00	00
Appeal	431	3546	605	253	446	2769	545	2	31	4	206	00	7	5	19
Appeal to the Supreme Court	00	00	00	527	16	324	00	00	00	00	1	00	00	00	00
Review	1	00	00	00	00	00	00	00	00	00	00	00	00	00	00

**Source: MINJUSTICE** 

**141-** As in 2010, appeals were taken against decisions by all levels of courts and the largest number of cases came from parties other than the Legal Department. Many sentences were reduced on appeal.

#### **SECTION 4: CASE-LAW**

**142-** During the 2011 judicial year, the Supreme Court rendered judgments on certain principles which must be applied by lower courts and be well understood by stakeholders of the Judiciary. These especially are the non-retroactivity of the law, bedrock of legal security, the role of the judge as to inquiry measures, the nature and qualification of the judgment subject of an appeal and the effect of the declaration of an appeal to the Supreme Court.

#### §1: Non-retroactivity of the Law

**143-** The principle follows from the grounds of the Judgment in SC No.33/S of 17 February 2011, PEKA'A Pierre v. GUINNESS Cameroon:

"Whereas in basing its decision on the calculation of damages on the provisions of the new Labour Code promulgated by Law No.92/7 of 14 August 1992 without explaining its choice, although the dismissal occurred on 16 January 1991, the Court of Appeal, whose grounds are insufficient, did not provide a legal basis for its decision".

#### §2: Role of the Judge as to Inquiry Measures

**144-** The role of the judge as to measures of inquiry was clearly stated in Supreme Court Judgment No. 108/S of 30 June 2011, YAMGA Maurice v. M.T.A.

"If the assessment of the appropriateness and usefulness of a measure of inquiry to establish the facts is within the sovereign power of the judge, where that judge is seised of a request for inquiry by one of the parties, he shall be obliged to respond under pain of his judgment being censored for non-response to duly filed conclusions".

"Just as the judge assesses sovereignly the wisdom of a measure of inquiry for legitimacy of dismissal, that judge is also obliged, where he is challenged for faulty acts, and under pain of setting aside of his decision, to provide grounds for the rejection of such a request".

#### §3: Nature and Qualification of the Appealed Judgment

**145-** In Supreme Court Judgment No. 1/P of 20 January 2011, ABONO MOAMPAMB Paulin and Others v. the People and Yokadouma Council, the Court specified this principle as follows:

"Whereas according to a firmly established jurisprudence, it is for this court to verify the qualification of the judgment submitted to her and correct it when it is in error, the statement of the judges of appeal on this point is neither sovereign nor sufficient".

"That it results from the said text (Section 437 CPC) that the role of the Court of Appeal is restricted to the incident of the procedure referred to him";

"That, once he rules on the said incident, he depletes his jurisdiction and the judgment he delivers is a judgment on the merits of the incident and not an interlocutory judgment, because the law on this charge has already been stated";

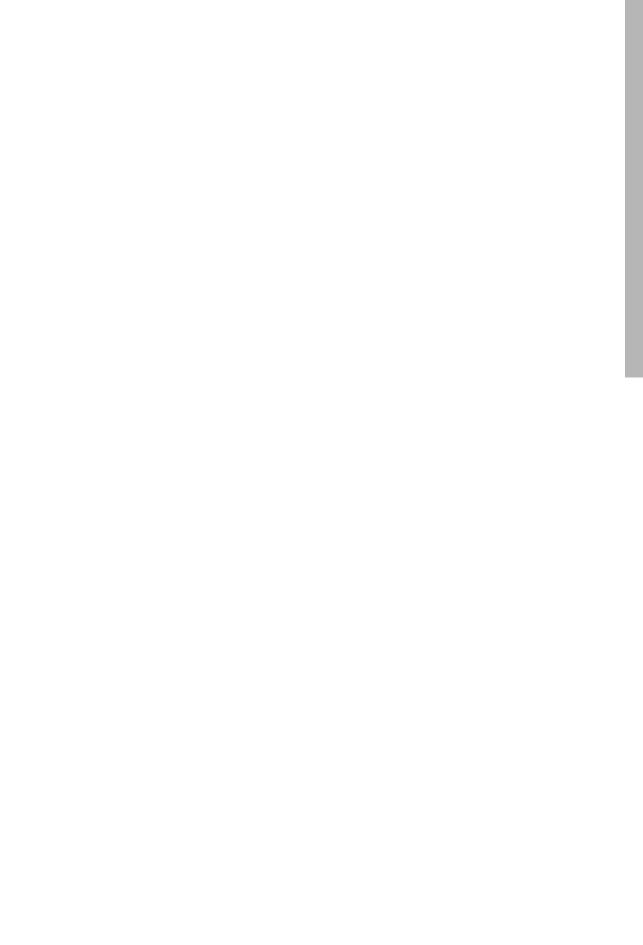
"Whereas, the expression "on the merits" means the decision or judgment which puts an end to the pending challenge that is either incidental to the proceedings or on the object of the action".

#### §4: Effect of the Statement of Appeal

**146-** The effect of the statement of appeal is specified in Supreme Court Judgment No. 97/S of 30 June 2011 as follows:

"Whereas the above-mentioned legal obligation has the effect of allowing the appellant to know certain formalities necessary for the hearing of the appeal, including the obligation, if any, both to brief counsel within a timeframe of 30 days and to pay the required deposit within the same prescribed timeframe under pain of inadmissibility of the appeal".

**147-** In conclusion, 2011 was rich in improving the conditions of exercise of the right to a fair trial as a result of Government's actions together with those of the Courts. However, the Ministry of Justice will be more efficient if the bottlenecks mentioned above such as its low budget were redressed.



# Chapter

FREEDOM OF EXPRESSION AND COMMUNICATION



**148-** In 2011, freedom of communication was consolidated by initiatives undertaken by the Government and stakeholders in capacity building. Judicial proceedings for defamation, ancillary to the responsibility inherent in this fundamental freedom were also recorded.

# **SECTION 1: CAPACITY BUILDING**

**149-** Public assistance to the private press and capacity building seminars were used to improve the skills of communication professionals.

# §1: Public Assistance to the Private Press

**150-** The National Commission for the Review of Applications for Access to Public Aid to Private Communication held its annual session in 2011. This paragraph will focus on its deliberations, on the list of recipients and the recommendations for a better appreciation of files.

# A: Results of the 2011 Session

- **151-** The Commission examined 176 files, 37 of which were rejected for various reasons, while 139 were found eligible for the overall sum of CFAF 135 million as indicated below:
  - 24 community radios;
  - 11 commercial radios;
  - 5 television channels;
  - 3 producers;
  - 1 business cyber press;
  - 1 global communication agency;
  - 6 printing presses;
  - 22 professional organisations; and
  - 66 press companies including 1 daily newspaper.

**152-** The Commissioners were intransigent as concerns the regularity of tax records and the presence of regular work contracts which were considered invalidating criteria for the granting of aid to applicants. In addition, Commissioners made recommendations for a better analysis in the granting of that State subsidy.

# **B: Suggestions for Better Aid Management**

- **153-** Commissioners unanimously recognised the urgent need for a re-reading of the instrument to institute that aid in order to streamline it to the constantly changing communication environment while including provisions that might allow recourse to the support of multilateral partners, with a view to increasing funds for public assistance to private communication.
- **154-** In proofreading the Order of 23 September 2002 to establish the mechanism for public aid to private communication, it was recommended that a thorough reflection on a posteriori control mechanisms of the use of aid received by the different beneficiaries on the one hand, and the best system to contain inflation of professional organisations and associations applying for aid on the other hand should begin.
- **155-** It was resolved that in future all applicants for aid to private communication should show proof of a bank account in the names of their different corporate persons in a banking institution regularly approved by the Minister in charge of Finance.
- **156-** In the same vein, press organs exempted from paying the business licence will henceforth be required to present this document bearing the words "EXEMPTED".
- **157-** Funds allocated as public aid to private media, just as seminars and workshops, contribute in their capacity building.

# §2: Seminars and Workshops

- **158-** Some seminars and workshops organised in Cameroon helped equip communication professionals. These activities were conducted by both the Government and other partners or as a result of collaboration among these different entities.
- **159-** At the initiative of the Government, a 5-day seminar was held in Yaounde from 21 to 25 June 2011 on tourist communication for media professionals, with the support of the World Tourism Organization.
- **160-** Some national associations organised the following seminars:
  - Training workshop for journalists in arts and culture, for 30 participants in Buea, on 23 March 2011. The workshop, organised by the association called Cameroon-based Africaphonie Civil Society, was funded by the Commonwealth; and
  - Seminar on advertising self-regulation in Douala on 28 November 2011, under the aegis of the Cameroon Association for Responsible Advertising.
- **161-** The NCHRF trained members of Human Rights Friends on Cameroon's election laws from 1617 to May 2011.
- **162-** The following meetings were organised by CNUDHD-AC:
  - a training workshop for journalists, on human rights and freedom of the press within the context of the World Day of the Press in Yaounde, from 27 to 28 April 2011, jointly with UNESCO;
  - a dialogue with media professionals on the general situation of human rights in Central Africa and the establishment of a pool of human rights journalists, in Yaounde on 24 May 2011;
  - a national workshop for media professionals on the theme "Media, Challenges in Election Periods", aiming at training the media to take human rights into account in the exercise of their profession, before, during and after elections, at Mbalmayo from 27 to 29 July 2011; and

- a session of post-election debriefing with the pool of human rights media on 21 December 2011 in Yaounde.
- **163-** The United Nations Information Centre also organised a training seminar on elections coverage on 1 and 2 August 2011, in Douala, for 45 journalists.
- **164-** From the above, it can be observed that these meetings cover very diverse areas either to account for news (electoral matters) or to familiarise stakeholders with new or specific themes (art and culture, detention conditions) etc...

# **SECTION 2: PROSECUTION OF JOURNALISTS**

**165**-The following table was drawn up based on statistics relating to the prosecution of journalists.

Table 1: Prosecution of journalists

Offences	Number of	of instituted		Number of Number of convictions acquittals		Victims			Authors		
	investigati ons	Judicial inquiry	Before the trial courts		Releases	М	F	С	Law Enforcemen t Officials	Persons with authorit y over the victim	Others
Defamatio n by press	26	13	9	7	11	12	4	00	00	00	00

Source: MINJUSTICE

**166-** The exploitation of disaggregated statistics shows that there was no prosecution before the following Courts of Appeal: East, North, North West, South. Two cases are pending in the Adamawa where two inquiries were opened before the Examining Magistrate of the CFI, Ngaoundere, two procedures are reported in the South West, a case is pending before the CFI, Yagoua in the Far North, one before the CFI, Bafoussam in the West. A case involving a journalist Elie POKAM MOPO is pending before the CFI, Nkongsamba; it is unrelated to his profession (invasion of residence).

**167-** Most cases are in Yaounde and Douala with 9<sup>43</sup> and 11 procedures respectively. The table below summarises the cases before the CFI, Douala-Bonanjo.

Table 2: Summary of cases before the CFI, Douala, Bonanjo

No.	Names and Surnames	Rank	Charge	Statement of Facts	State of Proceedings
1	Case CONGELCAM and Sylvestre NGOUCHINGHE v. KATI Guy Martial	Editor of the newspaper "Le Cameroon Matin"	False news, insults and defamation (two procedures)	In its issue No. 67 of 22/8/2008, it wrote about the largesse of Congelcam's management to customs officers. The paper also accused them of corruption, patronage, illicit enrichment and misappropriation of public funds. And in its issue No. 66 of 8/5/2008, the applicant is called a greedy individual who had a dubious friendship with ex MINFI ABAH ABAH Polycarpe intended to embezzle public funds.	The case was adjourned to 5 July 2012 for composition of the Court.
2	Case: GETMA Cameroun SA -Claude BARONE -Monique PECH vMichel MICHAUT MOUSSALA -Samuel MBEN MBEN -Mathieu MVOGO -The newspaper Aurore Plus	Editor of the newspaper AURORE Plus	Defamation, insults	In its issue No. 355 of 24 April 2001, Aurore Plus published an article stating that "A Network of counterfeiters were disbanded at GETMA, where thousands of vehicles disappear every day under the pretext of auction due to a young Cameroonian businessman.	Case adjourned to 21 June 2012 for service on the civil party.
3	The People and ABOYA ENDONG MONASSE vMichel MICHAUT MOUSSALA (Editor of Aurore Plus)	Editor of Aurore Plus	False news, insults, defamation	In its issue No.1083 of December 2008, Aurore Plus affirms in an article titled "Yves Michel FOTSO Cries for Help" that: "the political scientist MANASSEH ABOYA ENDONG, lecturer at the University of Douala should have other weapons to use than to play the nigger at the service of Yves Michel FOTSO who was dreaming of becoming a minister. Seeing his project fail as a buoy in the storm, he decided to cling to the group to achieve his ambitions. He is said to be the toxic advisor of the CBC boss who flirts with the media mob nursing the secret hope of imposing his ideas not before a scientific board, but his sponsor".	Matter adjourned to 24 May 2012 for hearing.

<sup>43</sup> For pending cases in Yaounde include procedures concerning MP KOMBA Gaston and Pr Maurice KAMTO. The former is angry because he is considered inefficient and the latter because he is accused of plagiarism. These offences were committed through the press involving Editors-in-Chief as accused in compliance with section 74(1) of Law No. 90/52 of 19 December 1990 on freedom of mass communication as amended by Law No. 96/4 of 4 January 1996

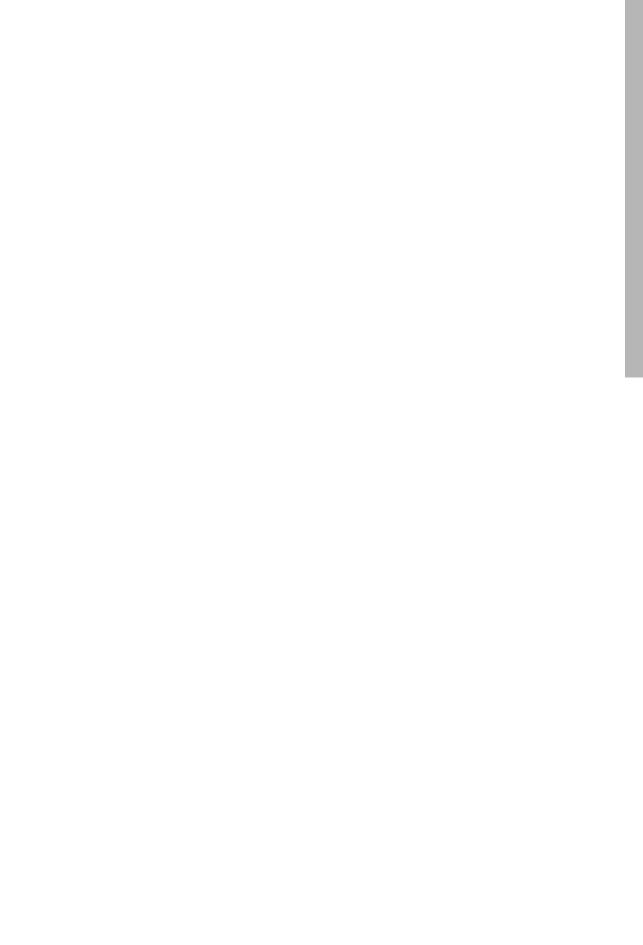
# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

No.	Names and Surnames	Rank	Charge	Statement of Facts	State of Proceedings
4	The People and FEOKETCHANG KOUATCHOU Simone (Lawyer) vMichel MICHAUT MOUSSALA -André SOM The bi-weekly Aurore Plus	Editor of Aurore Plus	Defamation through a newspaper, complicity in publication of false news	In its issue No. 1254 of 17 September 2010 in an article entitled "Real Estate Management: Lawyer Sued for Public Act". The newspaper states that since Mrs FEOKETCHANG KOUATCHOU Simone (Lawyer) took up management of theTCHONANG family building, the lawyer has instituted many evictions, verbal and judicial procedures and that these comments injure the character and	Matter adjourned to 19 April 2012 for appearance the parties
5	The People and Honourable -Hermine Patricia,	Editor of La Nouvelle Expression	Defamation by media	consideration of the applicant.  In its issue No. 2701 of Thursday, 8 April 2010, the newspaper through its journalist MBOZO'A	Matter adjourned to 19 April 2012 for
	-TOMAINO NDAM NJOYA, -MOUCHIKPOU YACOUBA, -PEYIPAHOUO RIRETOU -KOUPENJU Simon, CDU Parliamentarians vTCHOUNKEU Severin, -The newspaper La Nouvelle Expression.			said that Honourable Hermine Patricia TOMAINO NDAM NIOYA "rips-off CDU Parliamentarians and collected CFAF 300,000 from the salary of each Parliamentarian, an attitude that the concerned do not like () after a decree signed by the wife of the President of the CDU". as these comments by Mrs MBOZO'A Oscarine injure the honour and dignity of Honourable Hermine Patricia TOMAINO NDAM NJOYA and tarnish the image of the CDU on the eve of the presidential elections	hearings
6	The People and ELEA MPONTI EPAMO Hervé vMOUAHA Martha -La love Tom and Martha TV (LMT.)(TV)	Director of the Television (LTM TV)	Defamation, breach of the right to images, violation of journalists' code of ethics	On 29 July 2010, during the production of her musical video, she took pictures for the promotion of her album, and that on this date, the television LTM TV in its programme "IPP News" made wide publicity of her picture without her consent where she appears on the screen lightly dressed and stripped by one of her dancers resulting in a skirmish at home with her spouse who accuses her of adultery. That it is a degrading dissemination of her picture.	Matter adjourned to 26 July 2012 for identification of the accused
7	The People and Jean Jacques EKINDI vEYOUM Marthe alias Dinally -NOULLA Augustin -Radio RTM and LTM Television	Director of the Television (LTM TV)	Slander, complicity in defamation	During 8 PM television news of Tuesday, 7 September 2009, NOULLA Augustin journalist pointed out in bad faith that the "Linstitut Academique Dr. Joel EKINDI was clandestine", and after saying "parents were naive" advised them not to register their children in that school. The plaintiff said the accused had no evidence to back his defamatory statements and that he was contented with rumours propagated to undermine the reputation of his institution.	Matter adjourned to 28 June 2012 for payment of the original deposit of CFAF 40,000 as costs of the direct summons and identification of the accused
8	The People and African Pharmaceutical Development LTD "APHAD" v. -Charles NFORGAN -Jean Baptiste SIPA -Le Messager	Editor of Le Messager	Defamation, propagation of false information	In its issue No. 3411 of Thursday, 18 August 2011, Le Messager published an article entitiled "The Judiciary Unveils OLANGUENA OWONO's Lies». According to the article, APHAD was set up to sell products by strides Arcolab originally withdrawn from the market by the Minister of Health. This implies that APHAD is an accomplice or even the partner of Minister OLANGUENA in its attempt to destabilise and fragment the CC Pharma. This	Matter adjourned to 21 June 2012 for payment of CFAF 40,000 deposit for production of a copy of the direct summons and identification of the accused

No.	Names and	Rank	Charge		Statement of Facts	State of
	Surnames					Proceedings
					publication by way of press violates the honour and consideration of APHAD.	
9	NANA TCHOUA Jonathan Gervais, advocate at the Cameroon Bar v. -Jean Baptiste SIPA, Editor of Le Messager -Jacques DOO BELL -Le Messager	Editor of Le Messager	Defamation		In its issue No. 3288 of 21 February 2011, in an article entitled "Confiscation of the Property of a Dead Priest", the newspaper said MVONDO was a forger and presented Lawyer NANA TCHOUA Jonathan as his counsel although the lawyer has never been his counsel and never obtained a hereditary judgment on his behalf.	Matter adjourned to 7 June 2012 for service on the parties and for hearing
10	The People and NDJEMBA FOUMAKOUNDI Sylvain vEric FOTSO (Director General of Canal 2 International) -Canal 2 International	Director General of Canal 2 International -Canal 2 International	Defamation, refusal publish disseminate	to or	Canal 2 International, in its evening news as well as other programmes including "Scratch your eyes"said that Pastor NDJEMBA FOUMAKOUNDI Sylvain operates a clandestine adulterated winery at his place of worship, adjacent to his home, with water from a well in his compound; the applicant sent a letter to the Director General of Canal 2 on 17 May 2010 canal 2 on 17 May 2010 requesting him to take the necessary measures to enable him to exercise his right of reply. Unfortunately, this letter was not taken into account. Rather, surprisingly, on 12 June 2010, CANAL 2 rebroadcast the defamatory facts in its programme Scratch your Eye.	Matter adjourned to 21 June 2012 for hearing

Source: MINJUSTICE

168- Ultimately, if controversial issues persist over freedom of expression and communication such as the debate over the decriminalization of press offences, the guarantee of this fundamental freedom is a reality that some contingencies cannot call into question. Efforts in this domain were rightly praised in the report entitled "The African Media Barometer" 2011 edition, presented in Yaounde on 28 November 2011 by the Friedrich Ebert Foundation, which was the result of an analysis of the media landscape of the country. Cameroon thus fulfils some press freedom criteria. It is satisfactory that there has been some improvement as compared to 2008 when the previous survey was carried out. Based on these efforts, the number of telecentres rose from 26 in 2010 to 30 in 2011; 117 tele-centres and digital access points are being installed, 28 tele-centres are under construction, 4 community radio stations are operational and 10 are under construction as at September 2011. During this time, 45 ministries were connected by optic fibre for access to the Internet.



# Chapter 4 HUMAN RIGHTS DEFENDERS



**169-** In 2011, the protection of human rights defenders was at the centre of concerns, with regard to their arrests. Section 1 will focus essentially on new cases of arrest. Section 2 will indicate the progress of the cases stated in previous reports concerning human rights defenders.

# **SECTION 1: NEW ARRESTS**

**170-** African and UN human rights mechanisms have expressed concern to Government on the situation of human rights defenders, on their own initiative or at the request of the concerned or their representatives. The cases of LAMBO Pierre Roger<sup>44</sup>, François FOGNO FOTSO, and FOGUE FOGUITO and Paul Guy HYOUMENI were of concern.

**171-** The Special Rapporteur on the situation of human rights defenders in Africa expressed his worry to the Government by urging it, in accordance with its international and regional commitments, to conduct a thorough investigation into the circumstances of these allegations and to make its results public.

# §1: Arrest and Detention of François FOGNO FOTSO

**172-** The Special Rapporteur seised the Government regarding the arrest and detention of François FOGNO FOTSO, journalist and Editor-in-Chief of the bi-monthly "Génération Libre" on 5 September 2011 at the 1st Central Police Station, Yaounde.

173- The reports and information sent to the ACHPR state that François FOGNO FOTSO was allegedly arrested and detained at the 1st Central Police Station, Yaounde, on 5 September 2011, for publishing articles on the illicit enrichment of Célestin TABOULI, former Deputy Treasurer at the Treasury of Nkongsamba in the Littoral Region and currently working in Edea. He was reportedly interrogated on 6 September in the absence of a lawyer and forced to release the source of his information. Investigations are in process to clarify this matter.

<sup>44</sup> Extensively referred to in (§101) of the 2008 Report. The case concerning LAMBO Pierre Roger alias Lapiro de Mbanga, after referral to the courts (HC of Mungo, Court of Appeal, Littoral and the Supreme Court) was referred to the Human Rights Council Working Group on Arbitrary Detention. In its Opinion No. 32/2011 (Cameroon) given on 13 January 2012, the Working Group considered the detention of LAMBO Pierre Roger as arbitrary. This case will be examined in the 2012 Report.

§2: Inquiries relating to the case of FOGUE FOGUITO, Chair of "Positive Generation" and Paul Guy HYOMENI, Chair of Réseau Camerounais des Droits de l'Homme (RECODH).

**174-** The Special Rapporteur of Human Rights Defenders in Africa expressed her concern about the suppression of a public demonstration and the arrest of Mr FOGUE FOGUITO, President of the "Génération Positive", Paul Guy HYOUMENI, President of "Réseau Camerounais des Droits de l'Homme" (RECODH), and many other human rights activists.

**175-** According to information received by the Special Rapporteur, the demonstration was organised to get the Government to comply with the declaration ratified by Cameroon in Abuja in 2001 and to allocate 15% of the State budget to health. The organisers were repressed and arrested.

176- Based on the facts of the procedure, on 30 November 2010, members of the Coalition, 15% of which include associations of people living with HIV/AIDS decided, despite the prohibition of administrative authorities, to demonstrate before the National Assembly. The goal of their claim was to ensure compliance with the commitment made in 2001 by the Heads of State and Government at the AU meeting in Abuja, Nigeria to allocate 15% of GDP to public health. It is worth mentioning that the demonstration was declared on 26 November, in accordance with Law No. 90/55 of 19 December 1990 to lay down regulations governing public meetings and processions. Some 15 demonstrators were arrested, interrogated and released. The procedure was referred to the Legal Department that decided to prosecute the 13 people by way of direct summons before the CFI, Yaounde, Centre Administratif for unlawful assembly pursuant to Sections 74 and 231 of the PC<sup>45</sup>.

<sup>&</sup>lt;sup>45</sup> Enrolled at the hearing of 14 March 2012, the matter was adjourned to 22 August 2012, for production of the death certificate of Mrs MACHOUSSI Nathalie Nadège, who died during trial, and service on all parties.

# **SECTION 2: PREVIOUS CASES**

**177-** These include the cases involving Jean Marc BIKOKO and Paul Eric KINGUE.

# §1: BIKOKO Jean Marc and Others<sup>46</sup>

**178-** The case involving Jean Marc BIKOKO, MBASSI ONDOA Tobie Emmanuel, NLA'A Eric, PHOUET FOE Maurice Angelo, NKILLI EFOA, FELEIN Claude Charles and ZE Joseph, trade union leaders arrested on 11 November 2010 and prosecuted for unlawful assembly and demonstration<sup>47</sup> was heard and determined.

# §2: Paul Eric KINGUE<sup>48</sup>

**179-** The case of Paul Eric KINGUE, former Mayor of Njombe Penja accused of participating in riots in February 2008, was heard and determined by the CA, Littoral. By Judgment of 23 March 2011, this court decided as follows:

« (...) found Kong Jachée not guilty of unlawful assembly;

found Aboubakari Mana Bouba and Format Duplex not guilty of unlawful assembly; found Paul Eric Kingue not guilty of unlawful assembly and accessory in obstruction on highway and discharged and acquitted them;

However, it confirmed the guilty verdict against Format Duplex and Aboubakari Mana Bouba for depredation by band and obstruction of highway; that against Ambomo Guy Modeste, Kolla Mathurin and Kong Zachée for depredation by band and that of Paul Eric Kingue for accessory in depredation by band;

- Also reversed the judgment on sentencing and damages;

<sup>&</sup>lt;sup>46</sup> See 2010 Report, § 210 et seq.

<sup>&</sup>lt;sup>47</sup> This matter was heard and determined in 2012. On 5 March 2012, after a full hearing, the CFI, Yaounde, Centre Administratif discharged the accused for lack of criminal intention and ordered the Public Treasury to bear costs.

<sup>&</sup>lt;sup>48</sup> This matter was reviewed in §101 of the 2009 Report.

- Deciding on fresh issues, related to the above, raised before the court for the first time:
- It equally granted all the accused mitigating circumstances as first offenders and specifically Ambomo Guy modest for his spontaneous confession;
- Sentenced and convicted Ambomo Guy modeste and Kong Zachée to 42 months imprisonment and the other accused to 3 years imprisonment each;
- Reduced damages to the sum of CFAF100 million<sup>49</sup> (...)"<sup>50</sup>.

**180-** Paul Eric KINGUE is involved in other proceedings (misappropriation of public funds especially) for which remand warrants have been issued. These facts and proceedings are not related to the activities of human rights defenders.

**181-** In conclusion, the situation of human rights defenders is of concern to both the organs for the promotion and protection of human rights and the Government that recognizes the very significant role that they play in enhancing human rights culture.

<sup>&</sup>lt;sup>49</sup> About 1.526.78 Euros.

<sup>&</sup>lt;sup>50</sup> Paul Eric Kingue is involved in other proceedings (misappropriation of public property especially) for which detention warrants have been issued. These facts and procedures are unrelated to the activities of human rights defenders.

# Chapter 5 PROTECTION OF REFUGEES



**182-** The determination of refugee status is a prerogative of State sovereignty. Since the accession of Cameroon to universal and regional instruments for the promotion and protection of the rights of refugees<sup>51</sup> the HCR takes up this duty in the absence of an appropriate institutional framework. Law No. 2005/6 of 27 July 2005 on the status of refugees in Cameroon envisaged the exercise of this duty by the State by setting up organs for the management of refugees. In 2011, the desire to move on with its functioning was confirmed by the signing of Decree No. 2011/389 of 28 November 2011 on the organization and functioning of the organs of management of the status of refugees in Cameroon. The decree now allows the State to assume the sovereign function of the determination of refugee status. It specifies the applicable rules of procedure and the organic and functional framework of this prerogative.

# SECTION 1: ORGANISATION AND FUNCTIONING OF THE ORGANS OF MANAGEMENT OF REFUGEES

**183-** Law No. 2005/6 of 27 July 2005 governing the status of refugees in Cameroon provides for two organs: the Refugee Eligibility Status Commission and the Refugee Appeals Commission. The two commissions are under the Ministry in charge of External Relations. The composition of these Commissions is different but multi-sectoral in both cases. The guarantees of the impartiality of their members are identical. The two organs benefit from the assistance of a Technical Secretariat which is provided by the service in charge of refugees in MINREX. Moreover, they are governed by the same rules.

# §1: Multi-sectoral Composition of Commissions

**184-** The composition of both the Eligibility and Appeals Commissions, which are refugee management organs, is multi-sectoral. Each administration

<sup>&</sup>lt;sup>51</sup> These are: the United Nations Conventions of 28 July 1951 relating to the Status of Refugees, that entered into force on 22 April 1954 and underwritten by succession of State on 23 June 1961; the New York Protocol of 31 January 1967, that entered into force on 4 October 1967, to which Cameroon acceded on 19 September 1967; the OAU Convention of 10 September 1969 governing the specific aspects of Refugees in Africa, that entered into force on 20 January 1974, ratified on 7 September 1985 (deposit of the instrument of ratification on 10 January 1986)...

or institution is represented by a substantive member. Where the substantive member is unavoidably absent, that member is replaced by an alternate member designated under the same conditions as the substantive member. UNHCR is involved as an observer.

# A: Composition of the Eligibility Commission

- **185-** The Eligibility Commission is composed of 8 members representing the Government and the NCHRF.
- **186-** MINREX with two representatives serves as Chair while the Vice-Chair is entrusted to the representative of MINADT.
- **187-** Other administrations represented in the Commission are: MINAS, DGSN and DGRE.
- **188-** The HCR participates as an observer in an advisory capacity. The Chair may invite any competent person to attend. That person shall also have an advisory capacity.

# **B:** Composition of the Appeals Commission

- **189-** The Appeals Commission includes 5 members mainly representing the Administration. The representative of the Presidency of the Republic is the Chair, while that of the Prime Minister's Office is the Vice Chair.
- **190-** The other members represent MINJUSTICE, MINREX and MINATD.
- **191-** Unlike the Eligibility Commission where UNHCR participation is mandatory, that participation is optional for the Appeals Commission. As in the Eligibility Commission, the representative of the UNHCR participates in an advisory capacity.

# C: Designation of Members of Commissions

**192-** The terms of appointment of the members of the two Commissions are mainly specified in article 4 of the Decree. They are appointed on the proposal of the administrations or institutions they represent. An act of the Minister of External Relations fixes their composition.

**193-** These provisions are also applicable to the replacement of a deceased member or of a member who is no longer able to exercise his mandate.

# §2: Common Guarantees of Impartiality of Members

**194-** The guarantees of impartiality of Commission members include the requirement of taking oath before their entry into service, limitation of the duration of their mandate, enactment of certain incompatibilities, members' salary and the motivation of their decisions.

### A: Oath

195- Commission members take oath before the High Court. Swearing in is a solemn commitment to properly perform their duties. The oath is intended to remind the function holder of its daintiness. The law specifies the jurisdiction ratione materiae of the Court but not its jurisdiction rationae loci. Since Commissions have national competence, High Courts could be competent and by extension the residence of the appointed Member.

### **B: Limitation of Mandate**

**196-** The mandate of Commission Members is limited in time. It is three years renewable once.

# C: Incompatibilities

**197-** No designated member shall belong to both Commissions. This is to guarantee the freedom of appreciation of each body especially that of the Refugees Appeals Commission called upon to rule in the second and final instance.

# D: Salary of Commission Members

**198-** The duty of Commission Member is free of charge as stipulated in Article 19 paragraph 1 of the Decree. Paragraph 2 states, however, that Chairpersons, Vice-chairpersons, members, personalities invited in an advisory capacity, as well as secretariat staff are entitled to sitting allowances whose amounts are fixed by mutual agreement between the Ministry in charge of External Relations and the UNHCR.

# **E:** Motivation of Decisions

**199-** The decisions of the Commissions must be motivated. Although the Decree is not specific, these decisions which concern the granting or refusal of refugee status to the asylum seeker must be motivated in fact and in law. Motivation explains the grounds on which a decision is based and allows notably for assessment of its legality.

# §3: Technical Secretariat

**200-** The Technical Secretariat assists the Commissions in their work. The service in charge of refugees in MINREX serves as the Secretariat and is supported by the HCR.

**201-** Its tasks are comparable to those of a court registry. They include essentially the registration of applications for asylum and appeals, preparation of files to be submitted to Commissions, drawing up of draft Commission agenda, writing Commission decisions and minutes, sending copies of Commission decisions to all relevant authorities, keeping and conserving Commissions' files, preparing monthly progress reports in MINREX, when need be.

# §4: Common Procedures

**202-** The two organs have common procedures including frequent meetings, the quorum and the mobilisation of necessary material resources.

# A: Frequency of Meetings

**203-** Article 6 of the Decree provides that the Commissions shall have monthly meetings. However, they may be held whenever circumstances require. In all cases they are convened by the Chairpersons of both Commissions. In all cases, they are convened by the Chair of both bodies.

### **B:** Quorum

**204-** The Commissions may conduct deliberations only in the presence of the absolute majority of its members, namely 5 for the Eligibility Commission and 3 for the Refugees Appeal Commission.

### C: Mobilisation of Material Means

**205-** The necessary resources for the functioning of refugee management organs come from appropriations entered annually in the budget of MIN-REX, HCR contributions, donations and bequests.

# SECTION 2: ELIGIBILITY PROCEDURES FOR REFUGEE STATUS

**206-** Eligibility procedures for refugee status may concern examination of eligibility for that status, exclusion, or loss of that status. The procedure is the same for all these cases. The Decree of 28 November 2011 confirms the principle of the double degree in the review of applications for admission to the status of refugee and specifies the results of the procedure.

# §1: Confirmation of Double Degree in Examination of Asylum Applications

**207-** Examination of applications for asylum is made in the first instance by the Eligibility Commission for Refugee Status and the Refugee Commission in second instance.

### A: Examination at the First Instance

**208-** The procedure for the determination of refugee status is in principle individual. However, in the event of mass refugee influx, examination is by waiver-approach.

# §1: Individual Refugee Status Determination Procedure

**209-** The Decree specifies the terms of reference of the Committee, the statement of the application, the State of the record and the decision.

# a) Referral to the Commission

**210-** The asylum application is addressed to the Chairman of the Eligibility Commission. It can be submitted to the Technical Secretariat or the Office of the UNHCR, to be sent to the Secretariat. The UNHCR can assist the claimant to fulfill the related formalities

# b) Processing the Application

**211-** The Secretariat examines the asylum application. Its objective is to collect information necessary for the examination of the asylum application. It is based on an interview with the asylum applicant and any other investigation measure to gather information on the situation of the latter. The examination has timeframes.

# i) Asylum Interview

- **212-** The interview takes place at the Technical Secretariat. It is conducted by a duly authorized agent. Prior to the interview, a summons is addressed to the asylum seeker two weeks before the chosen date.
- **213-** The applicant benefits from certain guarantees, including the right to an interpreter. The specific needs of unaccompanied children and women are also taken into account. Children are entitled to the presence of a social worker. Women may be heard only by an authorized agent of the same sex.

# ii) Other Investigative Measures

**214-** Other investigative measures can consist of searching for information in the country of origin, requests for expertise and verification of the authenticity of the documents produced by the asylum seeker.

# iii) Examination Timeframes

**215-** The Secretariat has two months renewable thrice to study the application.

# c) Preparing the File

**216-** After examination of the application, the Secretariat prepares a report on the asylum application. This report contains the statement of facts, a legal analysis based on the instruments relating to the status of refugee and a record on the social situation of the asylum seeker.

# d) Decision

**217-** Upon receipt of the file accompanied by the report of the Secretariat, the Eligibility Commission may take a decision based on the documents. It may also order the personal appearance of the asylum seeker or any other measure relevant to the examination of the application. It has 2 months to make its decision. It may consist in the granting or refusal of refugee status to the asylum seeker. The decision is subject to appeal.

### B: Examination at the Last Instance

**218-** As noted above, the Refugee Appeals Commission is responsible for receiving appeals against the decisions of the Eligibility Commission for Refugee Status. The appeal has a suspensive effect and is exercised within a period of 30 days from the notification of the decision.

- **219-** The terms and conditions of referral to the Appeals Committee are identical to those of the Eligibility Commission. The record of appeal must include the statement of the new grounds and a copy of the contested decision.
- **220-** It may decide on the basis of documents submitted, order the personal appearance of the asylum seeker or any other measure of examination.
- **221-** The Refugees Appeals Commission decides at the last instance and its decision is not subject to appeal before ordinary law courts as provided in Section 17 of Law No. 2005/6 of 27 July 2005. The relevance of this provision may be questioned taking into account the existence of the right of access to justice.

# §2: Consequences of the Procedure

**222-** The consequences of the procedure differ according to whether refugee status has been granted or denied the applicant. In the first case, he is entitled to the issuance of identification documents. In the second case, he is obliged to leave the country.

# A: Right to Identification Documents

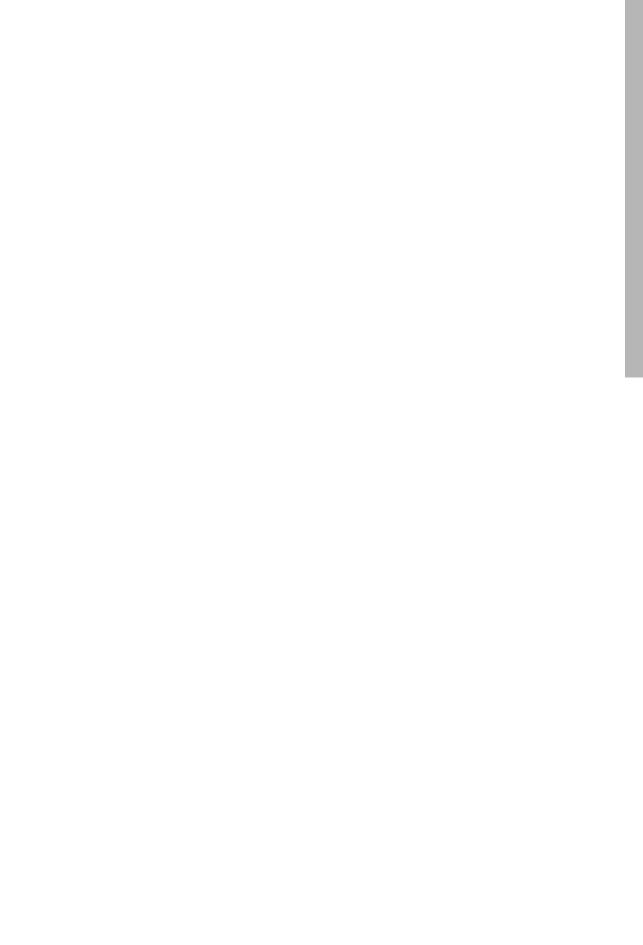
**223-** As soon as refugee status is granted, identification documents must be issued to the recipient as well as all adults and minors of his family<sup>52</sup>. The refugee certificate, a transitional document issued by the Technical Secretariat, is issued first. The refugee card is then issued by the competent authorities. It is valid for two years renewable. It is renewed automatically at expiry unless the recipient has lost refugee status.

# B: Obligation to Leave the Country for Refusal or Loss of Refugee Status

**224-** In case of refusal or loss of refugee status, the asylum seeker must leave the country. Unless there are compelling reasons of national security, the refugee is granted 6 months to find a host country. Except in cases of force majeure, the refugee is regarded as a foreigner in an irregular situation in the case where he has not left the country at the end of the period mentioned above.

<sup>&</sup>lt;sup>52</sup> Pursuant to the provisions of Section 5 of Law No. 2005/6 of 27 July 2005 on the status of refugees in Cameroon, spouses, minor children and other family members who are dependent on the refugee are considered family members

**225-** The signing of the Decree of 28 November 2011 is a significant advance in the appropriation by Cameroon of a component of its migration policy. The effective functioning of refugee management organs would be welcomed for the involvement of national authorities in determining refugee status.



Chapter

RIGHT TO PARTICIPATE IN THE MANAGEMENT OF PUBLIC AFFAIRS



**226-** The right to participate in the management of public affairs was realised through the organisation and conduct of the presidential election of 9 October 2011, registration of new political parties and the advancement of the decentralisation process.

# SECTION 1: ORGANIZATION AND CONDUCT OF THE PRESIDENTIAL ELECTION

**227-** To scrupulously respect the election calendar that envisaged the holding of presidential elections on 9 October 2011, the normative and institutional framework of the electoral system was strengthened, ELECAM took organisational measures to guarantee the holding of elections and Government supervised voting.

# §1: Strengthening of the Normative and Institutional Framework of the Electoral System

**228-** The strengthening of the normative and institutional framework of the electoral system was done by the adoption of legislative instruments, the signing of regulatory acts and the redeployment of the members of ELECAM.

# A: Legislative Instruments

**229-**The legislative instruments adopted to amend and/or supplement the existing legal mechanism relating to elections are:

- Law No. 2011/1 of 6 May 2011 to lay down and supplement certain provisions of Law No. 2006/11 of 29 December 2006 on the setting up, organization and functioning of Elections Cameroon<sup>53</sup>. The law increases the number of members of the Electoral Board from 12 to 18. In addition, it withdraws the power to publish trends from the Electoral Board; and therefore, it makes the Constitutional Council the only body authorised to proclaim the results of presidential, legisla-

<sup>53</sup> This law was repealed and inserted in Law No. 2012/1 of 19 April 2012 governing the Electoral Code.

tive, senatorial elections and referendums, in accordance with the provisions of article 48 (1) of the Constitution. The lawmaker has thus settled the conflict of jurisdiction that may arise between ELECAM and the Constitutional Council, particularly with regard to the publication of election results;

- Law No. 2011/2 of 6 May 2011 to amend and supplement certain provisions of Law No. 92/10 of 17 September 1992 and Law No. 97/20 of 9 September 1997 to lay down conditions governing the vacancy of, and election to the Presidency of the Republic of Cameroon<sup>54</sup>. To comply with constitutional provisions this law reviewed the term of office of the President of the Republic, which is now 7 years renewable. Also, it gives clarification on some functions that are incompatible with those of the President of the Republic. Furthermore, in the event of vacancy of the Presidency of the Republic, the time limit for the election of a new president has been reviewed. Henceforth, it must be held 20 days at least and 120 days at most after opening of the vacancy;
- Law No. 2011/13 of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad. The law grants the right to vote, during presidential elections and referendums, to Cameroonians in the diaspora, enabling them to participate in the management of public affairs.

# **B: Regulatory Acts**

# **230-** They are:

- Decree No. 2011/237 of 8 August 2011 to lay down conditions for the application of the Law of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad;
- Order No.1/DIPL/CAB of 24 August 2011 to draw up the lists of diplomatic missions and consular posts wherein electoral operations for the 2011 presidential election shall hold;

- Order No.5/MINCOM/CAB of 22 September 2011 determining the order of passage and fixing airtime in public audiovisual media granted to candidates campaigning for the presidential election of 9 October 2011; and
- Decision No. 45/MINCOM/SG/CT1/DAJ of 4 September 2011 relating to the setting up, organization and functioning of the National Supervisory Commission of Media Actions within the framework of the presidential election of 9 October 2011.
- **231-** The improvement of the legal landscape was accompanied by the redeployment of the members of ELECAM.

# C: Redeployment of ELECAM Members

- **232-** To render effective Law No. 2011/1 of 6 May 2011 mentioned above, the President of the Republic appointed 6 new members of the Electoral Board by Decree No. 2011/204 of 7 July 2011. By this act, personalities essentially from the civil society increased membership of ELECAM. They took oath before the Supreme Court, sitting as the Constitutional Council, on 21 July 2011.
- **233-** However, the impartiality and neutrality of one of the new members were questioned during the electoral campaign by one of the candidates. As sanction, Mrs. BIYONG Pauline was revoked from the Electoral Board by Decree No. 2011/335 of 7 October 2011, for gross negligence and violation of oath duly recognised by the Electoral Board, in application of Decree No. 2008/372 of 11 November 2008 to lay down conditions for the implementation of certain provisions of Law No. 2006/11 of 29 December 2006 on the setting up, organization and functioning of Elections Cameroon.
- **234-** With the putting in place of the normative and institutional framework, it was necessary to prepare for the holding of elections.

# §2: Pre-election Operations

235-ELECAM, independent body for the management, organisation and supervision of elections, with the support of public authorities, a few political parties and civil society organisations, conducted various activities related to registration on the lists, validation of candidates for the election and the provision of the necessary means.

# A: Registration on Electoral Lists

236- During the period of registration of voters on the lists<sup>55</sup> steps were taken to promote citizen participation in the elections. The extension of the exceptional measure taken by the Head of State in 2010 for a temporary reduction of the cost, followed by the free establishment of national identity cards for people of voting age<sup>56</sup>, until the convening of the electorate on 30 August 2011 falls within this purview. In the same vein, with regard to appeals for registration on the lists of electors, the NCHRF led a vast awareness campaign for Cameroonians on voting<sup>57</sup>. To encourage the inclusion of women, awareness-raising methods were adopted by ELECAM's Board branches. Thus, pregnant and older women were received in priority while teams moved to register women, especially in rural areas, with the assistance of women's associations.

**237-** On 30 August 2011, when the President of the Republic convened the electorate, 7,525,122 people of voting age were actually registered on electoral lists.

**238-** The table below summarises, by Region, new registrations on the electoral lists, although it provides no information on the proportion of women, young people (20-35 years) and people with disabilities who registered.

<sup>55</sup> Opened in August 2010, registration on the electoral lists was closed on 31 August 2011.

<sup>56</sup> The President of the Republic reduced the cost of establishing the national identity card to FCFA 2,800 by decree. Initially scheduled from 3 January to 30 April 2011, this measure was extended to 30 August 2011.

<sup>57</sup> Emmanuel Kendemeh, "Political parties, civil society seek more transparency", in Cameroon Tribune, 18 August 2011, p.3

**Table 1:** Summary of new registrations on the electoral lists as at 30 August 2011

	Regions	New registrants as at 30 August 2011				
1	Adamawa	190 621				
2	Centre	510 669				
3	East	132 536				
4	Far North	447 696				
5	Littoral	321 337				
6	North	249 330				
7	North West	249 908				
8	West	280 274				
9	South	114 236				
10 South West		215 162				
	Total	2 711 769				
N.B: Elect	N.B: Electoral lists available as at 30 August 2011 after upgrading: 4,813,356+ 2,711, 769 = 7,					

525,122 voters<sup>58</sup>

Source: ELECAM<sup>59</sup>

239- Moreover, ELECAM took decisions to transform electoral lists revision commissions in each municipality, diplomatic and consular representation to supervision commissions for the establishment and distribution of voters' cards.

# B: Validation of Candidates for the Election

**240-** Some applications were validated by ELECAM, others by the Supreme Court after pre-election disputes.

# 1: Applications validated by ELECAM

**241-** Pursuant to the provisions of Section 51 (new) paragraph 1 of Law No. 2011/2 of 6 May 2011 according to which candidates have 5 days after the convening of the electorate to declare their candidacy, 51 declarations of candidacy were deposited at ELECAM for the presidential election. Only 21 were validated by this institution, including those of two women. The rejection of 30 other candidates was based on one or more of the following reasons: lack of presentation of tax certificate, absence of legalisation of signature on the declaration of candidacy, absence of supporting document of continuous residence for at least 12 months within the national territory, or even the non-respect of the deadlines for the filing of the application file.

<sup>58</sup> Source: Directorate-General of Elections; Read also Cameroon Tribune of 27 September 2011, p. 7.

<sup>59</sup> ELECAM, General Report on the Presidential Election of 9 October 2011, SOPECAM, Annex IV, p. 117.

**242-** 20 of the rejections resulted in appeals to the Supreme Court sitting in place of the Constitutional Council.

# 2: Pre-election Disputes

**243-** Pre-election disputes concerned appeals by the Social Democratic Front (SDF) and against decisions of ELECAM rejecting some candidates in the presidential election and those against the candidature of Paul BIYA, candidate of the CPDM.

# a) Outcome of the Appeal brought on 4 October 2010 by the SDF before the Administrative Bench of the Supreme Court

**244-** On 7 September 2011, the Administrative Bench of the Supreme Court heard and determined the case between the SDF and the State of Cameroon. Facts:<sup>60</sup> To recall the facts, the SDF sought the annulment of all registration operations on the electoral list by the Directorate-General of Elections, on the grounds that the President of the Republic did not, at the time of the facts of the case, signed the decree which effectively put ELE-CAM in place as provided by law. The application was declared admissible, but unjustified, and accordingly, dismissed.

# b) Proceedings instituted against decisions of ELECAM to reject certain candidates for the presidential election: case of Anicet EKANE Georges (MANIDEM) and Daniel SOH FONE (PSU)

**245-** Out of 20 appeals before the Supreme Court against decisions to reject candidates, appeals by Anicet EKANE Georges, candidate of the African Movement for the New Independence and Democracy (MANIDEM) and Daniel SOH FONE, candidate of the Unified Socialist Party (PSU) deserve special attention in the light of the favourable outcome of their motions by the Supreme Court sitting as the Constitutional Council.

**246-** In that case, the candidacies of these applicants were rejected by the Electoral Board of ELECAM, on a common ground, namely the lack of

<sup>60</sup> See Report by the Ministry of Justice on Human Rights in Cameroon in 2010, § 235.

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

presentation of the tax certificate. The Court heard and determined the cases on 20 September 2011 and set aside the decision of ELECAM on the ground that the General Tax Code does not contain a provision highlighting the concept of tax certificate or non-tax certificate.

**247-** The first - tax certificate - is issued to a user who earns an income or owns an estate for which the administration has information relating to tax matters. The second - non-tax certificate - is issued to the poor or people for whom at the time of issuance, the administration does not have information likely to lead to taxation. The senior judges argued that these two forms of certification are subject to the practice of the administration of finance that issues them not according to the desire of users but their fiscal situation. And that, in those circumstances, by requiring a tax certificate from candidates for the Presidency of the Republic, the legislator implicitly meant a certificate issued by the administration. Thus, non-tax certificates presented by candidates of the MANIDEM and the PSU were considered valid by the Court as was the case in 2004. Therefore, the above-named were admitted as candidates for the presidential election.

#### c) Proceedings to reject the Candidacy of Paul BIYA

**248-** Messrs ASSIGANA TSIMI Moses of the Republican Movement and BOO Daniel of PDF seised the Supreme Court sitting as the Constitutional Council, to quash the candidature of Paul BIYA, candidate of the CPDM. The first gave, among other reasons, the non-nomination of the candidate by his party. The second alleged embezzlement of public funds. The Court dismissed both proceedings. By accepting 2 other candidates, the Supreme Court increased the number of applications validated to 23<sup>61</sup>.

**249-** Since the candidates were now known, preparation of the vote evolved with the provision of necessary resources.

<sup>&</sup>lt;sup>61</sup> General Report on the Presidential Election of 9 October 2011, SOPECAM, 243 pages.

#### d): Provision of financial, material and human resources

**250-** Prior to voting operations proper, Government made available financial, material and human resources.

#### 1: Financial Resources

**251-** Pursuant to Law No. 15/2000 of 19 December 2000, relating to public funding of political parties and election campaigns, a grant of CFAF 690,000,000<sup>62</sup> for public funding of the campaign for the election of the President of the Republic of 9 October 2011 was equally allocated to candidates. One half was paid before the election and the other half after the election. The following Table shows the distribution of the first instalment.

**Table 2:** Distribution of subsidies allocated to candidates for the presidential election of 9 October 2011 following the joint Order No.1590/MINATD/MINFI of 23 September 2011 for the distribution of funds for public financing of the campaign for the election of the President of the Republic of 9 October 2011

No.	Candidates	Amount in CFAF
1	ATANGANA NSOE Simon Pierre (GC)	15 000 000 <sup>63</sup>
2	AYAH Paul ABINE (PAP)	15 000 000
3	BILE Olivier Anicet (UFP)	15 000 000
4	BIYA Paul (CPDM)	15 000 000
5	DANG BAYIBIDIO Esther (BRIC)	15 000 000
6	DZONGANG Albert (Dynamics)	15 000 000
7	EKINDI Jean Jacques (MP)	15 000 000
8	FEUZEU Isaac (MERCI)	15 000 000
9	GARGA HAMAN ADJI (ADD)	15 000 000
10	HAMENI BIEULEU Victorin François (UFDC)	15 000 000
11	DEYLAM Hubert (UPA)	15 000 000
12	LONTOUO Marcus (CNC)	15 000 000
13	MOMO Jean de Dieu (PADDEC)	15 000 000
14	MUNA Bernard ACHUO (AFP)	15 000 000
15	NDAM NJOYA, ADAMOU (UDC)	15 000 000
16	NGO Fritz Pierre (MEC)	15 000 000
17	NI John FRU NDI (SDF)	15 000 000
18	NJEUNGA Jean (FUC)	15 000 000
19	NYAMNDI George DOBGIMA (SLC)	15 000 000
20	TABI OWONO Joachim (AMEC)	15 000 000
21	WALLA Edith KAHBANG (PPC)	15 000 000
22	EKANE Anicet Georges (MANIDEM)	15 000 000
23	SOH FONE Daniel (PSU)	15 000 000
	TOTAL	345 000 000 <sup>64</sup>

Source: MINATD

<sup>62</sup> About 1,053,435.11 Euros.

<sup>63</sup> About 22,900.76 Euros.

<sup>64</sup> About 526,717.56 Euros.

**252-** In March 2011, political parties received their annual operating allocation in accordance with the provisions of sections 6, 7, 8 and 11 of the Law of 19 December 2000, supra. The grant of FCAF 1,500,000,000<sup>65</sup> allocated for this purpose, for fiscal year 2011, was distributed to political parties following the same quotas as in previous years<sup>66</sup>.

#### 2: Electoral Material

**253-** ELECAM supplied different polling stations with the necessary material for the presidential election. This comprised, among others the:

- sufficient number of ballots papers;
- polling booths; and
- indelible ink.

#### **254-** The institution equally:

- drew up and circulated a compilation of laws and regulations relating to presidential elections;
- drew up, with the support of political parties and the civil society, a Code of Good Conduct<sup>67</sup> by which, the parties concerned committed themselves, among others, to ensure respect of the freedom of expression, movement of the candidates, members and sympathizers of political parties, before, during and after the elections; to refrain from any use of violence or intimidation during the electoral campaign and during or after the elections; and
- provided copies of a practical Guide to the Observation of Human Rights during Election Periods to civil society organisations, the NCHRF prepared by the CNUDHD-AC.

**255-** Voters cards were distributed in ELECAM branches, traditional chiefdoms and in polling stations.

<sup>65</sup> About 2,290,076.34 Euros.

<sup>66</sup> See 2009 Report (§ 263 et seq) and 2010 Report (§ 244).

<sup>67</sup> The Code of Good Conduct was adopted on 20 September 2011, at the end of the second consultation between ELECAM and other stakeholders in the electoral process, namely, Government, the Judiciary, civil society organisations and the media.

#### 3: Strengthening Human Resources

**256-** Capacity building seminars and workshops were organised for key elections players including candidates, their political parties, ELECAM, civil society and the media, for the holding of transparent, free and fair elections and the acceptance of the results.

#### **257-** They include, among others the:

- organisation of a workshop for building the capacity of political parties on human rights and elections, at the initiative of UNDP, ONUWOMEN, CNUDHD, ELECAM and the NCHRF;
- meeting between the Electoral Boards and the Support Group of the Electoral Process (GAPE) held on 29 July 2011;
- organisation by the NCHRF of a day of consultation with political parties and civil society organisations; and
- holding on 7 to 9 September 2011 of the Second Bi-annual Regional Governors Conference on the theme "State Administrations and Support of the Electoral Process." During the occasion, the role of the administrative authorities in the election of 9 October 2011 was clarified. They should support ELECAM in the exercise of its tasks, by providing security and assistance, without interfering in electoral operations.
- **258-** In partnership with CNUDHD, ELECAM, Sightsavers and other civil society organisations, the NCHRF organised:
- an exchange workshop with political and opinion leaders on the participation of persons with disabilities in the electoral process on 13 May 2011;
- a capacity building workshop for CSOs caring for persons with disabilities and journalists on laws governing elections in Cameroon from 16 to 17 June 2011;
- organised a national workshop for political parties on human rights and electoral processes in Cameroon from 14 to 16 June 2011; and
- organised on 17 August 2011, a consultation day with political parties, CSOs and some media officials on elections in Cameroon.

259- With the financial support of UN/WOMEN the NCHRF equally:

- carried out in March 2011, in 5 regions of Cameroon(Adamawa, Centre, Littoral, North West and South West) a survey on women's civil and political rights in Cameroon;
- carried out between April and May, in the same regions, an awareness-raising campaign of the populations on women's civil and political rights; and
- organised on 11 March 2011 a day of exchange with opinion leaders, journalists, political leaders and CSOs representatives on women's participation in the electoral process.

#### §3: Conduct of the Polls

**260-** After analyzing the electoral operations, the proclamation of the results will be examined.

#### **A: Electoral Operations**

**261-** Calm reigned during the polls of 9 October 2011. The participation of persons with disabilities was enhanced and facilitated by the Project Accessible Elections for Persons with Disabilities.

#### 1: Actual Voting

**262-** 23 Candidates from different political parties and registered voters took part in the vote. International and national observers, accredited by MINATD, were deployed in different polling stations. However, some shortcomings were identified and a major incident occurred on the voting day.

**263-** The shortcomings include among others the:

- late opening of some polling stations;
- absence of lighting system in some polling stations;
- late and poor distribution of voters' cards to the extent that one of the candidates did not vote because he did not receive his voter's card;
- absence of returning officers of the political parties in some polling stations; and
- poor quality of the indelible ink.

<sup>68 24,656</sup> polling stations were opened, representing 24,591 in the national territory and 79 in Cameroon's diplomatic and consular missions. See ELECAM, General Report on the Presidential Election of 9 October 2011, Yaounde, SOPECAM, pp. 44, 52.

- **264-** The serious incident that occurred during the polls concerns assault occasioning the death of a voter. Mrs DJEMO Virginie, who was happy because of the favourable results of the candidate Paul BIYA, at the end of the counting of votes in the polling station of Government School Keng in Bandjoun, was hit successively on the back, then in the lower abdomen by WAFFO Nestor, a habitual criminal who clearly did not share her joy. She was rushed to the nearest hospital where she died.
- **265-** The participation of persons with disabilities in electoral operations was an important element of the election.

#### 2: Participation of Persons with Disabilities in Voting

- **266-** Initiated by organisations of persons with disabilities, the London-based NGO Sightsavers, the NCHRF and CNUDHD, the project Accessible Elections for Persons with Disabilities was designed to promote the participation of persons with disabilities in the electoral process. It was a pilot project that was implemented in 15 polling stations across the country. Through this, awareness was created amidst persons with disabilities on voting. They registered on electoral lists and actually took part in the voting. In the targeted polling stations, ramps were built to facilitate the movement of disabled persons with tricycles, and ballots of the various candidates were transcribed in Braille.
- **267-** The implementation of this project has allowed these individuals to exercise their right to vote in all dignity, like other citizens.

#### **B: Proclamation of Results**

**268-** The proclamation of the results of the presidential election was preceded by some disturbances that had no impact on the proceedings of the Supreme Court and the results of the election.

#### 1: Climate before the Proclamation of Results

**269-** This climate was surrounded by demonstrations by political parties and a post-electoral dispute.

#### a) Demonstrations by Political Parties

**270-** After the elections of 9 October 2011, the socio-political climate was somewhat tensed. Indeed, on 17 October 2011, 7 candidates in the presidential election including, John FRU NDI (SDF), NDAM NJOYA (UDC), Bernard MUNA (AFP), Edith KAH WALLA (PPC), Jean de Dieu MOMO (PADDEC), Albert DZONGANG (the Dynamic) and Paul ABINE AYAH (PAP) wrote the "Yaounde Declaration" in which they promised to reject any result that would be delivered by the Constitutional Council, and called the citizens to undertake a peaceful demonstration.

**271-** Other leaders of political parties rather urged citizens to respect the verdict of the ballot box, as well as to remain calm and to refrain from any act that may disrupt peace and national cohesion. A message to that effect was sent across in the "Declaration of the Centre", adopted on 19 October 2011 by members of the regional delegation of the electoral campaign of the incumbent, President Paul BIYA in the Central Region<sup>69</sup>.

**272-** However, this state of affairs did not prevent the Supreme Court, sitting as the Constitutional Council, to proclaim the results of the presidential election. But it first ruled on the motions by some candidates for the total or partial annulment of the election.

#### b) Post-electoral Dispute

**273-** At the end of the presidential election, the Supreme Court was seised by 20 candidates who took part in the presidential election and personalities of civil society.

**274-**These procedures were declared inadmissible. For example, that introduced by the Associative Coordination of People with Disabilities, the Elderly and other Vulnerable Social Groups of Makak (CAHPAM) was deemed inadmissible for lack of quality. The motion introduced by Joachim TABI OWONO of AMEC was deemed inadmissible because it was timebarred.

<sup>69</sup> See CT of 20 October 2011, p. 4.

**275-** Although the motions were admissible with respect to form, because they fulfilled the conditions prescribed by the law, they were mostly rejected because they were not justified. This was the case with two motions filed by Bernard MUNA, who prayed the Constitutional Council to establish the shortcomings of ELECAM and to completely cancel the elections. The motions filed by Edith KAHBANG WALLA, Anicet EKANE, John FRU NDI and other candidates who sought either a partial or total cancellation of the elections<sup>70</sup> were also rejected.

#### 2: Presidential Election Results

**276-** The Supreme Court, sitting in for the Constitutional Council, proclaimed the results of the presidential election of 9 October 2011 at a solemn hearing held on 21 October 2011.

**277-** Paul BIYA, the CPDM candidate was declared President of the Republic of Cameroon with 3,772,527 votes, that is, 77.98% of votes cast<sup>71</sup>. The votes cast for each candidate were presented by the Supreme Court, at the national level by region and division. The votes of the Cameroonian diaspora were presented per country (33) and per polling station (79).

**278-** The final results of the presidential elections of 9 October 2011 are given in the table below:

**Table 3:** Final results of the presidential election of 9 October 2011

Rank	Name and Firstname	<b>Political Parties</b>	<b>Votes Obtained</b>	Percentage
1	Biya Paul	CPDM	3, 772,527	77.989%
2	Ni John Fru Ndi	SDF	518,175	10.712%
3	Garga Haman	ADD	155 ,348	3.211%
4	Ndam Njoya Adamou	CDU	83,860	1.733%
5	Ayah Paul	PAP	61,158	1.264%
6	Walla Edith K	CPP	34,639	0.716%
7	Dzongang Albert	La Dynamique	26,936	0.545%

<sup>70</sup> See ELECAM, General Report on the Presidential Election of 9 October 2011, Yaounde, SOPECAM, pp.67-68.

<sup>71</sup> He took oath before the National Assembly on 3 November 2011.

Rank	Name and Firstname	Political Parties	<b>Votes Obtained</b>	Percentage
8	Momo Jean De Dieu	PADDEC	23,791	0.491%
9	Ekindi Jean Jacques	MP	21,593	0.446%
10	Muna Bernard Achuo	AFP	18,444	0,381%
11	Dang Bayibidio Esther	BRIC	15,775	0.326%
12	Bilé Olivier	UFP	15,202	0.314%
13	Ekane Anicet	MANIDEM	11,081	0.229%
14	Hameni Bieleu	UFDC	10,615	0.219%
15	Ngo Fritz	MEC	9,259	0.191%
16	Njeunga Jean	FUC	9,219	0.190%
17	Feuzeu Isaac	MERCI	9,216	0.190%
18	Kamgang Hubert	UPA	8,250	0.170%
19	Atangana Nsoé	GC	8,032	0.166%
20	Lontouo Marcus	CNC	7,875	0.162%
21	Nyamdi George	SLC	5,925	0.122%
22	Tabi Owono Joachim	AMEC	5,795	0.119%
23	Soh Fone Daniel	PSU	5 ?074	0.104%

**Source**: ELECAM<sup>72</sup>

**279-** Of the 7,521,651 registered voters, 4,951,434 voted and 2,570,217 abstained, giving a participation rate of 65.82 %. 4,837,249 votes were validly cast while 114,185 were void.

**280-** Since the manifestation of democracy is expressed by political parties, they have continued to enrich the political landscape.

#### **SECTION 2: REGISTRATION OF NEW POLITICAL PARTIES**

**281-** Cameroon had 274 legalised political parties as at 31 December 2011. In the year of reference, the Government authorised 20 new political parties, the list of which is presented in the table below.

<sup>72</sup> General Report on the Presidential Election of 9 October 2011, Yaounde, SOPECAM, p.71.

#### Table 4: Political parties authorised in 2011

No.	NAME	REFERENCE DECISION	ACRONYM	HEAD QUARTERS	KEY OFFICIALS
1	United Cameroon	000040/D/MINATD/DAP /. SDE/SPP on February 21, 2011	C.U	Douala	President: Tchuandjio Paul S.G: TCHIKANTO André Aubert
2	Peoples' Rally for Peace and Change	000059/D/MINATD/DAP/SDE. March 07, 2011 spp.	CFPR	Yaounde	President: MBOGUI Jean Jacques S.G: NGONO Martial
3	Union of Socialist Movements	March 09, 2011	UMS	Yaounde	President: KUEMO Pierre SG: TADONKENG Maurice
4	Democratic Forces for Action and Change	000089/D/MINATD/SDE/spp. of March 14, 2011	FORDAC	Douala	President: SIMO Honoré Francis Secretary: KINGUE Édouard
5	National Council for Democracy and Prosperity	000090/D/MINATD/DAP/SDE/spp. of March 14, 2011	CNDP	Yaounde	Jean Pierre President: MBETEBE EYEBE Justin S.G: LOLO Jacques Bernard
6	People's Party of Cameroon	000094/D/MINATD/DAP/SDE/spp. of March 15, 2011	PCP	Bafoussam	President: SIMO Cyrille SG: LACKO Pierre
7	National Integration to the Solidarity Union	000115/D/MINATD/DAP/SDE/spp. of 28 March 2011	UNIVERSE	Ngaoundere	President: ATANGANA Dieudonné SG: TCHAKOUTE Roger
8	New Cameroon	000116/D/MINATD/DAP/SDE/spp. of 28 March 2011	LCN	Douala	SG: NJOCK NJOCK Hermann Claude Treasurer: Marie Thérèse OMOG born ASSOUGA
9	Cameroon's People for Patriotic Movement	000127/D/MINATD/DAP/SDE/spp. of 07 April 2011	MPPC	Douala	President: ESSOME NYAME Victor SG: BELENGUE Jean
10	Party for the Restoration of Cameroon	000323/D/MINATD/DAP/SDE/spp. of 08 August 2011	PCR	Yaounde	President: MBOUKE Prosper SG: ESSOMBA Romuald
11	New Popular Movement	000324/D/MINATD/DAP/SDE/spp. of 08 August 2011	NMP	Douala	President: BANDA KANI André I V/Chair: ATOCK A MOUNGAM Thomas
12	Hopes Democratic Party	000325/D/MINATD/DAP/SDS/spp. of 08 August 2011	HDP	Yaounde	President: SHIFU MUHAMMADU NFOR Treasurer: Mooring Florence Jato
13	New Era	000326/D/MINATD/DAP/SDE/spp. of 08 August 2011	TN	Bafoussam	President: KONGNE Goldefroy Treasurer: MADEFO Robertine Marie Claire
14	Dynamics for Peace and Development in Cameroon	000328/D/MINATD/DAP/SDE/spp. of 18 August 2011	DCLIC	Mbouda	President: TCHANA Lamartine
15	Union for Peace and Development in Cameroon	000329/D/MINATD/DAP/SDE/spp. of 18 August 2011	UPDC	Yaounde	President: NGUIMBOUS NKOUM François
16	Cameroon Ecologists Socialist Party	000332/D/MINATD/SDE/spp. of 18 August 2011	CSSP	Yaounde	1 Secretary: DJAPA Charly

## Report by the Ministry of Justice on Human Rights in Cameroon in 2011

No.	NAME	REFERENCE DECISION	ACRONYM	HEAD QUARTERS	KEY OFFICIALS
17	Integral Defence of the People Cameroonian	000333/D/MINATD/DAP/SDE/spp. of 18 August 2011	PCIA	Yaounde	President: TCHINDA Jean Paul
18	United Democratic Socialist Party	000403/D/MINATD/DAP/SDE/spp. of 05 September 2011	PSDU	Yaounde	President: Prince Michael NGWESSE EKOSSO
19	Union for a Patriotic Movement of Cameroon	000447/D/MINATD/DAP/SDE/spp. of the 12 October 2011	UMPC	Douala	President: ÅBOM Honoré
20	Revival for the Development of Cameroon	000489/D/MINATD/DAP/SDE/spp. of 26 October 2011	RFDC	Yaounde	President: OYONO ENGUELE Jean Collins

282- The decentralisation process evolved alongside the political manifestation of the management of public affairs.

#### SECTION 3: CONTINUITY OF THE DECENTRALISATION PROCESS

**283-** As a follow-up to the decentralisation process, the State continued to confer power and transfer resources to Regional and Local Authorities (RLA).

#### §1: Power Conferred in 2011

**284-** The decentralisation process has experienced significant progress with the materialisation of the second conferment of power to councils and city councils in the following areas:

- urban planning, construction and maintenance of earth roads;
- promotion of communal interest small scale production activities;
- construction, equipping and management of subdivisional health centres;
- vocational training;
- development of communal tourist sites; and
- construction, equipping, maintenance and management of periodic markets.

**285-**The transfer of power has been accompanied by a transfer of resources.

#### §2: Resources Transferred to LRA

286- The resources corresponding to power transferred amounted to CFAF 22,065,721,500<sup>73</sup> distributed to recipient RLAs. The total decentralisation budget of CFAF  $7,000,000,000^{74}$  is added to this amount that is entered in the State budget for fiscal year 2011.

<sup>73</sup> About 33,688,43 Euros. 74 About 10,687,022.90 Euros.

#### A: Distribution of Total Decentralisation Budget

**287-** By Decree No. 2011/976/PM of 13 April 2011, the Prime Minister, Head of Government set the distribution of the total decentralisation budget for the fiscal year 2011. The amount of CFAF 7,000,000,000 was split into CFAF 5,000,000,000 as operating budget and CFAF 2,000,000,000 as investment budget.

**288-** The instruments determine patterns of expenditure of this money according to the intended jobs and projects as follows:

**Table 5:** Distribution of total decentralisation operating budget (fiscal year 2011)

JOBS	AMOUNT IN CFAF
Mayors' Salary	$3,000,000,000^{78}$
Functioning of the National Decentralisation Council.	160,000,000 <sup>79</sup>
Functioning of the Inter-Ministerial Committee for Local Services.	350,000,00080
Functioning of the other Bodies, for the Follow-up, Coordination and Evaluation, of the Implementation of Decentralisation.	490,000,000 <sup>81</sup>
Functioning of State services providing assistance or support to municipalities and city councils.	500,000,000 <sup>82</sup>
Special operating or emergency expenses for very poor municipalities or city councils.	500,000,000 <sup>83</sup>
	Mayors' Salary  Functioning of the National Decentralisation Council.  Functioning of the Inter-Ministerial Committee for Local Services.  Functioning of the other Bodies, for the Follow-up, Coordination and Evaluation, of the Implementation of Decentralisation.  Functioning of State services providing assistance or support to municipalities and city councils.  Special operating or emergency expenses for very poor municipalities or

Source: MINATD

**Table 6:** Distribution of total decentralisation investment budget (fiscal year 2011)

JOBS	AMOUNT IN CFAF
Funding of income-generating projects in 34 subdivisional councils	1,700,000,000 <sup>85</sup>

<sup>75</sup> Idem.

<sup>76</sup> About 7,633,587.79 Euros.

<sup>77</sup> About 3,053,435.11Euros.

<sup>78 4,580,152.67</sup> Euros

<sup>79 244,274.81</sup> Euros.

<sup>80 534,351.15</sup> Euros.

<sup>81 748,091.60</sup> Euros.

<sup>82</sup> About 763,358.78

<sup>83</sup> Idem

<sup>84</sup> About 763,358.78

<sup>85</sup> About 2,595,419.85 Euros.

JOBS	AMOUNT IN CFAF
Equipping of 58 local development services in senior divisional offices  TOTAL	300,000,000 <sup>86</sup> <b>2,000,000,000<sup>87</sup></b>

Source: MINATD

#### **B:** Distribution of Transferred Resources

**289-** The amount of CFAF 22,065,721,500 in transferred resources by the State to LRAs was extracted from the budgets of ministries on the basis of regulatory instruments which laid down the terms of exercise of conferred power and specifications to LRAs.

#### 1: Transferred Budgetary Allocations

#### 290- They are as follows:

Table 7: Budget appropriations transferred by Ministries for the 2011 Financial Year

MINISTRIES	AMOUNT TRANSFERRED IN CFAF
Ministry of Public Health	6, 307, 812,000 <sup>89</sup>
Ministry of Social Affairs	179, 100,000 <sup>90</sup>
Ministry of Women Empowerment and the Family	427, 750,500 <sup>91</sup>
Ministry of Public Works	$1, 100, 000, 000^{92}$
Ministry of Urban Development and Housing	970, 000,000 <sup>93</sup>
Ministry of Basic Education	8, 415, 119,000 <sup>94</sup>
Ministry of Employment and Vocational Training	280, 940,000 <sup>93</sup>
Ministry of Arts and Culture	45, 000,000 <sup>96</sup>
Ministry of Energy and Water Resources	1, 144, 000,000 <sup>97</sup>
	Ministry of Public Health  Ministry of Social Affairs  Ministry of Women Empowerment and the Family  Ministry of Public Works  Ministry of Urban Development and Housing  Ministry of Basic Education  Ministry of Employment and Vocational Training  Ministry of Arts and Culture

<sup>86</sup> About 458,015.27 Euros.

<sup>87</sup> About 3,053, 435.11 Euros.

<sup>88</sup> About 33, 688,124.43 Euros.

<sup>89</sup> About 9, 630,247.33 Euros.

<sup>90</sup> About 273,435.11 Euros.

<sup>91</sup> About 653,054.20 Euros.

<sup>92</sup> About 1, 679,389.31 Euros.

<sup>93</sup> About 1, 480,916.03 Euros.

<sup>94</sup> About 12, 847,509.92 Euros.

<sup>95</sup> About 428,916.03 Euros.

<sup>96</sup> About 68,702.29 Euros.

<sup>97</sup> About 1, 746,564.89 Euros.

No.	MINISTRIES	AMOUNT TRANSFERRED IN CFAF
10	Ministry of Tourism and Leisure	100, 000,000 <sup>98</sup>
11	Ministry of Trade	270, 000,000 <sup>99</sup>
12	Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts	150, 000,000 <sup>100</sup>
13	Ministry of Livestock, Fisheries and Animal Industries	850,000,000 <sup>101</sup>
14	Ministry of Agriculture and Rural Development	1, 826,000,000 <sup>102</sup>
	TOTAL	22,065,721,500 <sup>103</sup>

Source: MINATD

#### 2: Terms of Exercise of Power and Specifications

## **291-Table 8:** Statutory instruments on the conferment of power and transfer of resources in 2011

MINISTRIES	CONFERMENT ORDERS		SPECIFICATION ORDERS		
	Statutory instruments of 2011 on PRT				
Ministry of Urban De	velopment and Housing	Decree No. 2011/6/PM of 13 January 2011 to lay down the	Order No.1/A/MINDUH of 29 March 2011 relating to		
		conditions for the exercise of certain powers conferred by	specifications on the terms and technical conditions for the		
		the State to councils relating to urban planning, construction and maintenance of earth	exercise of power conferred by the State on councils for urban planning, construction and		
		roads.	maintenance of earth roads.		
M	INISTRIES	CONFERMENT ORDERS	SPECIFICATION ORDERS		
Social Économy and		Decree No. 2011/3/PM of 13 January 2011 to lay down conditions for the exercise of certain powers conferred by the State on municipalities for the promotion of small scale production communal interest activities.	Order No.3/A/MINPMEESA of 15 March 2011 relating to specifications stating the terms and technical conditions for the exercise of power conferred by the State on municipalities with respect to the organisation of exhibitions for crafts and support for craft and craft industries at the local level.		
Ministry of Public He	alth	Decree No. 2011/4/PM of 13 January 2011 to lay down the terms and conditions for the exercise of certain powers conferred by the State to municipalities for the construction, equipping and management of subdivisional	Order No.821/A/MINSANTE of 1 April 2011 relating to specifications stating the terms and technical conditions for the exercise of power conferred by the State to municipalities for the construction, equipping, maintenance and management		

About 152,671.76 Euros.

About 412,213.74 Euros.

About 229,007.63 Euros.

About 1, 297,709.92 Euros.

About 2, 787,786.26 Euros

33, 688,124.43 Euros.

	CONFERMENT ORDERS		SPECIFICATION ORDERS
Ministry of Employme	ent and Vocational Training	health centres.  Decree No. 2011-2-PM of 18	of integrated health centres and subdivisional health centres.  Order No.50/A/MINEFOP of
, , ,	Ü	January 2011 to lay down terms and conditions for the exercise of certain powers conferred by the State on councils with respect to vocational training	28 February 2011 relating to specifications stating the terms and technical conditions for the exercise of power conferred by the State on municpalities with respect to participation in the setting up, maintenance and administration of vocational training centres.
Ministry of Tourism		Decree No. 2011/5/PM of 13 January 2011 to lay down the terms and conditions for the exercise of certain powers conferred by the State on municipalities relating to the development of communal tourist sites.	Order No.12/A/MINTOUR of 1 March 2011 relating to specifications stating the terms and technical conditions for the exercise of power conferred by the State on municipalities with respect to the planning and operation of tourist sites with local interest.
Ministry of Trade		Decree No. 2011-92-PM of 18 January 2011 to lay down the terms and conditions for the exercise of power conferred on the State to municipalities for the construction, equipping, maintenance and management of periodic markets.	Order No. 5/A/MINCOMMERCE of 2 March 2011 relating to specifications stating the terms and technical conditions for the exercise of power conferred by the State on municipalities for the construction, equipment, maintenance and management of periodic markets.

Source: MINATD

**292-** The presidential election of 9 October 2011 ended with the re-election of the candidate Paul BIYA. Irregularities were observed and recorded by electoral process stakeholders. At the swearing-in ceremony before Parliament on 3 November 2011, the president elect promised to find solutions thereon. More so, the decentralisation process greatly evolved with the second generation of power and resources transfer to LRAs.

#### CONCLUSION OF PART ONE

- **293-** Efforts by the State with the support of its technical and financial partners and civil society for the continued training of law enforcement officials for the respect of human rights contribute to humanise society. But for more efficiency, much remains to be done for all stakeholders to be involved. Similarly, prosecutions and systematic application of appropriate punishments in cases of violation of guaranteed rights would strengthen the protection of rights holders, and may limit the suspicions of impunity against those in power.
- **294-** Improving the legal and institutional framework of the right to fair trial heralds a better future in equal access to justice for all. Judicial activity and jurisprudence show a change in access to court and rights of defence in particular.
- **295-** Despite controversial issues concerning freedom of expression and communication as the decriminalisation of press offences, efforts of the State to guarantee this fundamental freedom can be assessed and are also praised by international observers. If the situation of human rights defenders has been of concern to many organs as well as the Government for the promotion and protection of human rights, it is because their action in enhancing human rights culture is undeniable and should be encouraged.
- **296-** With the signing of the Decree of 28 November 2011, Cameroon appropriated a part of its migration policy which had hitherto eluded her. The effective functioning of the management bodies of refugees shall allow for mastery of the determination of refugee status by national authorities.
- **296-1-** Pending the holding of parliamentary and municipal elections, the success of the election of the President of the Republic and the realisation of increasingly visible decentralisation make the environment conducive to the expression of democracy.

# PART TWO

ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND THE RIGHT TO A HEALTHY ENVIRONMENT



### INTRODUCTION TO PART TWO

**297-** Cameroon set its objectives and defined its indicators for the assessment of the progress in the domain of economic, social and cultural rights in the GESP. In 2011, second year of the implementation of GESP, Government action was carried out based on this set directive with a view to positively influence the peoples' living conditions.

**298-** Although governance consolidation was a strategic contribution thrust, human development growth indicators were sought through the improvement of education level, adapting education to the socio-economic context, unemployment control, uplifting obstacles to maximum access to health care, sufficient food, water and energy and adequate housing. Focus was also laid on the preservation of environmental quality because of its incidence on the enjoyment of other rights and the promotion of culture to safeguard values dear to Cameroonians.



# Chapter

# GOOD GOVERNANCE AND CORRUPTION CONTROL



**299-** Improvement of governance continued to be one of the strategic thrusts of Government policy. Steps taken in this domain are part of the framework set by the Growth and Employment Strategy and revolve around improving the business climate, corruption control and the misappropriation of public property.

#### **SECTION 1: IMPROVEMENT OF BUSINESS CLIMATE**

**300-** Dialogue with the private sector engaged within the framework of the Cameroon Business Forum (CBF) continued in 2011. This has been the same with capacity building in OHADA Law and the implementation of the Investment Charter.

#### §1: Dialogue with the Private Sector

**301-**The Government-Private sector dialogue continued in 2011. In this regard, the second session of the CBF was held in Yaounde on 9 March 2011 on the theme: "Improving the Business Climate for Development and Entrepreneurship". At the end of the session, 48 recommendations on 10 intervention areas were made 104 and 36 of them have been implemented or are ongoing while others are pending.

#### A: Implemented or Ongoing Recommendations

**302-** Joint Circular MINJUSTICE/MINFI/MINPMEESA of 23 and 25 May 2011 on the setting up of enterprises deferred the requirement of the lease contract and the business incorporation fee for three months. A MINP-MEESA/SOPECAM agreement to reduce costs (by 25%) and publication timeframes in Cameroon Tribune for entrepreneurs was signed on 27 May 2011. Moreover, three new Business Incorporation Formality Centres were set up and equipped in Bafoussam, Bamenda and Garoua bringing the total number to five. In addition, teledeclaration was established at the NSIF for expenses and social contributions.

<sup>104</sup> See Cameroon Business Forum (CBF) 2011 Report for details.

- **303-** As regards tax relief and payment, the taxable profits of members of Approved Management Centres dropped by 25-50%<sup>105</sup> and a taxation centre for small businesses was set up in Yaounde. Furthermore, a single declaration form was introduced.
- **304-** With respect to dispute settlement, business leaders were sensitized on alternative dispute settlement mechanisms while Commercial Benches were instituted in lower courts by Law No. 2011/27 of 14 December 2011 to amend and supplement certain provisions of Law No. 2006/15 of 29 December 2006 on judicial organization.
- **305-** As concerns access to financing, the Decree to set up and organize the Deposit Fund was signed. The Small and-Medium-sized Enterprises Bank has also been set up and its management bodies put in place.
- **306-** With respect to access to water and energy, the services agreement between the State and AES/SONEL was partially executed. For the purposes of this agreement, two institutions were set up under the aegis of the Electricity Sector Regulatory Agency (ARSEL) namely, the Conciliation and Arbitration Framework and Consumer Organisations Consultation Framework. But they are not dynamic and consumers are not sufficiently aware of their rights.
- **307-** These actions helped to enhance the Doing Business ranking of Cameroon from 168th to 161st. Steps have to be taken to further improve the ranking especially by implementing the unimplemented recommendations.

#### **B: Unimplemented Recommendations**

**308-** They concern among others, the drawing up of a rationalisation plan for incentive-driven tax regimes, the computerisation of procedures for access to immovables in Yaounde and Douala, the drawing up of sector investment codes, the finalisation of laws on economic zones and the drawing up of a service agreement between the State and CamWater.

<sup>105</sup> See 2011 Finance Law, Decree No. 2011/1137/PM of 12 May 2011 to amend and supplement certain provisions of Decree No. 2000/2/PM of 6 January 2000 to organize the activities of Management Centres and to lay down tax benefits of members of Approved Centres.

#### 2: Capacity Building of Judicial Actors in OHADA Law

**309-** Training in business law was organised for judicial personnel and economic operators in regional seminars financed by the Ministry of Justice. They were also done within the context of cooperation with development partners.

#### A: Regional Seminars Organized by the Ministry of Justice

**310-** Ten seminars in OHADA Law were organized in the 10 Regions of the country for judicial personnel, Judicial and Legal Officers (191), Court Registrars (75), Lawyers (27 including 4 advocates-in-training), Notary Public (13 including 1 Clerk) and Bailiffs (47), giving a total of 354 participants comprising 264 men and 90 women.

#### **B: Training Organised within the Context of Cooperation**

**311-** Training in commercial litigation were organised within the framework of the Justice Sector Support Programme (PAJ) backed by the European Union. Other trainings in commercial law were also organised in collaboration with ERSUMA.

**312-** The table below reflects the number and status of participants to these different trainings:

**Table 1:** Number of professionals trained within the cooperation context

Nature of	Judid	icial	Cour	t	Law	yers	Nota	ıry	Bail	iffs	Econon	nic	TOTAL
Training	and	Legal	Regis	strars			Publ	ic			operato	rs	
	Office	ers											
	M	F	M	F	M	F	M	F	M	F	M	F	
Commercial	377	115	65	33	93	38	31	11	74	31	71	11	950
Litigation (PAJ)													
ERSUMA	63	34			5	8		6	5	1			122
Training													
Sessions													
TOTAL =	440	149	65	33	98	46	31	17	79	32	71	11	1072

**Source: MINJUSTICE** 

- **313-** The training courses organised by PAJ were on the following themes:
  - practice and litigation on simplified recovery procedures and arbitration enforcement in the OHADA member States;
  - practice of business corporations in the OHADA member States;
  - contribution of judicial authorities in the prevention and suppression of payment incidents;
  - new rules on commercial lease under OHADA;
  - security, basis of credit in the OHADA member States;
  - settlement of commercial disputes between associates in companies; legal framework for public procurement; and
  - litigation before the CEMAC Common Court of Justice.

## **314-** The following themes were discussed during trainings organised by ERSUMA:

- CIMA Code and insurance disputes;
- practical problems related to the Uniform Act Organizing Collective Procedures for the Wiping Off of Debts;
- intellectual property litigation;
- information and communication technology law and cybercriminality;
- ECOWAS/CEMAC community law and OHADA Law;
- role of ERSUMA educational relays in the new training directives;
- business contractual practices and the harmonisation process in regional areas; and
- practice and seizure litigation under the OHADA Law.

# SECTION 2: CORRUPTION CONTROL AND MISAPPROPRIATION OF PUBLIC PROPERTY

**315-** The institutional environment of corruption control was extended in 2011 with the setting up of the SCC that was already discussed in the chapter on the Right to Fair Trial. Simultaneously, the functional institutions continued to conduct traditional public property control and management activities through both judicial and non-judicial mechanisms.

#### §1: Non-judicial Control

**316-** Institutions such as the National Anti-Corruption Commission (CONAC), the National Financial Investigation Agency (ANIF) and the Ministry in charge of the Supreme State Audit (CONSUPE) continued their control activities

#### A: ANIF

- **317-** ANIF focused its activities on three thrusts: operational measures, capacity building and cooperation.
- **318-** Operationally, in 2011, ANIF received 128 suspicious reports and sent 38 files to the competent Legal Departments.
- **319-** ANIF organised a seminar on capacity building for micro-finance institutions in the Centre, South and East Regions on money laundering control and financing of terrorism from 31 March to 1 April 2011. ANIF managers participated on 30 June 2011 at the Technical Conference organised by the CONSUPE on the same theme.
- **320-** To facilitate and strengthen information exchange and sharing of experiences between financial information units of Central Africa, ANIF organised the first Conference of Agencies in the subregion from 31 May to 3 June 2011. Still within the framework of cooperation, ANIF conducted an appraisal of ANIF Gabon in the context of the process of leading its membership into the Egmont Group from 31 October to 12 November 2011.

#### **B: CONAC**

**321-** In 2011, CONAC received 1,247 denunciations and complaints on corruption and related offences (embezzlement of public property, violation of procurement regulation, interest in grant, indulgence, favouritism, interest in concern, oppression and conflict of interest). During this period, 1,060 denunciations and complaints were handled while 310 were investigated.

**322-** CONAC also established 8 recommendations Monitoring-Appraisal Committees of the various fora and consultation meetings on corruption control in the following areas: education, transport, media, treasury, judicial system and legal business framework, illegal trade and informal sector, modernisation of the administration and e-governance and corruption perception control.

**323-** To inform citizens on its activities, CONAC disseminated the National Corruption Control Strategy, the National Coalition Charter against Corruption, the National Education Probity Programme and the Report on Corruption Control in Cameroon<sup>107</sup>.

#### C: Measures by CONSUPE

**324-** In 2011, CONSUPE received and reviewed accusations and carried out control missions whose reports were sent to the Presidency of the Republic. The Financial, Budgetary and Disciplinary Board (CDBF) was also active during the reference year.

#### 1: Denunciations

**325-** CONSUPE received 27 denunciations concerning the Chamber of Commerce, Industry, Mines and crafts, Cameroon Telecommunications (CAMTEL), the mayors of the following places: Banyo, Yokadouma, Kumba, Douala 1, Dibombari, Mengong, Mvengue, Batouri, Bafia and Kekem. These denunciation also concerned the principal of the Government High School, Oyack, the Head of the PAJER-U Project in the East Region, the Head of the Cocoa-Coffee Programme of the West Region, the Regional Delegate of MINADER for the West Region, the Regional Delegate of MINPOSTEL for the West Region, the Regional Delegate of MINESEC for the Centre Region, the Ministry of Public Works, the Ministry of Youth Affairs (Multipurpose Youth Promotion Centre, Meyomessi), the Superintendent-in-Charge of the Main Prison, Mfou, the Revenue Collector, Obala and 2nd and 3rd Class Traditional Leaders of the Mbam and Kim Division.

#### 2: Control Missions

**326-** The CONSUPE conducted 7 special control missions at the SODE-COTON, the National Employment Fund, the Agricultural Research Institute for Development, the Chamber of Agriculture, Fisheries, Animal Husbandry and Forestry (CAPEF), the Port Authority, Douala and CAMPOST. It sent, during the reference period, 7 mission reports to the Presidency of the Republic. The reports concern the following organisations: MIDENO, AAF (for public debt), MATGENIE, the University of Yaounde II-Soa, Baccalaureat Board of Cameroon, National Refining Company and the Public Contracts Regulatory Agency.

#### 3: Activities of the CDBF's Permanent Secretariat

**327-** In 2011, the CDBF received, reviewed and took decisions on files some of which have been published.

#### a) Files Received

**328-** The Permanent Secretariat received 20 mission reports for study including 14 on the Public Investment Budget (PIB). The review of the reports resulted in referring 883 authorising officers/managers before the CDBF.

#### b) Files Examined and Enlisted

**329-** In 2011, 20 files were examined and enlisted before the CDBF including: 10 PIB files of the different regions of the country for the period 2002-2007. They also concerned 10 other files on the following officials: SAMATANA Marc, Director General of SEMRY, HAMADOU EVELE, former Director General of SEMRY, DJEME Gedrack, Service Head for Accounting and Computing, SEMRY, YAGDI KAMI, Service Head for Hydrocarbons at SEMRY, NJUMBE MBASSA, Divisional Delegate of Public Works, BATE MANYOR Joseph, Divisional Finance Controller, René LI-

# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

BONG KPMG and Daniel KAPSU Cabinet K and Co., Auditors of SONARA, Charles METOUCK, Director General of SONARA, Evelyn MARTIN, Director of Administrative Resources, SONARA, SAMA JUMA Ignatius, former Director General of the Cameroon Civil Aviation Authority, IPANDO Jean Jacques, Mayor of the Municipality of Moloundou, ZOULABANG Jean Denis, Chief of Post, NDOUM Marcellin, Stores Accountant, KEA ABONO Jonathan, Stores Accountant, KPATOLA Alexis, Control Engineer and TSINYA ABANDA Jean, Mayor of the Municipality of Nguelémendouka.

#### c) Decisions

**330-** In 2011, the CDBF held ten sessions and handed down various penalties. They included special fines against 6 accused and 4 cases of reimbursement. The amount of the sanctions stood at CFAF 130,485,069<sup>108</sup>. Also 10 people were acquitted for non-established mismanagement while some files were sent to other quarters including one to the Ministry of Justice as a complaint on behalf of the State and 4 to the Audit Bench of the Supreme Court because the concerned were public accountants.

These decisions are summarised in the table below:

108 About 199,213.85 Euros.

Table 2: Decisions by the CDBF in 2011

No.	Accused	Function	Date of Session	Decision
1	MBIAM	Former Director of	,	CEAF12.466.710
	NGOMEZO'O Etienne	General Affairs at the		Deficit <sup>109</sup> and special fine of CFAF 2,000,000 <sup>110</sup> and
		Ministry of Public Works		of CFAF 2,000,000 <sup>110</sup> and
		,	5 April 2011	file referred to the Courts
	ESSIANE	Ex-Financial Controller of	1	Acquittal
	EBOUTOU AKONO	the Ministry of Public		
	Rosette	Works		
	OKIE Johnson	Former Director of		Acquittal of Messrs OKIE
2	OTTLE COMMON	General Affairs.	18 May 2011	Johnson, DJAMEN Yves.
_		MINFOPRA	1011149 2011	The Court declared its
	DJAMEN Yves	Ex-Technical Adviser		incompetence in the case
	D37 HVIETV T VC3	No.1, MINFOPRA		of public accountants:
		No.1, MINI OI KA		HAMBOA Benjamin,
	NGOUO Léon	Computer Scientist,		NDAM NDJIBO and
	Bertrand	MINFOPRA and Ex-		TAÏBOU ENGOLO and
	Bertrand	Permanent Secretary at		forwarded their files to
		the Administrative		the Audit Bench of the
		Reform		Supreme Court
3	CHEMUTA Divine		14 June 2011	CFAF 1,500,000 deficit
3	BANDA	National Commission on	14 Julie 2011	and special fine of
	BANDA	Human Rights and		CFAF200,000 112
		Freedoms (CNDHL)		CFAF200,000
4	ADAMOU	Former Director of		Acquittal of Messrs.
4				ADAMOU OUMAROU
	OUMAROU	General Affairs, MINUH Ex-Special Financial		
	LITASSOU			LITASSOU, MAHONDE
	MALIONIDE BLALLO	Controller, MINUH		DIALLO
	MAHONDE DIALLO	Ex-Stores Accountant,		
5	ELEIH IT ETIAN	MINUH Former Ambassador of	26 July 2011	Special fine of CFAF
5	ELEIH II EIIAN	Former Ambassador of Cameroon to China	26 July 2011	1,000,000 <sup>113</sup>
	NIDLINABE AMBEGGA			1,000,000
	NDUMBE MBESSA	Divisional Delegate of		Acquitted and file sent to ARMP
	Marcus	Public Works		
	BATE MANYOR			for aspects relating to the
	Joseph	Finance, Lebialem		said procurements
6	HAMAN ALIOUM	Revenue Collector,	13 Sept. 2011	Acquitted
	YAYA	Embassy of Cameroon,		
	G 1 2 5 1	China	137 2011	
7	SAMA JUMA	Former Director General	1 Nov. 2011	Deficit:
	Ignatius	of the Aviation Authority		CFAF101,329,295 114
				Special fine: CFAF
				2,000,000 <sup>115</sup>
8	HAMAN ALIOUM	Revenue Collector,	8 Nov. 2011	Special fine: CFAF
	YAYA	Embassy of Cameroon,		$1,000,000^{116}$
		China		
	HAMADOU	Former Director General,		Deficit: CFAF
	REVEALS	SEMRY		6,139,064 <sup>117</sup>
				Special fine: CFAF
				Special fine: CFAF 1,000,000 <sup>118</sup>

Source: CONSUPE

109 About 19,033.14 Euros.

<sup>110</sup> About 3053.44 Euros.

<sup>111</sup> About 2,290.08 Euros.

<sup>112</sup> About 305.34 Euros.

<sup>113</sup> About 1,526.72 Euros.

<sup>114</sup> About 154,701.21 Euros.

<sup>115</sup> About 3,053.44 Euros.

<sup>116</sup> About 1,526.72 Euros.

<sup>117</sup> About 9,372.61 Euros.

<sup>118</sup> About 1,526.72 Euros.

#### §2: Judicial Control

**331-** The table below reflects the control of misappropriation of public property by some courts.

#### Corruption

	Number of Procedures	Number of Convictions	Number Release/Acquittals	of
CFI <sup>119</sup>	6	6		
HC <sup>120</sup>	6			
CA <sup>121</sup>	3			

#### Misappropriation of Public Property

	Number of Procedures	Number of Convictions	Number of release/ acquittal/no-case ruling
CFI <sup>122</sup>	19	11	1
$HC^{123}$	75	54	14
CA <sup>124</sup>	6	4	2

**332-** There are 76 cases of misappropriation of public property and related offences, whose amount is above CFAF 50,000,000<sup>125</sup> including 36 at the level of judicial inquiry, (32 before Examining Magistrates<sup>126</sup>, and 4 before the Control Inquiry Chamber<sup>127</sup>) 40 before trial courts (28 before the HC<sup>128</sup> and 12 before the Courts of Appeal<sup>129</sup>).

**332-1** From the above, the main objectives of Government policy are corruption control and the transparent management of public affairs. The capacity of national structures on corruption control was built to render them more productive and to ensure more efficient use of public property.

<sup>117</sup> About 9,372.61 Euros.

<sup>118</sup> About 1,526.72 Euros.

<sup>119</sup> Data from 3 CFI within the jurisdiction of the CA, Centre and Littoral relating to number of procedures and data on 3 CFI in the Centre and South West Regions on convictions.

<sup>120</sup> Data from 2 HC within the jurisdictions of the CA, Centre and Littoral.

<sup>121</sup> Data from CA, Littoral

<sup>122</sup> Data from 5 CFI within the jurisdictions of the CA, Adamawa, Far North, West, South and South West Regions concerning number of procedures. Data from 8 CFI within the jurisdictions of CA, Adamawa, Centre, Far North, East, West, North and South West for the number of convictions, and data of a CFI in the jurisdiction of the CA, Littoral for acquittals.

<sup>123</sup> Data from 15 HC within the jurisdictions of the CA, Centre, Far North, Littoral, West, North West and South Regions concerning number of procedures. Data from 14 HC within the jurisdictions of CA, Centre, East, Far North, Littoral, North, West, North West, South and South West. For the number of convictions and data of 14 HC in the jurisdictions of the CA, Adamawa, Centre, Littoral, Far North, North, South and South West Regions for acquittals.

<sup>124</sup> Data from CA, North.

<sup>125</sup> About 76,335.88 Euros.

<sup>126</sup> Mfoundi (20), Sanaga-Maritime (1), Mungo (1), Wouri (4), Mayo Rey (1), Mvila (2), Lebialem (1).

<sup>127</sup> Centre (3), Littoral (1).

<sup>128</sup> Mfoundi (14), Mayo Tsanaga (1), Sanaga-Maritime (1), Wouri (10), Benoue (1), Mvila (1).

<sup>129</sup> Adamawa (1), Centre (8), East (1), Littoral (1), West (1).

# Chapter 2 RIGHT TO EDUCATION



**333-** The implementation of the right to education, as in previous years, was realized in 2011 through actions carried out at the level of basic education, secondary education, and higher education.

#### **SECTION 1: BASIC EDUCATION**

**334-** In 2011, basic policies governing the right to education were established and achievements relating to basic education promotion consolidated.

#### §1:Establishment of Policies Governing the Right to Education in Cameroon

**335-** Policies that govern the implementation of the right to education in Cameroon stem from ratified human rights treaties and conventions and measures taken at the internal level.

**336-** In 2011, Government continued the increase in the number of girls in pre-nursery, nursery and primary cycles<sup>130</sup>. To this end, measures were taken to promote the right to primary education of the girl, children from indigenous and disadvantaged families.

#### A: Measures Concerning the Girl Child

**337-** Measures to promote the education of the girl child concerned essentially:

- awareness-raising of the educational community on class repetition;
- awareness-raising of the families of 40 communities on the education of girls in priority education areas;
- funding in the amount of CFAF 12,500,000<sup>131</sup> of 25 community projects for girls and vulnerable children in priority education areas which are communities identified by the public authorities as requiring greater education guidance especially through the establishment of school canteens and distribution of raw food (rice, beans, etc.).;

<sup>130</sup> The number of girls in nursery and pre-nursery increased from 62,664 pupils in 2000-2001 to 158,883 pupils in 2009-2010, giving an increase in absolute value of 96,219 students that is 60.55% in relative value. In primary education, this increase shows that the enrolment of girls increased from 1,241,171 pupils in 2000-2001, to 6,141,855 in 2009-2010, resulting in an increase in absolute value of 373,684 pupils and 23.14% in relative value.

<sup>131</sup> About 19,083.97 Euros

- the continuation of the granting of scholarships to girls in class six to help to them to compile the examination file to sit for the First School Leaving Certificate (FSLC) and the Common Entrance Examination into Form I in priority education areas;
- the continuation of the distribution of 2,500 attractive packages<sup>132</sup> to educated girls; and
- the continuation of the distribution of 2,000 learning aids and 4,500,000 essential books to stimulate their requests for education and learning.

# B: Measures taken in Favour of Children from Indigenous and Disadvantaged Families

**338-** Steps were taken to enrol all children of school age living in Mbororo and Pygmy villages and camps. As such, the following can be indicated:

- setting up kindergartens and primary schools in Pygmy and Mbororo villages and camps. In 2011, some 20 schools were set up;
- training teachers in the new education vision in the Far North and East Regions;
- granting scholarships and the provision of school needs to Mbororo girls with the support of UNICEF and the NGO Plan Cameroon;
- constructing and equipping classrooms for children of indigenous populations (Pygmy and Mbororo);
- constructing water points in the schools of these villages and camps in partnership with the NGO Plan Cameroon;
- continuing the establishment of birth certificates to the children of vulnerable populations, including indigenous minorities and refugees; and
- recruiting temporary teachers for schools in Pygmy camps in the East Region.

**339-**MBOSCUDA also conducted activities to ensure the enrolment of the Mbororo pupils. Thus, with the support of Plan Cameroon and the American NGO Family Health International, MBOSCUDA provided scholarships to 78 Mbororo students (39 girls and 39 boys). The award included fees,

<sup>132</sup> These packages contain essential school supplies.

books, sports equipment, benches and lamps. Through the support of Village Aid, MBOSCUDA constructed 2 classrooms at the Njono Primary School in Ndop, Ngoketunja Division.

**340-** In addition, education promotion achievements were consolidated.

### §2: Consolidation of Basic Education Promotion Achievements

**341-** In 2011, basic education promotion achievements in Cameroon were consolidated through the strengthening of education provision measures, the continuation of education quality improvement and the considerable increase in schooling indicators.

### A: Education Provision Measures

**342-** In 2011, the Ministry of Basic Education carried out sensitive actions both with regard to infrastructure and the recruitment of teachers.

### 1: Infrastructure Development

- **343-** The following advances were made concerning infrastructure:
  - the construction of 609 classrooms through the PIB;
  - the construction of 101 separated latrine blocks for girls and boys;
  - the construction of 14 boreholes in the Adamawa Region;
  - the construction of 20 maternal blocks:
  - the construction of 5 Divisional Delegations; and
  - the construction of 8 Divisional Inspectorates of Basic Education.
- **344-** Moreover, 26 classrooms, 2 Regional Delegations and 2 General Education Teachers Training Colleges were rehabilitated.
- **345-**18,150 benches and 603 teachers' tables were offered to public schools.

### 2: Special Recruitment of New Teachers

**346-** Newly recruited teachers were distributed based on their qualifications as follows:

**Table 1:** Summary of Workstations of Staff Assigned to MINEDUB Based on the Special Recruitment of 25,000 Young Graduates into the Public Service.

No.	Central and External Services	Number of Candidates Assigned
1	Central services	79
2	Adamawa	230
3	Centre	337
4	East	337
5	Far North	179
6	Littoral	145
7	North	389
8	North West	251
9	West	281
10	South	160
11	South West	149
	Total	2 537

**Source: MINEDUB** 

**347-**At the end of 5 years of implementation of the contractualisation programme of general education teachers, which led to the recruitment of 37,200 teachers assigned to the 10 Regions of the country, and the abovementioned special recruitment, the pupil-teacher ratio improved from 172 students per teacher a few years ago, to 53 pupils per teacher based on the national average. In addition, the strategic threshold of 40 pupils per teacher by 2015 is attained and even exceeded in some parts of the country like the South with a ratio of 34 pupils per teacher.

### **B: Continuation of Education Quality Improvement**

**348-** Education quality improvement continued in 2011 through the review of school curricula, the teaching of human rights, maternal languages and finally family life education relating to population and HIV/AIDS.

### 1: School Curricula Review

**349-** In 2011, Government took steps to review school curricula, textbooks and teaching methods in the primary education cycle by:

- training 519 teachers in the application of differentiated teaching for slow pupils and the skill-based approach in the Adamawa, North and Far North Regions;
- training 839 teachers in the new education vision in the Far North and East Regions;
- training 85 teachers in the use of new programmes and teachers guides in the East Region;
- conducting a study on curriculum review;
- developing a curriculum for the rehabilitation of drop-outs; and
- developing and implementing a national school textbook policy whose workshop is planned for the first half of 2012.

### 2: Teaching Human Rights

**350-** The teaching of human rights that started in 2008 continued in 2011. As such, 4 training sessions for educational mentors and teachers were conducted in close collaboration with the NCHRF. They aimed at capacity building and adoption of appropriate teaching methods and procedures for a better approach in instilling human rights values in daily classroom practices. Thus, more than 650 teachers were trained and almost 1,500 text-books distributed.

### 3: Teaching of National Languages

**351-** In 2011, many activities and studies were conducted in conjunction with the Operational Research Project for the Teaching of National Languages in Cameroon (PROPELCA). Indeed, 22 standard national languages whose writing systems are consistent with the alphabet of Cameroon languages are being experimented upon in some localities of the 10 regions of the country for the establishment of the fundamentals for their effective implementation in the primary education cycle.

**352-** In addition, in recent years, a national mother tongue day is celebrated yearly under the aegis of the Ministry of Basic Education. In 2011, the theme was "Mother Tongue and ICT".

### 4: Family Life, Population and HIV/AIDS (EVF/EMP/HIV/AIDS) Education

**353-** In 2011, Family Life and STI/HIV/AIDS Education was accentuated. The Government conducted preventive education capacity building of 1,320 trained teachers and the qualitative improvement of the citizenship of learners. This was done particularly through their ability to find both personal harmony and in their relationship with others, identify people's problems, foresee their consequences and provide solutions.

**354-** The results obtained in the five pilot regions selected during the 2011 school year are given below:

**Table 2:** Distribution of teachers trained in EVF/EMP/HIV/AIDS in pilot schools

No.	Regions	Number of Relevant Institutions	Teachers Trained	Proximity Supervisors Trained		
1	Adamawa	25	355	85		
2	Centre	16	184	65		
3	Far North	25	322	99		
4	North	25	344	70		
5	South	09	115	48		
	Total	100	1 320	367		

**Source: MINEDUB** 

**355-** Apart from the teachers trained in EVF/EMP/HIV/AIDS, 10,790 kits and teaching aids were distributed to the five pilot regions under the patronage of the Ministers of Health, Basic Education and Youth Affairs.

Table 3: Distribution of kits and EVF/EMP/HIV/AIDS teaching aids in pilot schools

No.	Regions	Distributed Kits and Teaching Aids						
		Audiovisual Kits	Curricula	Books				
1	Adamawa	26	552	2,727				
2	Centre	16	138	677				
3	Far North	23	458	2,269				
4	North	16	506	2,502				
5	South	10	146	719				
	Total	91	1,800	8,899				

Source: MINEDUB

### **C- Primary School Enrolment Indicator Trends**

**355-1** During the 2010-2011 academic year, school enrolment indicators increased significant in the primary school cycle, compared to 2009-2010; although the gross schooling rate has stagnated during the two last years, with a slight increase from 11% in 2009 to 11.9% in 2010-2011.

Table 3-1: Coverage and internal output Indicator trends

Indicators	Acade	mic Year	2015 Targets
	2009-2010	2010-2011	
Gross Net School Enrolment Rate	110%	110,9%	100%
Completion Rate	73%	73,5%	88%
Girls Completion Rate	68.8%	68.3%	88%
Completion Rate in Priority Education Areas	56%	59%	88%
% of Class repeating in the French-Speaking Sub-System	15%	14.2%	13.6%
% of Class Repeating in the English-speaking sub-system	6%	6.4%	13.6%
% Overall Repeating Rate	13%	14.2%	13.6%
Gross School Enrolment Rate in Priority Education Areas	107%	113.8%	100%
Girls/Boys Gross Schooling Rate Parity Index in Priority Education	0.89%	0.89%	1%
Areas			

Indi	cators	Acade	mic Year	2015 Targets
		2009-2010	2010-2011	
	s Schooling Rate Priority Education	0.75%	0.77%	1%
Overall Completion Rate		59.4%	58.1%	100%
% pupils in the private sector		22.4%	22.2%	12.7%
Access rate		125%	126%	100%
Availability	Reading	11%	7%	100%
Rate of essential	Mathematics	10%	6.1%	100%
school books per pupil	Empirical Science	4%	2.1%	100%
	English/French	9%	5.5%	100%

Source : DPPC/ MINEDUB.

**355-2-** From the statistics presented above, it may be noted with satisfaction the increase of indicators relating to school enrolment during the reference period. For example, the completion rate in primary school in Priority Education Areas (PEA) has increased from 56% in 2009-2010 to 59% in 2010-2011, for a target estimated at 88% by 2015. In addition, the global completion rate in the primary school cycle has increased from 73% in 2009-2010 to 73.5% in 2010-2011, with the same target of 88% by 2015.

**355-3-** In the same vein, the girl/boy parity index in Priority Education Areas has increased from 0.75% in 2009-2010 to 0.77% in 2010-2011 for a target estimated at 1.0% in 2015, even though the national threshold relating to the gross school enrolment rate of 0.89 has stagnated for the past two years.

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

**355-4-** Overall, the increase of school enrolment indicators highlights Government's effort to improve education supply.

**356-** The efforts made in primary education were similar at the level of secondary education.

### **SECTION 2: SECONDARY EDUCATION**

**357-** In 2011, Secondary Education Strategic Objectives Framework and the Priority Activities Programme were developed in compliance with the Education Sector Strategy. They include the extension of access to education and retention in the system, correcting disparities and improving education service efficiency and quality.

### §1: Expanding Access to Education

**358-** To improve access to education, emphasis was laid on the enlargement of the school map, development of public school infrastructure and the guarantee of economic accessibility to education.

### A: Enlargement of School Map

**359-** The enlargement of the school map can be assessed from the increase in the number of schools at various academic levels and also the number of teachers and students.

### 1: Increase in Schools

**360-** The number of public schools was supplemented by private schools since promoters were granted permission to set up or open schools. Public and private institutions increased from 1,525 and 965 in 2010 to 1,876 and 1,003 respectively in 2011. To better control private schools, the Private Secondary Education Control Brigade was rendered operational.

Its specific objectives are to ensure appropriate supervision of the promoters of this level of education by appropriate monitoring of the funds allocated and a more efficient control of the proliferation of illegal private institutions.

### 2: Student Downsizing and Increasing the Number of Teachers

### a) Student Downsizing

- **361-** Downsizing was conducted through an awareness campaign within the framework of the Rapid Results Initiatives (RRI) in collaboration with CONAC and its technical partner, the CHOC Project (Change Habits, Oppose Corruption).
- **362-** It aimed at reducing illegal admissions into Form I with respect to general education and the 1st year for technical education in 6 pilot schools in Yaounde and Bamenda. The following results were obtained:
  - Government High School Elig-Essono downsized Form I by 30% by eliminating irregular files;
  - Government High School Nsam Efoulan and CETIF Ngoa-Ekele systematically rejected all irregular files submitted, thus reducing the class sizes of Form I and 1st year Technical to 18.99% and 7% respectively compared to the previous year; and
  - Government Bilingual High School Etoug-Ebe, CETIC Charles ATAN-GANA and Government Bilingual High School, Bamenda simply continued their standard practice of systematically rejecting all cases of irregular admission.

### b) Number of Teachers

**363-** MINESEC received 4,852 staff from training schools. This workforce was allocated in Regional Delegations in accordance with the following table:

**Table 1:** Distribution of teaching staff by training school and region

Training	Adamawa	Centre	East	Far North	Littoral	North	North	West	South	South West	Total
Institution/Special							West				
ties											
ENS-Yaounde	31	449	94	93	265	26	37	257	105	24	1381
Guidance		5	5		3		2	3	3	2	23
Counsellers											
ENS Yaounde											
ENS-Maroua	352	57	128	500	54	351	29	55	55	29	1610
Guidance	70	20	36	187	20	100	20	20	20	20	513
Counsellers											
ENS-Maroua											
ENS-Bambili	12	32	10	12	26	9	142	21	10	100	374
ENSET-	41	205	55	48	171	41	40	75	57	20	753
Douala											
IET	13	34	17	17	27	12	26	16	20	16	198
Total	519	802	345	857	566	539	296	447	270	211	4852

**364-** Staff card-index was updated in the Regional Delegations for the Centre and the Littoral.

**365-** In addition, through the special recruitment of 25,000 young people into the Public Service, the MINSEC received 3,726 new staff as shown in the following table:

**Table 2:** Distribution of staff from the special recruitment of 25,000 young people

Adamawa	Centre	East	Far North	Littoral	North	North West	West	South	South West	Central services
127	1388	190	107	591	96	358	276	264	208	121

**Table 3:** Summary of data for the 2010-2011 School Year

Regions	Students			Staff		1	nstitutions			Classrooms	
regions	Girls	Boys	Total	Teachers	Admin	Public	Private	Total	Public	Private	Total
Adamawa.	15710	28601	44311	1428	1391	80	12	92	1391	147	1538
Centre.	162755	174279	337034	7594	3920	382	300	682	3920	2495	6415
East	21756	31809	53565	1195	1109	100	17	117	1109	189	1298
Far North	33673	87076	120749	2751	1423	200	17	217	1423	89	1512
Littoral	133558	139919	273477	5172	2354	142	260	402	2354	3371	5725
North	31591	63017	94608	2164	1444	91	15	106	1444	220	1664
North West	85863	87097	172960	4732	2067	270	92	362	2067	977	3044
West	133227	136628	269855	6508	3190	258	170	428	3190	2639	5829
South	35239	42658	77897	2275	1347	149	23	172	1347	439	1786
South West	63233	66763	129996	3595	1572	204	97	301	1572	1587	3159
Total	716 605	857 847	1 574 452	37 414	19 817	1 876	1 003	2 879	19 817	12 153	31

### **B:** Development of the Public School Infrastructure

**366-**To achieve its goals under this score, the Government:

- inaugurated a few "turnkey" schools;
- launched and/or received the following school construction, rehabilitation and equipment infrastructure contracts:
- construction of 670 classrooms worth CFAF 6,041,000,000;
- construction of 7 workshops worth CFAF 175,000,000;
- electrification of 5 schools worth CFAF100,000,000;
- provision of 2 flyboats to institutions located in enclaved areas worth CFAF 30,000,000;
- supply of computer equipment to 10 technical schools worth CFAF 420,000,000;
- supply of teaching aids to 80 technical schools worth CFAF 1,333,000,000;
- equipping of 100 specialized classrooms and laboratories worth CFAF 400,000,000; and
- construction and rehabilitation of 49 health facilities across the country for a total of CFAF 221,000,000.

<sup>133</sup> About 9,222,900.76 Euros.

<sup>134</sup> About 267,175. 52 Euros.

<sup>135</sup> About 152,671.76 Euros.

<sup>136</sup> About 45,801.53 Euros.

<sup>137</sup> About 641,221.37 Euros.

<sup>138</sup> About 2,035,114.50 Euros.

<sup>139</sup> About 610,687.02 Euros.

<sup>140</sup> About 337,404.58 Euros.

### C: Guaranteed Accessibility

**367-** To ensure economic-based accessibility of the educational system, the Minister of Secondary Education signed circular No. 11/11/C/MINESEC/CAB of 27 June 2011, which prohibits illegal fee collection during enrolment of students in secondary public education institutions. A similar measure suspended until further notice new registrations before classes resumed and the freezing of Parent-Teachers Association (PTA) levy increase.

**368-** The State continued to provide grants to private education even though it was reduced. Thus, 511 private schools received such grants against 561 in 2010, down by 50 institutions in absolute value and 8.91% in relative value, for a budget of CFAF 700,000,000<sup>141</sup> against CFAF1.4 billion<sup>142</sup> in 2010, down by CFAF 700,000,000<sup>143</sup> in absolute value and 50% in relative value. Overall State grant was reduced.

**369-** All these measures significantly raised secondary education's capacity to accommodate new students while showing concern for a rational development of the school map.

### §2: Improving the Quality and Effectiveness of Education Service

**370-** Steps were taken to improve the quality and effectiveness of education service.

### A: Improving Education Quality

**371-** Measures to improve education quality focused on strengthening supervision quality and the consolidation of the adaptability of the education system to the economic and social environment.

### 1: Strengthening Supervision Quality

**372-** Strengthening of supervision quality involved both teachers and students. A teacher training plan for 2011 was developed consisting of 21 themes including 2 relating to integrity and professional rigour. Supervision, educational monitoring and counselling inspections of teachers by National and Regional Pedagogic inspectors were intensified.

The strategy was completed on behalf of students through tele-supervision or radio broadcast of interactive programmes for examination candidates.

<sup>141</sup> About 1,068,702.29 Euros

<sup>142</sup> About 21,374,045.80 Euros

<sup>143</sup> Idem

**373-** However, teacher- student performance analysis at the end of each sequence was conducted and led to the taking of corrective measures to address shortcomings. These measures ensured scrupulous respect for sequence timeframes and satisfactory progression of qualitative and quantitative teaching with estimated syllabus coverage rate of 87% for an overall success rate estimated at 65% in the different sequential assessments.

### 2: Adaptability of Education System to the Economic and Social Context

**374-** The education system continuously adapts to the economic and social environment through continued teaching, professionalisation, bilingualism and national languages promotion, human rights, family life, population, HIV/AIDS, and integrity education and the organisation of school games.

### a) Teaching Professionalisation

**375-** In 2011, a survey was conducted for the organisation of a National Forum on the Introduction of Entrepreneurship in Secondary Education. Pending the holding of the forum, professional courses were diversified and cooperation with the business world strengthened to reinforce professionalisation of teaching.

**376-** To diversify courses, "cartering" and "bakery" were introduced in technical education while "information technology" was introduced in general education. In addition, 10 "Carpentry" specialty training grids were developed with the assistance of the Support Project for Technical and Vocational Education Training Reform (PARETFOP), in collaboration with professionals in these sectors. Artistic education clubs were set up in 471 schools for post and peri-school activities.

**377-** The strengthening of collaboration with the business world is achieved through several mechanisms including alternating training and micro-enterprise incubators. With regard to alternating training, a draft regulatory framework for the implementation of alternation in technical and vocational education was developed. At the operational level, 199 students were trained in alternation in the "Hair Aesthetics" Section at CETIF, Yaounde and "Biomedical Hospital Maintenance" at Government Technical High Schools Bertoua, Kumba and Garoua.

- **378-** Micro-enterprise incubators were introduced in 11 Government technical high schools and enabled the training of student-entrepreneurs in three modules: entrepreneurship, technical development and business set up support.
- **379-** A few products, fruit of this professionalisation, were exhibited and appreciated in the MINESEC booth at the Agro pastoral festival in Ebolowa.

### b) Promotion of Bilingualism and National Languages

**380-** The promotion of bilingualism and the national languages continued with:

- experimenting lessons in Special Bilingual Education (11 schools) and national languages and cultures (7 schools) in Forms I and II of pilot schools;
- extending the experiment of Special Bilingual Education and national languages and cultures to Form III of pilot schools; and
- preparing media-based Bilingualism Promotion syllabuses for Forms III, IV and V.
- **381-** Work to redesign or develop curriculum in Pedagogic Inspectorates continued.

### c) Human Rights Education

**382-** The experimental phase of the National Human Rights Education Programme continued in 2011. After 300 officials were trained at the national level in 2009 (Regional Delegates, Pedagogic Inspectors and Teachers) in groups of 30 by Region, seminars and training sessions continued at the regional level with Pedagogic Inspectors and teachers coordinated by the NCHRF. The lessons were taught in other schools in addition to the pilot schools.

### d) Family Life, Population and HIV/AIDS Education

- **383-** The intensification of HIV/AIDS control continued within the purview of the Programme Family Life, Population and HIV/AIDS Education by the:
  - capacity building of co-ordinators (4 medico-school inspectors from the South, South West, Far North and Northern Regions) through the Project

- "Primary Prevention of HIV in Children and Adolescents", adolescents' sexual and reproductive health, STI/HIV/AIDS prevention and risk development and vulnerability mapping technique;
- training of 50 students supervisors peer educators, 10 trainers and 4 local authorities to raise the awareness of stakeholders in the North West and the South Regions; and
- awareness-raising of 17,000 youths on HIV screening in 17 health districts on the Day of the African Child. 5,100 of them accepted voluntary screening.

### e) Moral Education

**384-** The programme, developed in collaboration with CONAC and incorporated in civic education is already being taught in religious institutions. Awareness-raising activities were held during the reference year and permitted the setting up of moral-based clubs at the Government High School Kousseri, Far North Region and Government High School Eseka, Centre Region.

### f) Organisation of School Games

**385-** School games are an opportunity for the young from all regions of the country to meet. They contribute to the culture and the development of the sense of belonging to a same nation and the openness to others. In 2011, the 13th edition of the FENASSCO "A" League held from 27 March to 2 April in Maroua. It mobilised 1,330 athletes.

### B: Improvement of the System's Efficiency

**386-** GESP's specific objectives for secondary education that allow for an evaluation of its effectiveness include the reduction of repetition and streamlining with higher education. In this regard, examinations allow for assessment of the level of achievement of these objectives.

The 2011 academic year results are given in the following table.

Table 4: Summary of 2011 examination results

Structure	Examination	Registered	Sat	Passed	Percentage %
	Entry into Form I	162972	159899	90179	56.39
D	Entry into 1st Year Technical	40686	39376	25812	65.55
DECC	BEPC	235208	232012	108416	46.73
C	CAP Commercial	10556	10362	2834	27.35
	CAP Industrial	38124	37674	16614	44,1
	CAPIET	707	707	521	73,6 9
	TOTAL 1: DECC	488 253	480 030	244 376	50.90
	Baccalauréat ESG	81501	80281	31718	39.51
	Probatoire ESG	142867	139850	55001	39.33
	Baccalauréat Technical Commercial	8934	8782	4554	51.86
	Probatoire Technical Commercial	14759	14547	4779	32.85
	Baccalauréat Technical industrial	5599	5525	2422	43.84
BACCA	Probatoire Technical industrial	5719	5618	1298	23,1
LAURE	Technician's Diploma	6922	6820	3189	46.76
AT BOARD	Probatoire Technicians Diploma	4467	4404	923	20.96
DOARD	Professional Commercial Technician's Diploma	76	70	34	48.57
	Professional Industrial Technician's Diploma	858	830	394	47,5
	Professional Studies Industrial Technician's Diploma	58	56	1	2
	TOTAL 2: OBC	271 760	266 783	104 313	39.10
	GCE Advanced Level	34096	33099	21314	64.39
	GCE Ordinary Level	65686	55389	24115	43.54
	GCE Technical Advanced Level	3458	3354	1564	46.63
G	GCE Technical Ordinary Level	5649	5154	1972	38.26
Œ	Baccalauréat Technical Commercial	461	456	212	46.49
BC	Probatoire Commercial	2072	2039	616	30.21
GCE BOARD	Baccalauréat Technical Commercial	491	486	277	57
D	Probatoire Industrial	720	715	157	21.96
	Technician's Diploma	1383	1372	363	26.46
	Probatoire Technicians Diploma	1680	1665	364	21.86
	TOTAL 3: GCE Board	115 696	103 729	50 954	49.12
TO	OTAL: DECC+ BC+ GCE	875 709	850 542	399 643	46.99

Source: MINESEC

**387-** Analyses reveal that overall, and specifically for the 2010 examinations, performance stagnated: 46.71% in 2010 and 46.99% in 2011. However, DECC results improved significantly from 43.91% to 50.9% while the BC and the GCE results declined slightly from 43.65% to 39.1% and 59.55% to 49.12% respectively.

- **388-** Finally, the issuance of success certificates at the Department of Examinations and Certification has become a service standard. This process has reduced the issuance timeframe from 2 weeks to 48 hours with the possibility for users to make claims.
- **389-** Noticeable efforts made for primary and secondary education were also made for higher education.

### **SECTION 3: HIGHER EDUCATION**

**390-** The State's will to continue to promote higher education development in Cameroon was confirmed with the increase of education offer indicators and supervision improvement.

### §1: Increase in Higher Education Offer Indicators

**391-** Increase in higher education offer indicators is perceptible through the extension of the university map and enrolment increase.

### A: Extension of the University Map

- **392-** The functioning of some institutions, the extension of MINESUP supervision to several professional training institutions contributed to the University map expansion. Thus, in 2011, 2 institutions were set up pursuant to Decree No. 2011/45 of 8 March 2011 on the organisation of the Bamenda University. They are the Faculty of Health Sciences and the Higher Institute of Commerce and Management. In the University of Ngaoundere, the School of Geology and Mining (EGEM), set up by Decree No. 93/28 of 19 January 1993 on the administrative and academic organization of the University, was opened in Meiganga.
- **393-** Moreover, by Decree No. 2011/408 of 9 December 2011, MINE-SUP's supervision was extended to other post secondary public training institutions with special status such as INJS, ENSP and ENSTP. Through this measure, diploma equivalence was harmonised.

**394-** These efforts contributed to the improvement of the University map as follows:

- 8 State universities (Yaounde I, Yaounde II- Soa, Douala, Buea, Dschang, Ngaoundere, Maroua, Bamenda);
- 116 private higher education institutions;
- 70 institutions (faculties, schools, institutes);
- 2 virtual universities (national and subregional);
- 1 Pan-African University;
- 1 Free Zone University (FZU); and
- 1 Incubator Centre, Technipole at the Polytechnique, UYI preparing students at all levels in entrepreneurship.

### **B: Increased Enrolment**

**395-** In 2011, higher education admitted about 220,000 students against about 200,000 in 2010. Based on specialties, training capacities stood at 19,000 student-teachers (ENS Yaounde, Bamenda, Maroua and Douala), 1,000 engineers per year including 300 Polytechnic students of the University of Yaounde I, 200 Managers of the Faculty of Industrial Engineering of the University of Douala and others from the Faculty of Agronomy and Agricultural Sciences of the University of Dschang, ENSAI/University of Ngaoundere and ISS/University of Maroua. The number of teachers increased from 3,116 to about 5,000. With the special recruitment of 25,000 young graduates into the Public Service, 1,000 new teachers were retained in higher education.

### §2: Supervision Improvement

**396-** The improvement of the quality of higher education staff supervision materialised with the signing by the President of the Republic of Decree No. 2011/119 of 18 May 2011 laying down common provisions applicable to support staff of public academic institutions of Cameroon. The Decree provided legal security to university support staff and also significantly improved their working and living conditions.

- **397-** The special amount for the modernisation of University research increased from CFAF 4,100,000,000<sup>144</sup> in 2009 to CFAF 5,400,000,000<sup>145</sup> in 2011. About 3,180 teachers-researchers from all ranks received the allowance.
- **398-** Deserving students in all public universities and professional schools receive academic excellence award. About 72,000 best students from State universities and the BTS/HND and DSEP/HPD national examinations received the award. The beneficiaries included 23% of girls and 7% of students with disabilities.
- **399-** Students also received foreign scholarships from 23 partner countries offering cooperation scholarships. Furthermore, for the 2011 academic year, aid worth CFAF *74*,150,000<sup>146</sup> was granted to about 593 non-scholarship students in several countries.
- **400-** Government's ambition is to improve education quality in all universities. Aligning with the Bachelor-Master-PhD (BMP) system, the quality of this level of education was enhanced to better match university studies with the professional world.
- **401-** Alongside the BMP system, distance education is now a reality in Cameroon through virtual universities offering digital courses. The academic professionalisation is ongoing with the setting up of new professionalisation courses in professional schools and universities.

### §3: Governance and Corruption Control

**402-** The Ministry's Corruption Control and Ethics Promotion Unit conducted awareness-raising and training sessions for members of local branches of 7 State Universities. To this end, it organised on 14 December 2011, a capacity building seminar on "the State of Corruption Control in Higher Education", with the participation of State bodies on corruption control (CONAC, ANIF, NGP, CONSUPE). In 2011, approximately 420 students from most universities were punished for breach of ethics, examination fraud, falsifying university fee receipts, violence and indiscipline.

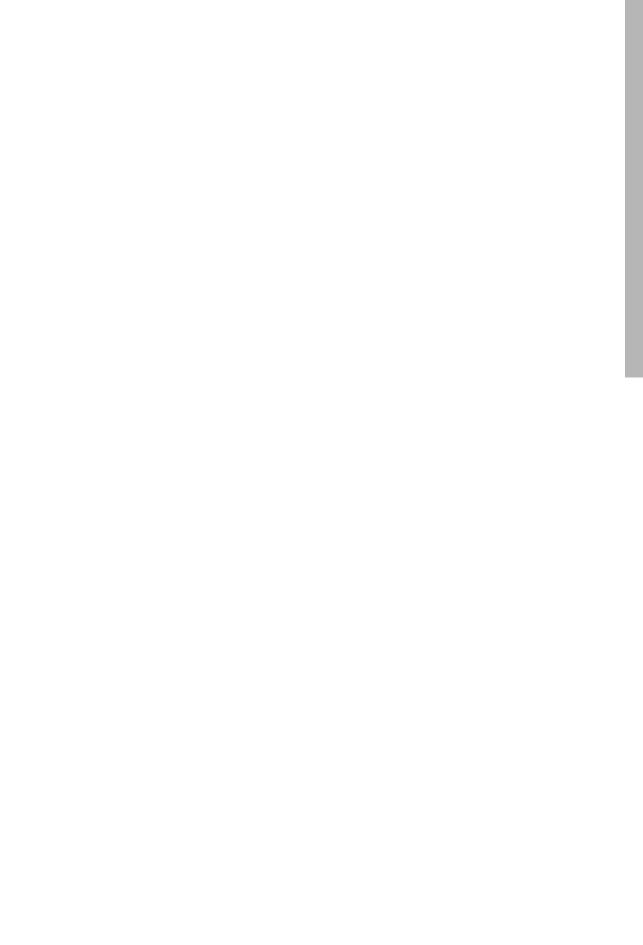
<sup>144</sup> About 6,259,541.98 Euros

<sup>145</sup> About 8,244,274.81 Euros

<sup>146</sup> About 113,206.11 Euros

## Report by the Ministry of Justice on Human Rights in Cameroon in 2011

**403-** The dysfunctions observed in the OBC and the GCE Board in the assessment of candidates and the organisation of examinations, the upsurge in cases of breach of ethics and university governance somewhat undermined government efforts in the education sector. However, results obtained by private secondary education institutions established that the involvement of stakeholders in this sector is increasingly significant and decisive in Cameroon's educational system.



# Chapter 3 RIGHT TO HEALTH



Report by the Ministry of Justice on Human Rights in Cameroon in 2011

**404-** Cameroon's development vision of becoming an emerging country, coupled with the achievement of the Millennium Development Goals (MDGs) made Government wanting in its health obligations.

**405-** Although the budget remained the same as in 2010 at CFAF 123 billion<sup>147</sup>, the legal and institutional framework was strengthened and emphasis laid on human resources and infrastructure. Disease control was equally intensified with focus on mother, adolescent and child care and health promotion in general.

## SECTION 1: STRENGTHENING OF THE LEGAL AND INSTITUTIONAL FRAMEWORK

**406-** A series of instruments were drawn up to strengthen the legal and institutional framework:

- Decree No. 2011/3252/PM of September 2011 on the setting up and operation of private mortuaries in Cameroon;
- Decree No. 2011/2581/PM of 23 August 2011 on the regulation of harmful or dangerous chemical substances;
- Decree No. 2011/336 of 13 October 2011 on the setting up, organization and functioning of the Hospital Research and Support Centre for Human Endoscopic and Reproductive Surgery;
- Order No. 161/CAB/PM of 1 November 2010 to set up and lay down the organization and functioning of medical monitoring of public highway accident victims; and
- Decision No.302/D/MINSANTE/OASI of 14 October 2011 to form an ad hoc Committee to reformulate the Support Project for National Reproductive Health Programme (SPNRH).

**407**-In addition to these instruments, progress was made in the area of human resources and infrastructure.

<sup>147</sup> About 187,786,259.54 Euros

### SECTION 2: STRENGTHENING OF HUMAN RESOURCES AND INFRASTRUCTURE

**408-** In 2011, the health sector received more medical staff and its infrastructure was strengthened.

### §1: Increase in Medical Staff

**409-** Staff strengthening required the need to ensure their distribution based on age and gender and also by region.

### A: Increase in Human Resources

**410-** The overall number of health staff grew from 30,000 in 2010 to 38,207 in 2011, with about 66% within the public sub-sector and 34% in the private sub-sector. For the private sub-sector, 55% of all staff is denominational private.

**411-** The following table clearly shows this situation.

Table 1: Distribution of medical staff by sector

	Sub-sectors									
					Private					
Qualifications	Associations	CIG	NGOS	Private For- profit	Private Confessional	Secular Private	Public			
CHW	00	00	00	00	00	00	367	367		
Social Welfare	01	00	01	05	13	02	83	105		
Others <sup>148</sup>	01	01	00	19	62	10	49	142		
Other Health Staff	05	08	03	223	764	87	481	1,571		
Administrative Executive	06	01	07	143	237	31	1,189	1,650		
Dental surgeon	00	00	00	07	04	03	39	58		
Pharmacy clerk	00	01	02	98	160	17	900	1,178		
Nurses	29	73	30	2081	3,119	538	13,084	18,954		
General Practitioners	01	02	12	129	120	24	1,132	1,420		
Medical specialists	00	01	05	47	25	01	339	422		
Unskilled	03	04	01	260	139	26	267	700		
Para-medicals	08	13	16	532	735	104	3127	4526		
Administrative Staff	01	00	01	03	07	01	61	74		
Support staff	22	10	24	802	1713	236	3,866	6,673		
Pharmacists	00	00	01	83	21	02	55	162		
Tradipractitioners	00	00	00	205	00	00	00	00		
Total	77	114	103	4,479	7,163	1,088	25,183	38,207		

Source: MOH

<sup>148</sup> This refers to all non medical staff in the sector who support administrative and technical services. They comprise litter-bearers, ambulance attendants, matrons, sociologists, jurists, computer scientists, statisticians, mothers help, chaplains, etc.

<sup>149</sup> Tradipractitioners integrated into the category of "public health sector staff" are those identified by MOH only.

### B: Distribution by Age Group and Gender

**412-** Regarding the allocation of human resources, out of the 38,207 health staff, 21,484 (56%) are female while 16,723 (44%) are male.

**413-** The table below highlights both the predominance of women and the average age in the sector which is 38 years for female staff and 41 years for the male staff.

**Table 2:** Distribution of staff by age group and sex

Age group		Sex	Total
	Female	Male	
Less than 20 years	191	91	282
21-30 years	4949	2801	7750
31-40 years	8300	5491	13791
41-50 years	5899	5334	11233
51-60 years	1447	1810	3257
56-60 years	478	678	1156
61-65 years	77	248	325
Above 65 years	41	175	216
Unskilled	102	95	197
Total	21484	16723	38207

Source: MOH

### C: Regional Staff Distribution

**414-** The number of health workers has increased throughout the national territory. However, the Centre, Littoral, and West Regions have more staff with about 24%, 18%, and 13% respectively, which represents 55% of the total workforce for 42% of the national population. Staff distribution per Region stands as follow: Adamawa has 11,198, Centre 9,295, East 1,443, Far North 3,728, Littoral 6,938, North 10,606, North West 3,847 and South West 3,679.

415-With regard to infrastructure, achievements were also made in 2011.

### §2: Health Infrastructure Development

**416-** During the reference year, the census of health sector structures produced the following results:

Table 3: Health map in 2011

Public	Associations	CIG	NGOs	Private Non- profit Sector	Denominational Private Sector	Secular Private	Total
						Sector	
2428	25	29	14	1093	625	138	4351

Source: MOH

- **417-** In addition, the health infrastructure development programme for 2011 started with the:
  - construction of 2 haemodialysis centres in Bertoua and Ebolowa;
  - construction of 2 medical imaging centres in Garoua and Bamenda;
  - construction and equipping of 11 mother and child wards;
  - construction of 58 Integrated Health Centres;
  - construction of 5 subdivisional health centres (ongoing construction under the responsibility of regional and local authorities);
  - recovery of technical equipment of 29 health units (of IHC, SMC, DH level);
  - ongoing construction of the Gyneco-obstetrics and pediatric hospital, Douala; and
  - ongoing construction of the Referral Hospital, Sangmelima.
- **418-** These achievements add to disease control which incidentally is part of four fundamental economic programmes set by MOH.

### **SECTION 3: DISEASE CONTROL**

**419-** Important steps were taken to strengthen all contributions to better support disease control in the country. In addition to the priority actions, the MOH handled other diseases.

### §1: Priority Actions

420- Priority actions targeted AIDS, malaria and tuberculosis.

### A: AIDS Control

- **421-** Many strategies were implemented with the following objectives:
  - to intensify prevention through the distribution of female condoms;
  - to continue Prevention of Mother-to-Child Transmission (PMTCT) of HIV; and
  - to support 102,000 people living with AIDS (PLWA), through the free distribution of ARVS. Thus, 46,000 (PLWA) received cotrimoxazole for the prevention of opportunistic infections.
- **422-** All these measures gave the following results enshrining the significant decline in the AIDS prevalence rate from 5.5% in 2004 to 4.3% in 2012. HIV prevalence has dropped significantly since 2004 as shown in the table below.

Table 4: AIDS prevalence rate by age group

Age	S	ex	Male and Female		
3	Female	Male			
15-19 years	2%	0.4%	1.2%		
20-24 years	3.5%	0.6%	2.2%		
25-29 years	7.6%	3.0%	5.5%		
30-34 years	7.3%	5.3%	6.3%		
35-39 years	10%	5.8%	8.1%		
40-44 years	7.1%	4.7%	5.9%		
45-49 years	6.4%	6.3%	6.3%		
Male and Female	5.6%	2.9%	4.3%		

Source: NIS

### B: Malaria Control

- **423-** The aim of malaria control was to provide access to health care and strengthen participative prevention.
- **424-** These actions produced the following results:
  - provision of health trainers with free 218,050 doses of anti-malarial drugs for treatment of children under 5 years;

- substantial support to design, reproduce and supply work tools for Intermittent Preventive Treatment of pregnant women with the use of rapid diagnostic tests; and
- free distribution of long-term insecticide-treated nets (MILDA) in the 10 Regions of the country 150.
- 425- The following table presents malaria trend and morbidity rate.

Table 5: Malaria and morbidity trend (%) from 2007-2011

	2007	2008	2009	2010	2011
Number of people consulted	604,153	4, 064, 854	4, 906, 390	5, 122, 057	5.957, 438
Number of malaria cases	313, 095	1, 650, 749	1, 883, 199	1, 845, 691	1,829, 266
Morbidity %	36%	41%	38%	36%	30.71%

Source: Roll Back Malaria

**426-** In 2011, the total number of persons consulted with malaria declined significantly. Thus, out of 5,957,438 persons consulted 1,829,266 cases were documented as against 1,845,691 cases out of 5,122,057 individuals consulted in 2010. The morbidity of the disease has also reduced from 36% in 2010 to 30.71% in 2011.

**427-** To drastically reduce this pandemic, a wider distribution of insecticide-treated nets was conducted. The table below provides basic information on MILDA coverage rate.

Table 6: MILDA coverage rate

Cameroon's Estimated Population in 2011	20,138,637
Number Of MILDA Distributed	8,119,670
Coverage rate	88.70%
Universal coverage	72.57%
Distribution strategy	1 MILDA for 2.2 persons

Source: National Malaria Control Programme

**428-** Also, the table below shows the number of pregnant women receiving Intermittent Preventive Treatment (IPT).

<sup>150</sup> Table 6 indicates the number of MILDA actually distributed in 2011. About 500,000 remaining nets will be distributed in the first quarter of 2012.

**Table 7:** Number of pregnant women receiving Intermittent Preventive Treatment

(Number of pregnant women receiving IPT in 2011)						
IPT 1	285 925					
IPT 2	187 191					
IPT 3	110 834					

Source: Cameroon Tribune of 18 July 2012

### C: Tuberculosis Control

**429-** 25,000 new cases of tuberculosis were screened and treated in Cameroon. 78% of patients agreed to be screened for HIV whose prevalence rate is apparently 38%. Tuberculosis treatment rate is 78%. A giant stride has been made with a drop in the diagnosis and detection period of Koch's Bacillus from one month to a day at the Centre Pasteur, Cameroon. In addition, the treatment cost is borne by the State.

### §2: Control of other Diseases

**430-** This involves essentially cancer and cholera control.

### A: Cancer Control

- 431- The main results in cancer control include:
  - vaccination of 4,356 girls against human pillomavirus in the North and South West Regions;
  - awareness campaigns through markets; and
  - 1,854 women and 126 men received free cancer screening during campaigns in 2011.

### **B:** Cholera Control

- **432-** Data available in 2011 revealed 23,152 cases reported including 843 deaths. To deal with this situation, the following actions were undertaken:
  - cholera control training of 150 staff of district management teams in 8 regions;
  - free support with pre-positioning of drugs in health units;
  - preparing cholera treatment areas; and
  - developing a cholera prevention and control contingency plan.

### SECTION 4: MOTHER, ADOLESCENCE AND CHILD HEALTH CARE

**433-** Government's objective is to reduce maternal mortality by 3/4 and the mortality of children under 5 years by 2/3.

### §1: Mother Health Care

**434-** Capacity building in mother health care services was concretised through the following:

- training of 50 physicians in the new obstetric surgery approach and 50 physicians in anaesthesia;
- training of 138 care providers in Emergency Obstetric and Neonatal Care (SONEU); introducing 180 traditional birth attendants to this new approach; and
- free supply in 60 health units in the North and Far North Regions of obstetrical kits.

**435-** All these measures have led to an increase in health units consultation and consequently, the harmonisation of delivery costs between CFAF 6,000<sup>151</sup> and CFAF 40,000<sup>152</sup>.

**436-** The rate of assisted deliveries in 2011 stands at 63% against 61% in 2010. Performance was thus improved. Maternal mortality rate in 2011 calls for no remarks, while in 2010 it was 600 on 100,000 life births.

**437-** To strengthen the capacity of Emergency Obstetrical and Neonatal Care (EONEC) services, training tools were re-adjusted to take into account new skills and training-based approaches.

**438-** As in mother health care, the Government showed concern for the health of adolescents and children since they are vulnerable.

<sup>151</sup> About 9.16 Euros

<sup>152</sup> About 61.06 Euros

### §2: Adolescent and Child Health Care

### A: Adolescent Health Care

**439-** The major concern pertaining to young people is to reduce both the number of pregnancies and exposure to Sexually Transmitted Infections and HIV/AIDS.

**440-** MOH's Department of Health Promotion is working to prevent drug and alcohol consumption among adolescents through its services on substance abuse, smoking and alcoholism.

### B: Child Health Care

**441-** Steps to better control child diseases continued. Thus, care provider training was one of the chosen priorities. The training courses in Integrated Management of Child Diseases (IMCI) involved supervisors, trainers, community relays, etc. The capacity of 180 supervisors was strengthened in IMCI techniques monitoring and facilitation; 20 trainers were trained and 45 community relays installed.

**442-** The trainings had a positive effect especially in view of vaccination results. Tracer Antigen (penta 3) had about 80.98% coverage rate that was stable compared to the 2010 rate.

**443-** Two weeks of Infant and Maternal Health and Nutrition (SASNIM) coupled with the first African Immunisation Week (AVW) allowed for 5,547,754 children aged 6-59 months and 78,175 women, eight weeks after delivery, to receive enriched vitamin A. 2,999,732 children aged between 12 and 59 months were also de-wormed.

**444-** In 2011, neonatal mortality rate per 1,000 births was as follows: 22 on 1,000 live births against 29 on 1,000 live births in 2010. Therefore, performance improved at this level. Infant mortality rate in 2011 stands at

44 on 1,000 live births against 56 on 1,000 live births in 2010. Infant and child mortality rate in 2011 was 122 on 1,000 live births against 136 on 1,000 life births in 2010.

**445-** ARV treatment is provided free of charge by the State and it increases the life expectancy of children infected with HIV/AIDS. In 2011, 4,400 children living with HIV/AIDS were placed on ARV.

**446-** Government efforts were also noticeable in health promotion.

### **SECTION 5: HEALTH PROMOTION**

**447**-Pertaining to health promotion, the culture of disease prevention and Cameroon's epidemiological context required more elaborate government action supported by those of the civil society and non-governmental organisations.

### §1: Government Action

**448-** With regard to the promotion of the population's health, Government action concerned specifically healthy life and hospital hygiene, nutrition and immunisation.

### A: Healthy Life and Hospital Hygiene

### 1: Healthy Life

**449-** In 2011, focus was laid on improving environmental and body hygiene. To this end, 36,000 pamphlets were produced and distributed in health facilities; a new approach, "Comprehensive Community-based Sanitation" was implemented in 279 villages, coupled with the promotion of key family practices, including washing of hands with soap and water.

### 2. Hospital Hygiene

**450-** After the hospital waste management 153 scandal, MOH continued to implement the National Hospital Waste Management Plan with focus on the:

- installation of 15 incinerators in 15 hospitals and 60 others in district health services for the destruction of immunisation waste;
- preparation and forwarding to the Prime Minister's Office of a draft order to set up an Interministerial Committee for the Monitoring of Hospital Waste management; and
- preparation of a draft manual on hospital waste management procedure.

#### **B.** Nutrition

**451-** Moreover, Government, through MINEPIA, guaranteed the safety of the population's available animal and fish-based food on the markets. MINEPIA's health services activities included hygienic slaughtering operations, health inspection of slaughterhouses, seizure and control of markets.

**452-** Hygienic slaughtering was carried out to eradicate the spread of swine fever in the North and Far North Regions where measures were taken to slaughter infected cattle and disinfect piggeries. Movements of pigs were restricted. After eradicating the epidemic, the measures were lifted in November 2011.

**453-** Health inspections in slaughterhouses were carried out despite difficulties relating to inexperienced inspectors and the spread of illegal slaughterhouses that failed to respect sanitation conditions.

**454-** During the inspections, products unfit for consumption were seized. The tables below contain the results of the activities indicating both the qualitative and quantitative increase of slaughterings, inspection and sanitary seizures<sup>154</sup> made in 2011 over the previous year.

<sup>153</sup> See 2009 Report, §576-580

<sup>154</sup> See 2010 Report §437, 438 and 439.

# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

Table 1: Veterinary health inspections in slaughterhouses

	Cattle	Sheep	Goats	Pigs	Equine	Poultry	ASINs
Adamawa	34 694	2 357	704	164	-	-	-
Centre	5 323	230	829	1 662	-	154 765	-
East	10 651	297	682	834	-	10 735	20
Far North	38 311	19 547	39 903	1 289	97	27 792	418
Littoral	52 968	138	366	7 035	1 093	7 180	-
North	29 475	10 005	22 224	961	-	47 014	55
North West	18 061	1 616	2 848	2 169	-	40 503	-
West	22 073	1 217	1 833	8 223	174	25 135	20
South	4 249	266	112	1 284	-	-	-
South West	13 866	86	1 741	4 454	230	-	-
TOTAL	229 671	35 759	71 242	28 075	1 594	313 124	513

Source: MINEPIA

Table 2: Adulterated products seized during veterinary health inspections

	AD	CE	ES	FN	LT	NO	NW	W	so	SW	Total
Bovine offal (Kg)	1 423.5	345.7	752	-	184	2 866	-	1 229.52	397	506	7 703.72
Dog offal (Kg)	-	-		-	-	ı	-		-	4	4
Pig offal (kg)	-	-	-		18		-	-	-	7	25
Chocolate cookie	_	_	5	_	_	60	_	_	_	_	65
(box)	-	_	3	_	_	00	-	_	_	_	03
Candy milk	_	_	_	_	_	3	_	_	_	_	3
(packages)											, and
Cattle carcass	8	11	_	_	554	133	_	5	_	496	1207
(unit)											
Pork Carcass	_	1	_	_	1	_	-	_	_	_	2
(unit)											
Delicatessen meats	-	-	-	-	-	-	-	6	31	-	37
(kg) Ice cream			_				5		0	_	5
Cut poultry (kg)	-	1 740			-			-	292		2 032
Cheese	-	1 /40	-		-	-	-	- 4		-	4
Smoked game	50		-		-	-	210	4	-	-	260
Smoked game Sweetened	30	-	-	-	-	-	210	-	-	-	200
condensed milk	_	_	35	_	_	4	252	23,5	11	_	325.5
(can)	_	_	33	_	-	7	232	23,3	11	-	323.3
Milk powder (kg)	37	_	_	_	_	2,5	625	7,07	34	_	705.57
Liquid milk (L)	12	1	_	_	_	2,5	650	100	-	_	763.2
Margarine	12					_	11	-	_	_	11
Mayonnaise (kg)	34	1 368	6	_	_	0,2	15	5,5	_	_	1 428.7
		1 300				0,2	26				
Table eggs	96		25	9 270	480	-	310	245	-	-	36 426
Canned fish (box)	26	464	7	_	-	-	110	51	-	-	658
Fresh fish (Kg)	23	3 842	-	-	-	-	712	3 500	-	-	8 077
Smoked fish	-	-	-	-		-	139	11 000	-	-	11139
Frozen fish (Kg)	-	9 243	532	-	-	-	2 960	220 982	118.5	-	233835,5
Cattle meat (kg)	247.7	74,5	-	-	7	524	-	-	-	-	853.2
Goats meat (Kg)	-	-	6	-	-	-	-	-	-	-	6
Dog meat (kg)	-	-	-	-	-	-	-	-	-	2	2
	AD	CE	ES	FN	LT	NO	NW	W	so	SW	Total
Pork meat (Kg)	-	-	200	-	1 350	-	-	1 005.5	24,2		2 580
Sheepmeat (Kg)	-	-	-	-	-	-	-	633.5	0	-	633.5
Poultry (kg)	ı	-	-	-	-	-			292.98	11,6	304.58
Yoghurt (cans)	ı	94	29	-	918 000	-	163	130	45		309 096.17

Source: MINEPIA

# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

 Table 3: Summary of products inspected in markets

ĺ	CE	ES	FN	LT	NW	W	so	SW	Total
Butter (kg)	29 106.11	14.50	24 609.20	-	39 821.00	10 181 160.00	4 004.00	5 601.00	10 284
Wax (kg)	-	-	-		40 666.00	-	-	-	315.81 40 666.00
Canned fish (cans)	•	12 000.00	=	-	164 249.00	2 803 500.00	7,00	48 779.00	3 028 535.00
Canned meat (cans)	9 508.00	2,00	ū	289.10	3 245.00	580 770.00	27 504.00	3,00	621 321.10
Ice cream (kg)	1	-	-	-	-	1 000 009.00	-	-	1 000 009.00
Crustacean s and molluscs (kg)	27 299.00	-	-	5,02	198 700.00	7 121 232.00	-	-	7 347 236.02
Pork cuts of (kg)	ı	-	-	-	-	100.00		-	100.00
Poultry cuts (kg)	ı	4,00	-	2,19	-	-	0,35	-	6,54
Snails (unit)	1 500.00	-	-	-	-	1 000.00	-	-	2 500.00
Kg cheese	9 125.00	0,90	-	2,10	6 851.00	1 251 240.00		-	1 267 219.00
Fresh game (kg)		8,00	-	-	-	671 400.00		11.00	671 419.00
Smoked game (kg)	-	-	-	-	-	704.00	-	-	704.00
Curdled milk		-	72 386.00	-	-	-	-	-	72 386.00
Condensed milk (bottled)	u	=	ı	=	106 243.00	15 459.21	Ī	-	121 702.21
Milk powder (kg)	55 195.14	24.35	-	336 200.00	385 000.00	38 440.00	i	2 511 710.00	3 326 569.49
Liquid milk (L)	ı	-	163 596.00	-	208 512.00	1 022 390.00		9 023.00	1 403 521.00
Mayonnais e (kg)	ı	3,00	-	-	-	-	9 218.19	4 689.00	13 910.19
Honey (L)	1 600.00	2,00	-	-	213 601.00	6 272.34	-	-	221 475.34
Table eggs (units)	2 477 980.00	14 415 000.00	9 553 200.00	567 567.00	18 160 920.00	20 794 650.00	4 850 000.00	4 146 126.00	74 965 443.00
Hides and skins (kg)	•	-	248 542.00	-	17 694.00	1,02	ı	9 023.00	275 260.02
Frozen fish	5 633 774.00	1 886.00	11 180.00	301.60	6 697 000.00	135 393 100.00	4 970.32	180 845.00	147 923 056.92
Fresh fish (Kg)	511 135.70	83.00	345 019.00	5,00	80 185.00	338 923 500.00	1,10	32 525.00	339 892 453.80
Smoked fish (kg)	314 418.00	35.40	516 557.00	212.00	846 000.00	47 744 180.00	0,70	60 087.00	49 481 490.10
Dried fish	-	-	951 263.00	-	-	-	-	-	951 263.00
Day-old chicks	-	-	=	-	-	104 900.00	-	-	104 900.00
Frozen meat	3 328.00	-	-		-	-	ı	_	3 328.00
Beef (kg)	852.67	2 360.00	=	277 294.00	-	7 279 225.00	63.00	-	7 559 794.67
Smoked beef (Kg)	540.00	7,00	=	-	30 573.00	192 500.00	-	304.00	223 924.00
Meat of small ruminants (kg)	-	19.40	-	-	-	27 176 500.00	-	-	27 176 519.40
Pork (kg)	ı	51.50	-	-	-	31 926 380.00	5,00	-	31 926 436.50
Fresh poultry meat (kg)	-	16.30	-	-	-	-	1,00	-	17.30
Yoghurt (cans)	78 855.00	21.80	-	968 270.00	146 983.00	80 916.69	7 112.00	65.00	1 282 223.49

Source: MINEPIA

### C: Immunisation

- **455-** The overall objective of WHO's Expanded Immunisation Programme (EIP) 2006-2015 strategic plan is to reduce mortality, morbidity and disability due to preventable diseases by:
  - strengthening the health district-based immunisation programme to improve access and use of immunisation services;
  - accelerating efforts to eradicate polio, control measles and yellow fever and eliminate natal-tetanus; and
  - improving the management and safety of vaccines.
- **456-** All these combined efforts produced the following results:
  - immunisation of 1,384,784 children of 0-59 months against polio;
  - immunisation of 4,581,254 children during a repeat campaign in the North and North West Regions; and
  - immunisation of 110,011 women of childbearing age in the Health Districts of Bafia, Eseka, Mbangue and Santa.
- **457-** Apart from Government actions, those of NGOs and the civil society contributed significantly to promoting the peoples' health.

### §2: Actions by NGOs

**458-** Civil society associations have equally worked to improve health. Without claiming to be exhaustive, reference will be made to contributions by African Action on AIDS and "Afrique Future Cameroun".

### A: African Action on AIDS (AAA)

459-African Action on AIDS which has a collaboration agreement with the MOH on HIV/AIDS control, launched a project in 2011, whose main objective is to increase access to counseling services and voluntary screening for women of childbearing age and their partners who are members of Village Savings and Self-managed Credit Funds (CVECA).

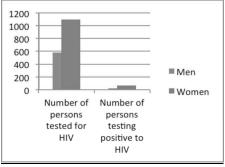
460- These activities were designed to:

- improve knowledge in maternal health, HIV/AIDS and in particular child-mother transmission prevention (PMTCT);
- promote partnerships between the Support Units (SU), district hospitals and other organisations concerned with health to ensure care and support for HIV positive, pregnant women and women of child-bearing age and their partners; and
- share knowledge with CVECA members, in village hamlets, concerned with the project and located in the districts of Ayos, Akonolinga, Endom, Eseka, Obala, in all 16 CVECA.

**461-** Out of 1,678 people screened, (580 men, 1,098 women of which 78 were pregnant), 90 were HIV positive (26.66% men, 73.34% women of which 4% were pregnant).

**462-** At the end of the campaign, it is clear that until very recently, many villagers fled screening although it is anonymous and voluntary. They considered it interference in the local and religious tradition. Furthermore, the families had a deep concern about the ability of HIV-positive couples (especially women) to produce healthy children to ensure the continuity of families. Training on the process that led to PMTCT (a process that begins with the screening of women of childbearing age and their partners) to demystify screening, turning it into a protection tool against the extinction of families. The impact of this understanding is noticeable in the sense that rural populations that traditionally rejected condom use are now more responsive. Despite real problems (lack of condoms, isolation, etc.) threatening the preventive momentum in local communities, this awareness is welcomed. The project was implemented in partnership with USAID - AWARE II.

Statistical Chart: Screening for HIV/AIDS in 16 CEVCA in the Centre Region



**Source: African Action on AIDS** 

#### **B: Afrique Future Cameroun**

- **463-** The NGO, "Afrique Future Cameroun" provided health care to indigent people in its rural clinics. In addition, health care was made available to males and urban populations as a result of low rates, generally less than the production cost. Many achievements have been made.
- **464-** For example, at the Emana Hospital, the NGO opened and funded a fully equipped and modern laboratory; a borehole was also built and an old generator offered. The Emana and Douala hospitals received a general surgery and trauma equipment.
- **465-** Apart from these achievements, a 40-bed hospital was constructed in Douala. At Nkongada, a traditional hut was built to serve as dressing room.
- 466- The achievements of this NGO are evaluated in cash in the table below.

**Table 4:** Cash evaluation of achievements by the NGO, "Afrique Future Cameroun"

Cost in CFAF	Cost in Euros
14,478,000	22,270
325,000	500
150,000,000	230,750
15,000,000	23,070
4,543,000	7,000
3,275,000	5,000
982,500	1,500
	14,478,000 325,000 150,000,000 15,000,000 4,543,000 3,275,000

Source: Afrique Future Cameroun

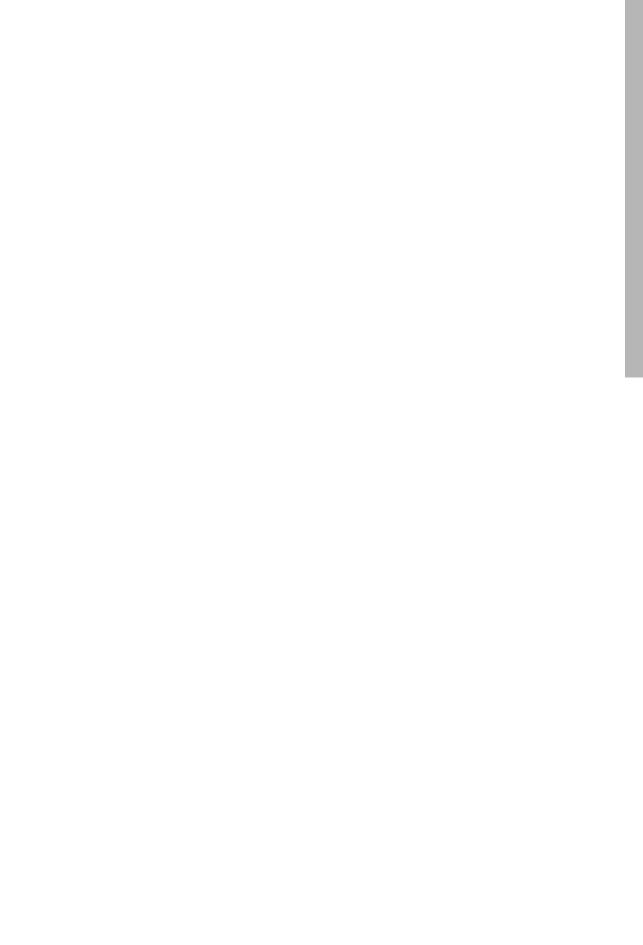
**467-** Afrique Future also provided its financial support for the normal functioning of hospitals and health centres, as well as for the construction and equipment of 6 rural clinics at Bobog, Mbeng, Nguibassal, Pan Makak and Messoudo.

#### C: Mutual Health Insurance

**468-** As at 31 December 2011, there were 158 mutual health insurances which covered approximately 2% of the population. These are community-based mutuals, that is, the informal sector; the formal sector is typically covered by private health insurance<sup>155</sup>.

**469-** In conclusion, as in 2010, Government and its various partners guaranteed the right to health in 2011. Considering that health is an area where efforts must be sustained to conveniently ensure this right to all persons living in Cameroon, it is hoped that it will receive additional resources to provide quality care.

<sup>155</sup> The formal sector represents 10% of the population and the informal sector 90%.



Chapter

RIGHT TO ADEQUATE STANDARD OF LIVING



**470-** In 2011, measures were taken to improve the guarantee of the right to food, increase water and energy supply, and to improve housing conditions which all contribute to the population's right to adequate standard of living.

#### **SECTION 1: GUARANTEE OF THE RIGHT TO FOOD**

**471-**The agropastoral festival organised from 17-22 January 2011 provided the opportunity to recall the new agricultural policy. These directives guided measures taken on the availability and accessibility of food.

#### §1: Agricultural Policy Guidelines

**472-** The organisation of the agropastoral festival of Ebolowa clarified the state of Cameroon's agriculture. Despite its enormous potential, agriculture does not yet optimally cover the population's food needs. On this occasion, the Head of State recalled the major thrusts of Cameroon's agricultural recovery policy already contained in the GESP. This policy, which places agriculture at the heart of the economy aims to ensure food security for Cameroonians, create jobs in rural areas, reduce imports and develop the export of agricultural products.

Strategies to achieve this goal can be summarized in the following few points:

- setting up of fertilizer production units;
- setting up of agricultural machinery production units;
- setting up of or multiplying seed farms and instituting land reform;
- opening of production batches;
- construction of markets and agricultural products procurement holdings; and
- training in all agricultural areas in the broadest sense including farming, aquaculture, fisheries and the opening of an agricultural bank.

#### §2: Measures to Ensure Food Availability

**473-** Measures to ensure the availability of vegetable, animal and fishery products will be discussed.

#### A: Vegetable Production

**474-** Although the objective was to increase production level, quality concerns were taken into account.

# 1: Slight Production Increase

**475-** Various incentive measures were taken for increased production in the different sectors.

#### a) Incentives

**476-** Large agricultural sectors received a total sum of CFAF 14.945 billion<sup>156</sup> with CFAF 6.410 billion<sup>157</sup> for industrial crops and CFAF 8.535 billion<sup>158</sup> for food crops.

**477-** Apart from crops, support was given especially to the Agriculture/Livestock Programme Sector, the rehabilitation of seed farms, healthy and enhanced rice seed multiplication, the use of fertilizers, private agricultural groups (CIGs, NGOs and associations) and private nurseries.

**478-** To promote the sustainable development of agricultural production, CFAF 950 million<sup>159</sup> were awarded to 11,857 producer organisations as support to small, medium and large farms.

**479-** Moreover, the project for major food scourges control implemented a perennial major pest prevention device in endemic areas (Far North and North) and treatment in other areas. In addition, 217 phytosanitary consultants were trained, 217 groups received work tools (sprays, sprayers' gloves, etc.) and CFAF 14.4 million<sup>160</sup> was allocated for the procurement of capture nets.

<sup>156</sup> About 22 million Euros

<sup>157</sup> About 9 million Euros

<sup>158</sup> About13 million Euros

<sup>159</sup> About 1,450,381 Euros

<sup>160</sup> About 219,847 Euros

# b) Sector-based Production Apparatus Development

**480-** In 2011, agricultural production experienced a slight overall increase due to emphasis placed on improving access to quality inputs and seeds for main quality producers and the increase in cultivated areas. In the rice sector, 16 high-yield rice varieties were tested by research and SEMRY planted 7,090 more ha. for an additional production of 42,500 tonnes of paddy rice. Overall expected rice production stands at 150,000 tonnes representing an increase of 25% from 2010.

**481-** In the corn sector, 5 seed packaging centres were equipped, 952 producers benefited from support worth CFAF 579,525,000<sup>161</sup>. Also, 315 seed multipliers were trained and 1,500 tonnes of seed were produced for 75,000 ha. Production, estimated at 1,500 tonnes in 2010 should have reached 1,700,000 tonnes in 2011, a 13% increase.

**482-** In the potato sector, 204 tonnes of seeds, 150 tonnes of fertilizer and 80 kg of fungicides were distributed. A production of 160,000 tonnes is expected representing 6.6% growth compared to 2010.

**483-** Apart from crops, support was given especially to the Agriculture/Livestock Programme Sector, the rehabilitation of seed farms, healthy and enhanced rice seed multiplication, the use of fertilizers, private agricultural groups (CIGs, NGOs and associations) and private nurseries. Cassava production which already exceeds 3,000,000 tonnes will record a 6% increase.

**484-** In the okok sector, 149 nurseries were set up with 79,296 plants and 105 farms of 71 ha. each were monitored.

**485-** In the plantain sector, 1,780 ha. of field seeds and 2,090,000 plants were set up and made available to producers, 28 ha. of improved local varieties have also been established. A production of 2,700,000 tonnes is expected representing 3.2% increase from 2010.

<sup>161</sup> About 884,770 Euros

**486-** In the cocoa/coffee sector, 4.5 million cocoa plants were produced and distributed for planting on more than 3,000 created ha; 5.5 million arabica coffee plants were distributed for planting on 4,172 ha.; 1 million robusta coffee plants were distributed for planting on 824 ha.; 3,500 fruit tree plants and 97 cocoa/coffee kits were distributed; 720 nursery attendants, supervisors and producers were trained. Cocoa production should reach 270,000 tonnes representing an increase of 8%. Robusta coffee production estimated in 2010 at 50,000 tonnes is expected to reach 56,000 tonnes in 2011 representing a 12% increase. Arabica production is expected to reach 14,000 tonnes that is an increase of 8% from 2010.

**487-** The cotton sector, facing a cyclical crisis, should continue its recovery and produce 140,000 tonnes, representing an increase of 10% from 2010.

**488-** In the oil palm sector, agro-industrial companies produce two-thirds of national palm oil. Private producers are supervised by the Government through the Village Palm Plantation Development Programme funded since 2004. In this regard, two conventions for the purchase of 300,000 pre-germinated seeds were signed for the setting up of 1,650 ha. of palm plantation. 1,200 tonnes of fertilizer were given to UNEXPALM for approved sale to farmers. In 2011, Cameroon produced approximately 220,000 tonnes of palm oil. This production is well below needs totaling about 350,000 tonnes. The following table presents the production trend since 2004.

Table 1: Palm oil production trend from 2004-2011

Years	2004	2005	2006	2007	2008	2009	2010	2011
Agro	120,000 t	128,000 t	128,000 t	131,000 t	131,000 t	135,000 t	140,000 t	145,000 t
Industrial								
Companies								
Private	50,000 t	52,000 t	55,000 t	60,000 t	65,000 t	68,000 t	70,000 t	75,000 t
Producers					,		, The state of the	
	170,000 t	180,000 t	185,000 t	191,000 t	196,000 t	203,000 t	210,000 t	220,000 t
Total				·	,		, ,	

Source: Village Palm Plantation Development Programme

#### 2) Foodstuff Quality Concerns

**489-** In 2011, three pesticide registration sessions were held and 36 phytosanitary authorisations granted. Inputs and products quality controls were carried out putting at the disposal of farmers 3,287,282 litres of liquid pesticides and 3,487,915 litres of solid pesticides. They also allowed the seizure of many counterfeit products and the sealing of several stores.

**490-** Seed quality controls were also conducted resulting in the issue of 119 seed activity declaration receipts, the inspection of 191 seed farms, 92 of which were declassified, and 100 seed marketing stores.

#### **B:** Animal and Fish Production

**491-** Measures for fish and animal production increase were listed in Cameroon's Livestock Sector Development Master Plan. The specific objectives for 2011 focused on the increase of bovine, ovine, porcine livestock and poultry production at the respective thresholds of 45,000 tonnes for broilers, 15,000 tonnes for beef and veal, 45,000 tonnes for pork meat and 15,000,000 eggs. The objectives of fisheries products were set at 10,000 tonnes for domestic industrial fishing production including at least 5% for fish supply from small-scale fishing. 1,200 tonnes of honey including 150 tonnes of exportable quality were expected. With the exception of the swine sector, these objectives were met and sometimes exceeded in other sectors.

**492-** About 102,964.46 tonnes of bovine meat were produced in 2011 exceeding the prescribed threshold target of 87,964.46 tonnes.

**493-** Milk production takes into account both local cow milk products and those made from imported milk. Dairy product imports increased by 4,437.45 tonnes representing an increase of 20.19% over the previous year. This increase is justified by a significant import of liquid milk as a result of the growing demand by yoghurt, ice cream and other dairy products producers.

Local milk production remained mostly a traditional activity. In pig meat production, pig farming was disastrous because of the African swine fever in early 2010. The delay of precautionary measures in some localities led to huge losses including the systematic slaughtering of 7,166 animals, the banning of trade in all northern regions and the prohibition of straying animals. Maintenance of these protective measures until November 2011 did not restock devastated livestock. Alongside the plague, red nature epidemic disease was a great threat to pig-farming which at the same time faced other problems such as difficult access to finance, high cost of inputs, low productivity of local race pigs, straying of animal, lack of exploitation infrastructure, inflation due to the effects of the plague in the North and Far North Regions and finally poor organisation of stakeholders. Pig farming was one of the few sectors that did not meet its production threshold required by MINEPIA's road map, with a deficit of -42,080.82 tonnes.

- **494-** Poultry meat production, semi-intensive and intensive breeding whose sizes vary with farms, are carried out around large cities. Several farms producing more than 20,000 chickens or layers are side by side with a plethora of farms containing 200 to 1,000 subjects.
- **495-** Inputs and feed components are massively imported. The importation of day-old chicks has increased, taking the amount of chicks to 347,000, representing an increase of 8.26%. Meat/carcass yields differ from one category to another and according to particular breeding conditions for a race in the same category. The average in the broiler category is 1.8 kg to 2.5 kg of meat and 1.2 kg to 1.5 kg for traditional poultry. In 2011, Cameroon produced 276,242,992 tonnes of poultry meat.
- **496-** As with most forecasts, egg production in 2011 exceeded the threshold prescribed by the roadmap of 138,298,615 eggs.
- **497-** The production of small ruminant meat amounted to approximately 1,705,329 tonnes. Goat rearing is practised throughout the country due to the dietary habits of men. In 2011, approximately 2,628,804 tonnes of goat meat was produced.

- **498-** Honey production is still largely dependent on traditional techniques that vary from one region to another. 59,120 hives produced approximately 750,810 litres of harvested honey, representing about 8,441 tonnes of honey.
- **499-** The availability of fishery products is ensured by the production of different sectors (industrial fishing, maritime fishing, inland fisheries and aquaculture). These productions are supplemented by imports. In 2011, these different sources of fishery products constituted national production that stood at 175,000 tonnes including 7,000 tonnes of industrial fishing, 93,000 tonnes of continental fishing, 75,000 tonnes of small-scale maritime fishing and 1,000 tonnes of aquaculture. 196,000 tonnes of fishery products were imported.

#### § 3 Food Accessibility Measures

**500-** Alongside strengthening the legal and institutional framework, standard measures were continued.

#### A: Strengthening the Normative and Institutional Framework

**501-** The normative framework was reinforced with a framework law on consumer protection. A new institution, the Essential Goods Supply Regulation Authority (MIRAP) was set up.

#### 1: Adoption of Consumer Protection Law

- **502-** Framework Law No. 2011/12 of 6 May 2011 on consumer protection in Cameroon lays down the general framework for consumer protection. It applies to all transactions relating to the supply, distribution, sale, exchange of technology, goods and services relating to consumer protection.
- **503-** Transactions concern notably the health, pharmacy, food, water, housing, education, banking, financial services, transport, energy and communication sectors.

- **504-** The law highlights the national consumer protection policy based on several principles, including "the principle of satisfaction according to which consumers have a right to satisfy their basic or essential needs in the health, food, water, housing, education, energy, transport, communication, technology, goods and services (...)" provided for by Section 3 of the instrument.
- **505-** Section 32 of that law spells out penalties of imprisonment and fine against anyone who gives false information on the quality of technology, goods or services supplied to a consumer, or anyone who gives false information to the competent authorities or any consumer structure, organisation or association during an investigation under that law.

#### 2: Setting up of MIRAP

- **506-** MIRAP was set up by Decree No. 2011/19 of 1 February 2011. Its role is to constitute security stocks, set up control-stores for the sale of consumer products, in consultation with economic operators of all sectors and interested industries, and to organise periodic and public sales.
- **507-** The aim of MIRAP is to improve the availability of household consumer products. MIRAP's objective is to promote the consumption of Cameroonian products, organise periodic and public sales that are normal opportunities for national food production. It is responsible for collecting foodstuff, either directly or through providers, throughout the national territory.
- **508-** The list of consumer products subject to purchase or importation by MIRAP was fixed by Order No. 58/PM of 8 March 2011. It includes cereals, raw tubers, raw fruits and vegetables, wheat flour, vegetable oils, pasta, sugar, salt, eggs, chicken, frozen fish, beef, pork, household soap, domestic gas, portland cement, concrete iron and cover plate iron.
- **509-** MIRAP's activities were effective in several areas of the country where one-time control-stores were opened enabling people to buy low cost meat, fish, chicken and food products.

#### **B: Standard Measures**

**510-** Promotional sales were organised and the construction of periodic markets continued. These actions were supplemented by control measures.

#### 1: Organisation of Promotional Sales Campaigns

**511-** Promotional sales were organised in cities and countrysides and control-stores extended to divisional headquarters.

**512-** These operations led to the lowering of consumer product prices, the stimulation of consumption and the availability of basic products on the market.

#### 2: Construction of Periodic Markets

**513-** The construction of 15 periodic markets in the localities of Ntui (CFAF 10,000,000<sup>162</sup>); N'gog Mapubi (CFAF 20,000,000)<sup>163</sup>; Mbalmayo/Mekomo (CFAF 20,000,000); Obala (CFAF 10,000,000); Esse (CFAF 20,000,000); Nkolafamba (CFAF 20,000,000) ,Guider (Baila) (CFAF10,000,000); Mora/Amchide (CFAF 20,000,000); MEBA Ndong Mengon (CFAF 20,000,000); Lokoundje-Bivuba (Kribi) (CFAF 20,000,000); Biwong Bane (CFAF 20,000,000); Oku (CFAF 20,000,000); Foumban/Baigom (CFAF10,000,000); Bokito (CFAF 10,000,000) and Yabassi/Bonepoupa (CFAF 20,000,000).

**514-** Built markets are intended to reduce the prices of fresh food and raw products in big towns.

**515-** The aim of continuous reactivation of periodic markets is to provide them with adequate infrastructure to foster exchanges between producers and buyers, as well as to stabilise the prices of food products in the domestic market.

<sup>162</sup> About 15,267.18 Euros

<sup>163</sup> About 30,534.35 Euros

#### 3: Taskforce Controls

**516-** National, regional and departmental taskforces identify and punish offences such as hedge stockpiling, selling of products unfit for consumption, illicit price increases, discriminatory sales, use of prohibited or defective instruments in business transactions.

**517-** For example, the control and monitoring of the distribution chain led to the seizure of 160 tonnes of granulated sugar diverted from their final destination which was Douala. The recovered stock was immediately put on sale at the Regional Delegation of Trade, Littoral.

#### **SECTION 2: RIGHT TO WATER AND ENERGY**

**518-** Coverage of the populations' energy and drinking water needs continued in 2011 with programmes split into projects and emergency measures to satisfy energy and drinking water supply needs.

#### §1: Energy Supply Improvement

**519-** The main energy sector measures comprised strengthening of the legislative framework, continual production investments and service quality control.

# A: Strengthening of the Legislative Framework

**520-** Reform of the sector was marked by Law No. 2011/22 of 14 December 2011 governing the electricity sector in 2011. The major innovations of the new law relate essentially to the:

- setting up of a national network transportation management company whose sole shareholder shall be the State; the objective of this measure is to promote equal access of producers to the transport network and to stimulate competition among producers;

- electricity production and transmission concessions system for industrial purposes that allows start-up companies to generate electricity mainly to meet their industrial needs, with the obligation to provide a surplus for the transport network manager;
- setting up of an energy control and renewable energy development supervisory agency;
- setting up of an electricity development sector fund; and
- promoting renewable energy through yearly tax incentives in the Finance Law of each Fiscal Year.

#### **B: Energy Production Investments**

**521-** In 2011, major development projects were simultaneously implemented with ongoing programmes for adequate electricity supply.

# 1: Major Development Projects

- **522-** Construction of the Lom Pangar reservoir dam, Mekin hydroelectric plant, Kribi gas plant and the Memve'ele hydroelectric plant were launched. These investments are designed to strengthen electrical energy production capacity.
- **523-** Special attention was paid to riverine dwellers within the context of these development projects or those living in the project areas. They must have electricity or drinking water as the case may be.
- **534-** At the implementation phase, a real component of the project is the taking into account of local and national labour. This is the same case with the use of local materials and local subcontracting in each of the projects.

#### 2: Continuation of other Programmes

**525-** More than CFAF 2,000,000,000<sup>164</sup> inclusive of tax were mobilized in 2011 for about 200 affected localities within the context of the Decentralised Electrification Management Programme.

**526-** Furthermore, with regard to the Energy Sector Development Project, the Cameroon Government negotiated and obtained from the International Development Association a credit line of 39.9 million Special Drawing Rights, the equivalent of US \$ 65 million of which US \$ 45 million will be for funding during 5 years of a Rural Energy Fund to finance rural energy development services.

#### C: Electricity Sector Quality Service

**527-** Quality service control followed by amicable settlement of disputes relating to electrical energy supply guided the actions of public authorities.

**528-** Control missions were conducted in all regions of the country to ensure proper investments implementation provided for in the AES-SONEL business plan to improve service quality. Similarly, after visits to AES-SONEL's commercial services, recommendations were made to improve client reception.

**529-** A conciliation Commission was established by ARSEL pursuant to Decision No. 4/ARSEL/DG of 9 May 2011 thus formalising the existence of a team set up by Decision No. 24D/ARSEL/DG of 16 March 2011.

**530-** Its mission is to hear disputes between the consumer and AES-SONEL the public service electricity utility dealer. Petitions examined focused mainly on: overbilling, illegal or irregular electricity supply interruption, electrical energy fraud, delays in meter installations and invoice payments, non-refund of deposits at the end of contracts, repair of damage due to irregular current supply, voltage drop and fires generated by the malfunction of AES-SONEL equipment.

164 About 3,053,435.11 Euros.

234

**531-** About 300 consumer complaints were received at ARSEL out of which 289 were resolved in favour of the complainants, that is, in relative value, a rate of 93% of consumer complaints were resolved by the Agency. This measure was followed by the popularisation of electricity service distribution regulation. The instrument which regulates relations between the consumer and the utility dealer, AES-SONEL, makes operational the fines that AES-SONEL shall pay to consumers when it does not honour its trade obligations (non-timeliness of turnouts, billing errors, etc.).

#### §2: Water Sector Achievements

**532-** In 2011, measures focused on production, network expansion, procurement and drinking water shortage management crisis in certain areas of major urban centres.

**533-** Cooperation assistance by some donor countries and the World Bank worth US \$ 5.2 million for 40,000 connections performed by Camerounaise des Eaux (CDE) under CamWater control and an independent technical auditor was granted to Cameroon. It allowed for the realization of 5,731 connections in 2011.

**534-** Similarly, the Belgian project for the construction of 52 centres resulted in the signing of a loan agreement worth CFAF 6.575 billion for the first start-up phase of the rehabilitation, strengthening and extension of water systems in five cities: Bogo, Mbankomo, Jikejem-Oku, Douala and Maroua.

**535-** The emergency water shortage management programme, during the low water level in Yaounde, allowed for the construction of 10 reservoirs with a capacity of 6 m3 each in 10 sites in Yaounde (Carièrre, Catholic University of Central Africa, Mimboman, Emana, Nkolbisson, Messa me Ndongo, Ahala, Simbock, Oyomabang, Rond-point Damas), the purchase of 4 tankers for drinking water supply and the construction of 34 manual pump boreholes in Yaounde.

#### **SECTION 3: RIGHT TO ADEQUATE HOUSING**

**536-** The right to adequate housing is an essential element of the right to adequate standard of living. The effectiveness of this right can be assessed by criteria such as legal security of occupation, fitness for habitation, beneficiaries' capacity to pay, the existence of services, and the quality of material, equipment and infrastructure. In 2011, legal security of tenure initiatives were taken. But there was apathy for real estate development whose results remained below expectations.

### §1: Legal Security of Tenure

**537-** The framework for legal security of tenure was consolidated with the signing of the enabling instruments on the law on co-ownership of buildings. Measures were also taken to secure land title and the integrity of procedures, to better forecast land development in certain towns especially Douala, protect the rights of persons affected by major development projects and urban renovation and to punish violation of rules.

#### A: Legal Framework Consolidation

**538-** Two decrees where signed on 11 May 2011: Decree No. 2011/1131 to lay down conditions for the application of Law No. 2010/22 of 21 December 2010 relating to co-ownership of buildings and Decree No. 2011/1132 to lay down the conditions of access and exercise of the profession of property manager.

**539-** The first instrument distributes responsibilities in a co-ownership, administration and organisation of co-ownership, the manner of disposal of lots of structures built in co-ownership and co-ownership administration litigation.

**540-** The second instrument states the conditions of access and exercise of the profession of property manager. That profession can be exercised only by physical or moral persons of Cameroon nationality, or a national of a

State that has consolidated a reciprocity agreement with Cameroon, holders of a business licence issued by the Minister in charge of Housing. To become a property manager, applicants must take out a professional liability insurance and should not be barred by one of the disqualifications under section 45 of Law No. 2010/22 of 21 December 2010. The model and specifications for the property manager are fixed by order of the Minister in charge of Housing.

**541-** The following professions are incompatible with the profession of property manager: notary public, bailiff, lawyer, real estate developer, real estate agent, real estate expert, surveyor, urban planner, architect, legal counsel of moral or private persons, promoter of condominiums and business agents.

# **B:** Securing Land Title and Integrity of Procedures

**542-** Operations for securing land title were conducted through the establishment of the Single Geodetic Network Land-Based Reference Material. Several actions constitute these operations namely, the consolidation of 25 reference terminals attached to the GPS permanent global geodetic network, the manufacture of 500 terminal network base stations to equip all divisional, sub-divisional and council headquarters, laying out of 19,500 terminals on the densification network to equip Cameroonian towns and villages.

**543-** Moreover, the computerisation of landowners' file of Douala and Yaounde began with the installation of Douala's site, the constitution of the software and the database.

**544-** Finally, it is worthy of note that a code of good conduct for land professionals was drafted and adopted at the end of a seminar organised on 1 September 2011 on the theme: "The Contribution of Liberal Professions to the Harmonious Conduct and Integrity of Land, Estate and Cadastral Procedures".

# C: Launching of the Study on the Town Planning Master Plan (TMP) and Land Occupation Plan in Douala

**545-** Pursuant to law No. 2004/3 of 21 April 2004, governing urban planning, this involves developing by 2025:

#### (i) A TMP which lays down:

- basic, regulatory, administrative or financial directives for the development of Douala and its future extension areas;
- general land use;
- rolling programming of the implementation of the Plan including a plan-programme for a first 5 year execution phase;

#### (ii) Land use plans that:

- delimit each assignment area; and
- lay down for each of them, rules, restrictions and specific land use easements.

**546-** The main activities of this study are divided into four thrusts as follows:

- 1: establishing a diagnosis of the framework, urbanization process and development prospects of the city of Douala;
- 2: designing Douala's development scenarios;
- 3: organising public and targeted consultations on Douala's development scenarios; and
- 4: establishing a Town Planning Master Plan and land occupation plans.

# D: Preservation of the Populations' Rights in Major Development Projects

**547-** The preservation of the peoples' rights in the context of major development projects was ensured in 2011 by guaranteeing the right to compensation of persons who were victims of expropriation for public purposes.

With regard to the Memve'ele Hydroelectric Dam construction project, of the global award of CFAF 2,930,735,167<sup>165</sup>, CFAF 551,101,156<sup>166</sup> was assigned to compensation for destruction of buildings, CFAF 56,101,940<sup>167</sup> for compensation of the inhabitants of the left bank<sup>168</sup> and CFAF 494,999,216<sup>169</sup> for those of the right bank<sup>170</sup>.

### **E: Sanctions for Violation of Rules**

**548-** The reported sanctions concern non-payment of rents and non-compliance with expropriation procedures for public purposes. This last measure involves forced evictions and the cancellation of land titles.

### 1: Unpaid Rents

**549-** Forced evictions are carried out to the detriment of unscrupulous tenants for unpaid rents. The SIC indicates that a dozen unscrupulous tenants were evicted during the year of reference after judicial proceedings. The courts equally ordered the reinstatement of a tenant because SIC failed to respect legal expulsion procedures.

# 2: Non-compliance with Expropriation Procedures for Public Purposes

**550-** Sanctions in this regard included the cancellation of land titles and the reduction of compensations. 32 land titles were cancelled in relation to the Kribi Deep Sea Port Project. A second opinion on the assessment of property

<sup>165</sup> About 4,474,404 Euros.

<sup>166</sup> About 841,375 Euros.

<sup>167</sup> About 85,651 Euros.

<sup>168</sup> See Decree No. 2011-5139-PM of 19 December 2011to compensate victims of property destruction relating to the construction of the Memve'ele Hydroelectric Dam, on the left bank of the River Ntem at Nyabessang, Ma' an Subdivision, Ntem Valley.

<sup>169</sup> About 755,723 Euros

<sup>170</sup> See Decree No. 2011-5139-PM of 19 December 2011 to compensate victims of property destruction relating to the construction of the Memve'ele Hydroelectric Dam, Ma' an Subdivision, Ntem Valley.

# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

affected by expropriation for public purposes led to the reduction of the compensation amount from CFAF 23,612,644,128<sup>171</sup> to CFAF 14,270,017,889 <sup>172</sup>.

#### §2: Real Estate Development Apathy

**551-** Real estate development has not recorded results that can have a significant impact on housing deficit estimated at 1.6 million units. As regards public housing development, no house was delivered as expected in relation to the 10,000 housing programme launched in December 2009 by the Prime Minister, Head of Government. Nevertheless, SIC started the production of high quality housing and finalised the construction of 32 villas at Nkolondom in Yaounde. This operation was conducted with the assistance of a local bank specialising in the financing of housing that granted a credit of FCFA 2,700,000,000<sup>173</sup>.

**552-** Some initiatives may be highlighted with regard to private real estate promotion. Within the context of the Cité des Cadres Project at Ahala-Yaounde, which is a 770 housing project, the Société de Promotion Immobilière Nationale delivered 224 houses<sup>174</sup>. The Société immobilière de L'AFAMBA put 20 houses at the disposal of buyers. Mention can also be made of the construction project of 100 housing units by the Authentic Developers Corporation company on the road to Mfou that constructed 120 houses in 2011. Finally, the Deputy Secretary-General at the Prime Minister's Office inaugurated, on 15 June 2011, a 50 housing units project launched in Nyom 2 in Yaounde by the Mutuelle pour la Promotion Foncière.

<sup>171</sup> About 36,049,838.36 Euros.

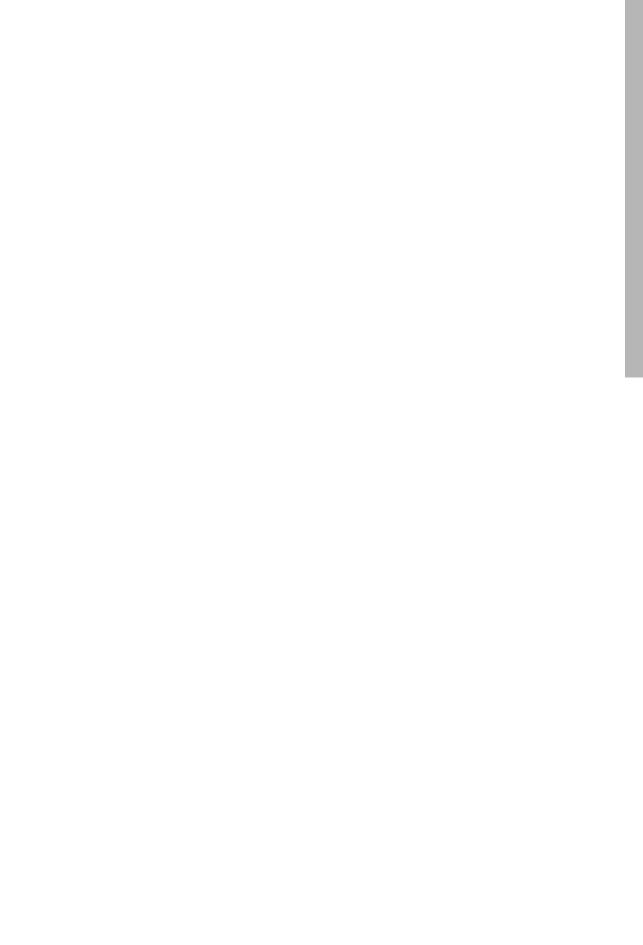
<sup>172</sup> About 21,786,286.85 Euros.

<sup>173</sup> About 412,213.740 Euros. Part of this funding will be assigned to the construction of 32 apartments at Hippodrome in Yaounde whose work started in 2012.

<sup>174</sup> The company aims at launching in 2012, a 3,000 housing unit project called Sappeli City located in Nkongoa, on the Yaounde-Mfou road

# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

**553-** The achievements in 2011 reflect the State's will to improve the peoples' living conditions. However, measures must be enhanced to ensure food security, compensate the short supply in energy, water and housing which remain essential concerns. The optimal implementation of the new agricultural policy, development projects in the short and medium term could help raise the level of satisfaction of the populations' needs and significantly reduce current deviations from the universally recommended standards.



# Chapter

RIGHT TO WORK AND SOCIAL SECURITY



**554-** GESP that incorporates the Millennium Development Goals takes into account the valorisation of human resources in the development process. This objective guided the actions carried out in 2011 for the promotion and protection of the right to work and the strengthening of the right to social security.

#### SECTION 1: PROMOTION AND PROTECTION OF THE RIGHT TO WORK

**555-** Actions for the promotion and protection of the right to work are centred on measures for access to decent employment, especially for young people, the improvement of working conditions and the taking into account of the rights of vulnerable categories.

#### §1: Measures for Access to Decent Employment

**556-** Measures for access to decent employment focus on two essential points: activities for professional integration and recruitment into the Public Service.

# A: Activities for Professional Integration

**557-** These activities include structural initiatives and work placement.

#### 1: Structural Initiatives

#### **558-** Structural initiatives comprise the:

- 4th edition of the Forum on Skills in the Diaspora (Draw a Vision for Cameroon (DAVOC 2011) organised in May 2011 with MINREX and the network of organisations of the diaspora, Cameroonian Skills Abroad-Network, on the theme "Cameroonians in the Diaspora and Innovation: Assessment and Prospects". The main resolutions concerned the establishment of a Diaspora Investment Fund, a Diaspora Experts Observatory, the implementation of the electronic directory of Cameroonian Experts in the Diaspora and the institutionalisation of the DAVOC Forum.

- organisation of a Trades Fair from 3 to 6 August 2011 in Yaounde and an Employment Fair on 8 August 2011 in Douala. These events brought job seekers and young people in contact with economic operators and professionals to familiarise them with the requirements of the labour market and how best to choose a future profession;
- the Emergency Employment Plan which is being drawn up and whose main objective is to ensure better integration of the active population in general and youths in particular into professional life;
- pursuit of multiform support by the International Labour Office (ILO) within the context of the Support Project for Employment Promotion and Poverty Reduction (APERP);
- redesigning the organisation chart of the Ministry of Employment and Vocational Training (MINEFOP) for a better performance in achieving its missions. Thus, the following technical departments have been established at the central service: the Division for the Promotion of Employment, Division of Studies, Projections and Cooperation; the Department of Labour Regulation and the Department of Training and Vocational Guidance<sup>175</sup>.

#### 2: Work Placement

**559-** Within the framework of its missions, the National Employment Fund (NEF) enabled 33,854 people to be employed against 28,322 in 2010, that is, an increase of 20% in 2011. 76 employment counsellors, throughout the 10 Regions of Cameroon, were available to welcome, inform, register, interview, guide and follow-up 31,328 job seekers as against 24,823 in 2010, representing an increase of 26%.

**560-** NEF simultaneously provides free services to all users and offers job opportunities through the following programmes:

- the Self-employment and Micro-enterprises Programme which aims at promoting through the funding of projects, the setting up of activities both as group or individual projects. Thus, 3,100 projects were funded that generated 4,838 jobs. The Rural Employment Development

<sup>175</sup> See Decree No. 2011/126 of 23 May 2011 to organize the Ministry of Labour and Vocational Training.

Support Programme that focuses on rural areas and especially any organised group comprising people of both sex, contributed, inter alia, in strengthening food self-sufficiency, reducing urban unemployment by making the living conditions of the beneficiaries attractive, which beneficiaries increased by more than 100% (1,206 in 2010 against 2,975 in 2011);

- vocational training which enabled 3,900 young people to acquire trades in different areas against 2,163 in 2010, that is, an increase of about 45%;
- the Graduate Employment Programme which enabled 402 unexperienced young people to gain paid employment through in-company pre-employment training;
- the organisation of 136 sessions on job search techniques for 2,880 job seekers, that is 1,028 more job seekers than in 2010; and
- information programmes aimed at guiding and training youths on work requirements, through various activities, including the Youth Employment Week, 46 sessions on Internship Initiative on Corporate Life, 21 sessions on School Vocational Guidance and University Vocational Guidance.
- **561-** In addition, MINEFOP's Regional and Divisional Delegations enabled 2,763 job seekers to get paid employment while temporary work companies facilitated 12,026 workers, including 8,427 men and 3, 599 women to be put at the disposal of companies.
- **562-** Alongside these measures to enhance integration of the youths into professional life, there were recruitments into the Public Service.

#### B: Recruitment into the Public Service

**563-** The special recruitment of 25,000 graduates into the Public Service sparked a ray of hope for unemployed youths. Alongside this operation, recruitments were made to strengthen and renew skilled manpower.

# 1: Special Recruitment of 25,000 Graduates into the Public Service

**564-** Announced by the President of the Republic in February 2011 in his speech marking the celebration of the youth day, the special recruitment of 25,000 graduates into the Public Service has helped many young people who fulfill the employment conditions to have jobs.

# a) Eligibility Conditions

- **565-** The special recruitment of 25,000 graduates was a vast operation based on the need for greater professional integration, compounded by the human resources needs of Government faced with lack of personnel.
- **566-** Carried out primarily by study of files, the recruitment was opened to Cameroonians including those living abroad, of at most 40 years of age, and holders of any diploma issued at the primary, secondary, university and professional levels. The candidates were exempted from the payment of registration fees except the required stamps. Vacancies existed, among others, in the following areas: law, medicine, social affairs, agriculture, documentation, rural engineering, hostelry, catering, tourism, social, scientific and technological research; primary, secondary and higher education.
- **567-** At the end of the file review, applicants who fulfilled the required conditions were selected and deployed in the different services.

# b) Recruitment Outcome: Statistics and Categories of Vulnerable People Selected

**568-** At the expiry of the submission deadline, 304,130 files were registered. The selection of recruits took the following criteria into account: age, performance, regional balance, marital status and categories of vulnerable people, including people with disabilities and women. To this end, 25,012 candidates were shortlisted, the 12 additional candidates were considered as a predictive safety margin to fill cases of withdrawals, irregularities and absence. Through the selection they were deployed in different central and decentralised administrative units.

Table 1: Summary of recruitment files received and signing of draft contracts

	Phase	1 (7-16 September 201	11)		
Expected files	Files re	eceived	Gap		
6378	5178		-1200		
	Phase	2 (19-29 October 201	1)		
Expected files	Files re	eceived	G	ap	
5775	47	23	-1052		
	Pha	se 3 (9-18 November 2	<u> </u> 2011)		
Region	Expected files	Balance phase 1	Balance phase 2	Total expected files	
Adamawa	839	14	37	890	
Centre	4721	653	178	5552	
Centre2 (Diaspora)	32	84	10	126	
East	918	20	37	975	
Far North	875	45	38	958	
Littoral	1686	189	231	2106	
North	790	20	38	848	
North West	201	68	178	447	
West	230	34	94	358	
South	843	14	54	911	
South West	597	59	157	813	
Total	11 732	1200	1052	13 984	

Source: Cameroon Tribune of 14 November 2011

**Table 2:** Shortlisted candidates by age group 176

Age group	Workforce	%
Less than 25 years	2702	10.80
25-34 years	15 110	60.41
35-40 years	7200	28.79
Total	25 012	100

Source: Cameroon Tribune of 14 November 2011

176 Ibid.

Table 3: Shortlisted candidates by sex

Age group	Workforce	%
Female		45. 026
	11 262	
Male		54. 974
	13 750	
Total	25 012	100

**Source:** Cameroon Tribune of 14 November 2011

Table 4: Number of pre-selected persons with disabilities

Persons with disabilities	Workforce	%
Persons without disabilities	24 960	99.79
Persons with disabilities	52	0.217
Total	25 012	100

**Source:** Cameroon Tribune of 14 November 2011

**569-** However, motivated by Law No.2010/2 of 13 April 2010 relating to the protection and welfare of persons with disabilities, some civil society organisations clamoured for fair access to employment for people with disabilities in the recruitment. The action resulted in the increase of the number of persons with disabilities from 52 to 400 in that special recruitment, that is, 1.59%.

#### 2: Traditional Recruitment Operations

**570-** Recruitment made to strengthen and renew skilled manpower led to the results in the following table:

Table 5: Recruitment of skilled manpower

No.	Type of Competitive Examination	Corps	Workforce
1	Direct Competitive Examination	Social Affairs	2535
2	Scholarship Competitive Examination	Demography, Statistics, Physical Education and Sports and Youth and Animation	1180
3	Professional Competitive Examination	Public Service Corps	1510
4	Special Competitive Examination	National Education and Treasury	850
5	Recruitment of Workers by Decision	MINFOPRA	127
6	Recruitment by HIPC and C2D	МОН	2481
7	Recruitment of Part-time Technical Education Teachers	MINESEC and MINEFOP	376
8	Annual Recruitment by Professional Schools	State	5775
Total	,		14 834

Source: MINFORPA

**571-** Ultimately, the Public Service recruited 39,834 people (including 25,000 recruits) in 2011 against 22, 788 in 2010. To ensure a better follow-up of the career of public employees, the deployment of SIGIPES continued, thereby providing 33 out of 36 ministries with this tool, representing a deployment rate of 91.66%. Similarly, the timeframe for absorbing the new public servants dropped from 24 months in 2010 to 9 months in 2011, thus contributing to the improvement of their working conditions.

# §2: Improvement of Working Conditions

**572-** This paragraph will deal with measures for the preservation of freedom of association, the defence of workers' interests, labour dispute management and activities to ensure health and safety at work.

#### A: Measures to Preserve Freedom of Association

**573-** Trade union action impacts on the improvement of working conditions while contributing to the smooth running and growth of the enterprise. In general, labour and workers unions play a primordial role in social conflict resolution as well as in the implementation of social dialogue as a tool for corporate management.

**574-** During the reference period, there was a significant change in the number of trade unions. There are 169 employers' unions and 540 workers unions giving a total of 709 registered unions. They can be split into 6 professional associations and 10 workers unions. The table below summarises the 19 new unions registered in 2011.

**Table 6:** List of unions registered in 2011

No.	Region	Name	Branch of Activity	Chairperson	Registration No.	Registration Date	Address and Location
1		National Union of workers in public works, the building, careers and business activities of Cameroon (SNTETPBCAC)	Building and Construction	NKOA Pascal	SN/I/96	02/21/2011	Yaounde
2	Q	National Confederation Agreement of Trade Union Workers of Cameroon (ENTENTE)	Union Central	ESSIGA ANANGA Benoit	ENT/CE/9	02/21/2011	P.O. BOX 998 Yaounde
3	CENTRE	National Union of Urban Drivers of Cameroon (SYNACOPUCAM)	Transport	NJI Jean Vidal	SN/I/92	02/24/2011	P.O. BOX Yaounde
4		National Union of Independent Photographers of Cameroon (SYNAPICAM)	Services	TOCHE taboo Pascal	SN/I/101	04/18/2011	P.O. BOX Yaounde
5		National Union of Cameroon (SYNTRAC)	Agriculture	TOUYE Valentin	SN/I /.	04/18/2011	P.O. BOX
6		National Union of Transport Workers of Cameroon (SYNTRACAM)	Urban Transport	NANG Israel	SN/I/99	04/18/2011	Yaounde
7		National Union of Taxi Drivers in Activity of Cameroon (SYNTACAM)	UrbanTransport	CHIMI LOTCHANG Justin	SN: I/100	04/18/2011	Yaounde
8		Autonomous Trade Union of Workers in charge of the Cleaning Up of the Mfoundi (SATAM)	Public Works	ASSALA Gaston	SID/105	07/26/2011	Yaounde
9		Regional Union of Horticulturists, Gardeners and Florists Decorators of the Centre (SYNRERJAFLEDEC)	Farmer	ATEBA Barnabé Joel	SID/106	07/26/2011	P.O. BOX 11496 Yaounde
10		Union of Cameroon Artisans (SAC)	Informal	ABEDE ABEGA Désiré	SN/I/104	12/27/2011	P.O. BOX 5808 Yaounde

## Report by the Ministry of Justice on Human Rights in Cameroon in 2011

No.	Region	Name	Branch of Activity	Chairperson	Registration No.	Registration Date	Address and Location
11		National Union of Workers of the Environment and Ferrous and Non- ferrous Metal Exploitation of Cameroon (SYNETMEFCAM)	Processing Industry	NATADJOM TENE Boniface	SN/I/105	12/27/2011	P.O. BOX 15276 Yaounde
12		Assembly of Food Products Importers of Cameroon (REGIPAC)	Trade	Martin NGOUCHET	E4/174	02/21/2011	P.O. BOX 4157 Douala
13		Divisional Union of Transit and Port Handling Workers of the Wouri (SDTTMPAW)	Transit	DIPOMBI Amos	SID/102	02/21/2011	P.O. BOX 3945 Douala
14	LITTORAL	Trade Union Organization of Drivers of Mototaxis, Tricycles and Related Workers of Cameroon (OSYCOMOTTAC)	Urban Transport	KWEMO Bernard	SN/I/98	04/04/2011	P.O. BOX 206 Douala
15		Divisional Union of Food Industries Workers of the Wouri (SDTIAW)	Processing Industry	NITCHEU WALLA Charles	SID/103	04/04/2011	P.O. BOX 1838 Douala
16		National Union of Naval Repairs Workers and Related Activities of Cameroon (SYNTRENAC)	Maritime transport	MOUE Emmanuel	SN/I/97	04/04/2011	P.O. BOX 2377 Douala
17		National Union of Cameroon Footballers (SYNAFOC)	—Sports and — Recration	David — MAYEBI	SN/I/107	10/25/2011	P.O. BOX 2648 Douala
18		National Union of Driving Schools of Cameroon (SYNAEC)	Services	NGATCHA Martin	SN/I/103	11/17/2011	P.O. BOX Douala
19	ADAMAWA	Regional Union of Motorcycle Taximen of the Adamawa (SYNTAMOTAD)	Urban Transport	YARO Abdoulhakim	SID/104	04/18/2011	P.O. BOX 560 Ngaoundere

Source: MINTSS

**575-** The different trade union confederations were involved in the election of staff delegates.

#### B: Protection of Workers' Interests

**576-** In fulfilling his representation duty, the staff delegate participates in the protection of workers' interests. Staff delegates were elected throughout the country from 1 February to 30 April 2011. The elections resulted in the choice of 8,297 staff delegates distributed according to their Union membership as follows:

**Table 7:** National classification of trade union confederations after the election of staff delegates in 2011

Rank	Trade Union	Number of Elected Delegates	Percentage (%)
1st	Central Union of Workers of Cameroon (CSEC)	3,007	36.24
2nd	CSAC (Idem)	1,065	12.84
3rd	USLC (Union of Free Trade Unions of Cameroon)	935	11.27
4th	UGTC (Idem)	446	5.38
5th	CTC (Cameroon Labour Confederation)	190	2.29
6th	CGT - L (Idem)	135	1.63
7th	CSIC (Idem)	69	0.83
8th	ACCL (Cameroon United Workers Confederation)	37	0.45
9th	CGTSC (Idem)	16	0.19
	Independent Delegates	1,737	20.94
	Autonomous Federations	660	7.95
	National Total	8,297	100%

**Source: MINTSS** 

#### C: Health and Safety at Workplace

**577-** Many companies were inspected by occupational physicians and labour inspectors.

**578-** 604 company inspection visits were conducted with 1,988 reports on offences established concerning 25,438 workers. It follows from these inspections that 422 industrial accidents were reported out of which 12 were fatal. There was a considerable drop in the statistics of previous years with about 50 cases of death for 1,555 reported cases.

#### D: Labour Dispute Management

**579-** This part examines the management of disputes in labour inspectorates and provides information on trends on unfair dismissal proceedings before certain courts.

#### 1: Labour Disputes

**580-** Labour Inspectorates recorded 9,309 labour disputes, including 833 collective disputes and 8,309 individual disputes in 2011. They drew up 1,601 reconciliation reports and 876 non-renconciliation reports. Moreover, there were 1,165 cases of worker lay-offs.

581- Lay-off procedures in certain courts

Table 8: Lay-off procedures in some courts

		er of m			er of m		Nu	mber of	matters	heard ar	d deterr	nined
	instituted at the instance of the Employers		instituted at the instance of the employees		In Favour of the Employee		In Favour of the Employer					
	<u>CFI</u>	<u>HC</u>	<u>CA</u>	<u>CFI</u>	<u>HC</u>	<u>CA</u>	<u>CFI</u>	<u>HC</u>	<u>CA</u>	<u>CFI</u>	<u>HC</u>	<u>CA</u>
Unfair Lay-offs	329 <sup>177</sup>	47 <sup>178</sup>	280 <sup>179</sup>	1283 <sup>180</sup>	498 <sup>181</sup>	1150 <sup>182</sup>	836 <sup>183</sup>	166 <sup>184</sup>	465 <sup>185</sup>	281 <sup>186</sup>	87 <sup>187</sup>	303 <sup>188</sup>

**Source: MINJUSTICE** 

<sup>177</sup> Data collected from 13 CFI as follows: Far North 1, North 1, Adamawa 1, Centre 6, Littoral 1, West, South 1 and West 2.

<sup>178</sup> Data collected from 11 HC as follows: Adamawa 1, Centre 7, Littoral 2 and South 1.

<sup>179</sup> Data collected from the following 8 CA: Far North, Adamawa, Centre, Littoral, West and East.

<sup>180</sup> Data collected from the following 48 CFI: Far North 3, North 1, Adamawa 4, Centre 11, Littoral 6, South 3, West 9 and East 4, South West 2 and North West 5.

<sup>181</sup> Data collected from 33 HC as follows: Far North 1, North 2, Adamawa 4, Centre 7, Littoral 5, South 2, West 6, East 4, South West 1 and North West1.

<sup>182</sup> Data collected from the following 7 CA: Far North, North, Centre, Littoral, South, West and East.

<sup>183</sup> Data collected from the following 31 CFI: Far North 3, North 1, Adamawa 2, Centre 5, Littoral 5, South 2, West 7, East 2 and North West 2.

<sup>184</sup> Data collected from 22 HC as follows: Far North1, North 1, Adamawa 1, Centre 5, Littoral 2, South 2, West 5 East 2 and North West 2.

<sup>185</sup> Data collected from the following 7 CA: Far North, North, Centre, Littoral, South, West and East.

<sup>186</sup> Data collected from 28 HC and CFI as follows: 2 in the Far North, 1 in the Adamawa, 6 in the Centre, 3 in the Littoral, 2 in the South, 8 in the West, 3 in the East, 1 in the South West and 2 in the North West.

<sup>188</sup> Data from 7 CA as follows: Far North, North, Centre, Littoral, South, West and East.

#### § 3: Rights of Vulnerable Categories

**582-** The situation of migrant and domestic workers was given attention.

#### A: Migrant Workers

**583-** Memorandums of understanding concerning migrant workers <sup>189</sup> were signed between Cameroon and some countries including France on social security which is the main problem faced by this category of workers at the age of retirement. These memorandums fall under the General Convention on Social Security between France and Cameroon of 5 November 1990 amended in 2003. The reciprocity agreement aims at equal social security treatment for French and Cameroonian workers. The Convention enshrines the principles of aggregation of insurance periods, apportionment, and conservation of gains and maintenance of rights in course of acquisition. It encourages workers at the end of their career to return to their respective countries guaranteeing their right to pension.

#### **B: Domestic Workers**

**584-** With regard to the rights of domestic workers, civil society actors (Horizons Femmes, NDH-Cameroon and the FOCAP), in collaboration with MINPROFF, organised a workshop on the development of the legal and social protection of domestic workers from 24 to 25 November 2011 in Yaounde.

**585-** Actions for the promotion of decent work and the improvement of fair working conditions were accompanied by actions for strengthening the right to social security.

<sup>189</sup> Cameroon ratified the ILO Migrant's Convention 143 on 4 July 1984.

#### SECTION 2: ACTIONS FOR STRENGTHENING THE RIGHT TO SOCIAL SECURITY

**586-** Actions to ensure social security in 2011 focused on measures on the effective enjoyment of the right to social security and social welfare proceedings.

#### §1: Enjoyment of the Right to Social Security

**587-** The number of insured people increased in 2011. The recovery of social insurance contributions from employers resulted in the payment of social benefits. However, irregularities were observed in social benefits and penalties were imposed on companies for non-compliance with their social security obligations.

#### A: Increase in the Number of Insured Persons

**588-** The NSIF registered 5,510 new employers and 35,986 newly insured people. Thus, the number of taxpayers has increased from 500,565 insured in 2010 to 542,061 in 2011.

#### **B:** Recovery of Social Security Contributions

**589-** The sum of CFAF 92,200,000,000<sup>190</sup> was recovered in 2011 from employers as social security contributions against CFAF 89,300,000,000<sup>191</sup> in 2010, recording an increase of about CFAF 7 billion<sup>192</sup>.

#### C: Social Benefits Payment

**590-** In 2011, the NSIF made payments worth CFAF 68,592,074,581<sup>193</sup>. The table below shows the distribution of this amount by branches covered in respect of social benefits and specific number of beneficiaries.

<sup>190</sup> About 14,045,801 Euros

<sup>191</sup> About 136,335,877 Euros

<sup>192</sup> About 10,687,022 Euros

<sup>193</sup> About 97, 268,787.71Euros

Table 9: Social benefits payment

BRANCHES COVERED	AMOUNT IN CFAF	BENEFICIARIES
Old-age, invalidity, death pension	52,225,215,703 <sup>194</sup>	84,204
Occupational risks, occupational diseases and industrial accidents	2,586,861,230 <sup>195</sup>	3,613
Family benefits	6,898,979,022 <sup>196</sup>	104,000
Health and social care	1,930,528,815 <sup>197</sup>	
Care facility	4,960,489,811 <sup>198</sup>	

Source: NSIF

#### D: Irregularities Related to Payment of Social Benefits

**591-** Set up by Decision No. 822/09/DG/NSIF of 26 June 2009 to eradicate massive fraud by some insured people, the Committee responsible for the Verification of the Authenticity of Civil status Documents and School Attendance Certificates (OVAPECS) produced by beneficiaries of various NSIF social benefits has so far achieved the following results: of 194,701 birth certificates controlled, 16,184 were fake, giving an irregularity rate of 8.31%; of 230,624 school attendance certificates verified, 18,628 were fake, giving an irregularity rate of 8.08%. Thus, fraudster pensioners unduly collected benefits worth CFAF 1,965,455,518<sup>199</sup>, of which CFAF 206,137,475<sup>200</sup> has already been recovered by the NSIF, giving a 14% recovery rate. In total, 13,246 recipients and 31,514 of their children were suspended from the beneficiary file index.

#### E: Sanctions to Companies for Non-compliance with their Social Security Obligations

**592-** Of the 32,249 employers currently registered in the NSIF employers file, 8,000 owing a debt of CFAF 42 billion<sup>201</sup>, whose certificate of indebtedness were sent to the tax authorities for forced recovery since 2009, made advance payments of about CFAF 5.5 billion<sup>202</sup>. Premiums and penalties for delayed payments were levied on delinquent employers.

<sup>194</sup> About 79, 733,153.74 Euros

<sup>195</sup> About 3,949,406.46 Euros

<sup>196</sup> About 10,532,792.4 Euros

<sup>197</sup> About 2,947,372 Euros

<sup>198</sup> About 7,573,266 Euros

<sup>199</sup> About 2,222,166.36 Euros

<sup>200</sup> About 314,713.70 Euros

<sup>201</sup> About 64,122,137.40 Euros

<sup>202</sup> About 83,969,465.65 Euros

#### §2: Social Welfare Litigation

**593**-Appeals Committees and Courts heard and determined social welfare disputes.

#### A: Disputes before the Appeals Committee

**594-** These concerned both the recovery of social contributions and the payment of social benefits.

#### 1: Disputes on the Recovery of Social Security Contributions

**595-** In 2011, 119 queries were addressed to the Appeals Committee to challenge social contribution adjustments made by NSIF controllers. The Committee ruled on all of these motions and adjourned 4 of them for more information. Among the delinquent social contribution employers whose appeals were dismissed before the Appeals Committee, 25 instituted proceedings before the Administrative Bench of the Supreme Court, to quash the decisions of the Appeals Committee which were unfavourable.

#### 2: Disputes on Payment of Social Benefits

**596-** 207 petitions were addressed by insured persons to the Appeals Committee to challenge the decisions rejecting their applications for social benefits. Out of the 207 petitions, the Committee reviewed 82, rendered 72 decisions and adjourned 10 for more information.

#### **B:** Disputes before the Courts

**597-** The table below shows the trends in judicial proceedings on social welfare disputes.

Table 10: Trends in social welfare disputes before some courts

	N	umber	of	Numb	Number of matters			Number of matters heard and determined						
	at th	ers insti e instan	ice of	instance of the		In Favour of the Employee		he	In Favour of the Employer					
	the	Employ	yers	e	mploye	es								
Social	<u>CFI</u>	<u>HC</u>	<u>CA</u>	<u>CFI</u>	<u>HC</u>	<u>CA</u>	<u>CFI</u>	<u>HC</u>	<u>CA</u>	<u>CFI</u>	<u>HC</u>	<u>CA</u>		
Welfare														
Disputes														
	00	7 <sup>203</sup>	00	1204	31 <sup>205</sup>	$11^{206}$	00	1 <sup>207</sup>	$9^{208}$	00	$2^{209}$	$2^{210}$		

**Source: MINJUSTICE** 

**598-** In 2011, the Government worked for the implementation of the right to work and social security. The major element of this commitment is the culmination of the special recruitment of 25,000 young people into the Public Service. The ongoing efforts crystallize the desire to ensure access to employment and decent working conditions.

<sup>203</sup> Data collected from 4 HC as follows: 1 in the Centre, 1in the Littoral and 3 in the West.

<sup>204</sup> Data collected from a CFI in the Western Region.

<sup>205</sup> Data collected from 3 HC as follows: 1 in the Centre, 1 in the Littoral and 1 in the South.

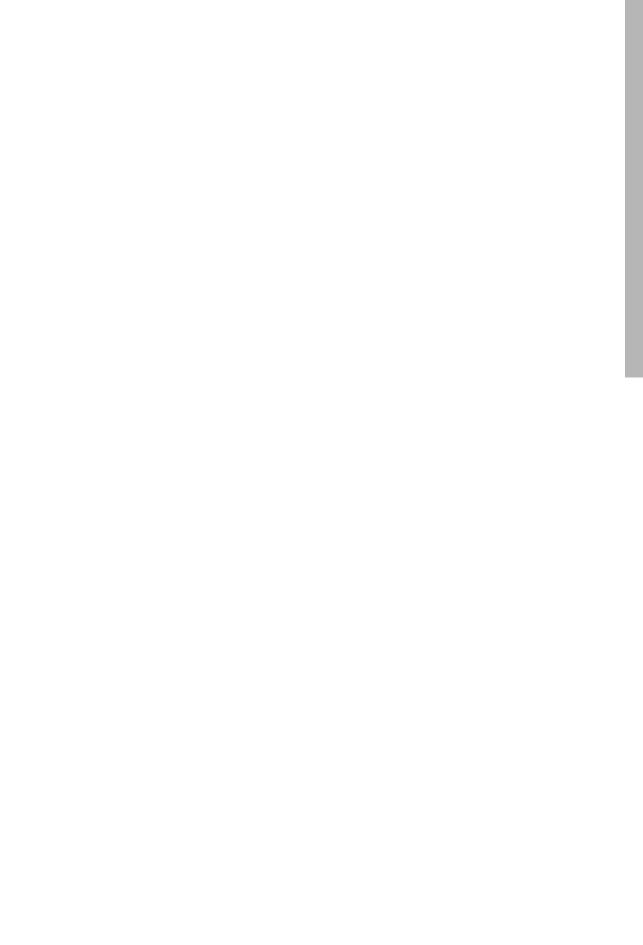
<sup>206</sup> Data collected from 3 CA as follows: North, Littoral and West.

<sup>207</sup> Data collected from the CA, Littoral.

<sup>208</sup> Data collected from the CA, Littoral.

<sup>209</sup> Data collected from 3 HC as follows: 1 in the Centre, 1 in the Littoral and 1 in the South.

<sup>210</sup> Data collected from the following 2 CA: Littoral and West.



# Chapter 6 RIGHT TO CULTURE



**599-** In 2011, many actions were carried out to guarantee the promotion and protection of the right to culture.

#### **SECTION 1: PROMOTION OF THE RIGHT TO CULTURE**

**600-** Cultural cooperation agreements were signed with bilateral partners (including Tunisia, Brazil, and China) for the promotion of culture and heritage that essentially resulted in the mobilisation of cultural dissemination vectors.

#### §1: Promoting Cultural Creativity and Mobilisation of Cultural Dissemination Vectors

**601-** The dissemination of culture was conducted through cultural celebrations and the development of institutional channels.

#### A: Cultural Events

**602-** Many cultural manifestations, festivals and encounters were organised both by groups of artists, local communities or cultural entrepreneurs in different domains like theatre, cinema or music. To encourage excellence in designing, producing and disseminating creative works, the State has, pursuant to the provisions of Decree No. 2001/389 of 5 December 2001 to set up a special account for the support of cultural policy with an annual endowment of FCFA 1,000,000,000<sup>211</sup>, provided many grants to these initiatives.

#### **B:** Dissemination Channels

**603-** Radio, television and print media, both public and private, devote more and more airtime to cultural programmes.

**604-** In addition, the network of public libraries has been extended. Thus, eight out of ten Regions are currently equipped with a public library.

**605-** With regard to performances, Regional and Local Authorities were sensitised on the need to provide, in their management plans, for cultural dissemination, in accordance with the laws and regulations in force on decentralisation.

-

<sup>211</sup> About 1,526,717.56 Euros

**606-** Government on its part decided to gradually construct and provide each regional headquarter with at least one cultural centre. In this regard, the foundation stone of that of Limbe was laid in 2011.

#### SECTION 2: PROTECTION OF THE RIGHT TO CULTURE

**607-** Apart from Cameroon's deposit of the ratification instrument for the safeguarding of intangible cultural heritage at UNESCO, the Government continued to encourage the conservation of royal palaces by supporting the heritage valorisation programme known as "the Road of Chiefdoms" consisting of the cultural development of the highlands of the Western part of Cameroon.

**608-** Actions in this domain focused essentially on the protection of the material and moral interests of artists by the setting up of an Arbitration Commission in MINCAC and the increase of their royalties.

#### § 1: Arbitration Commission

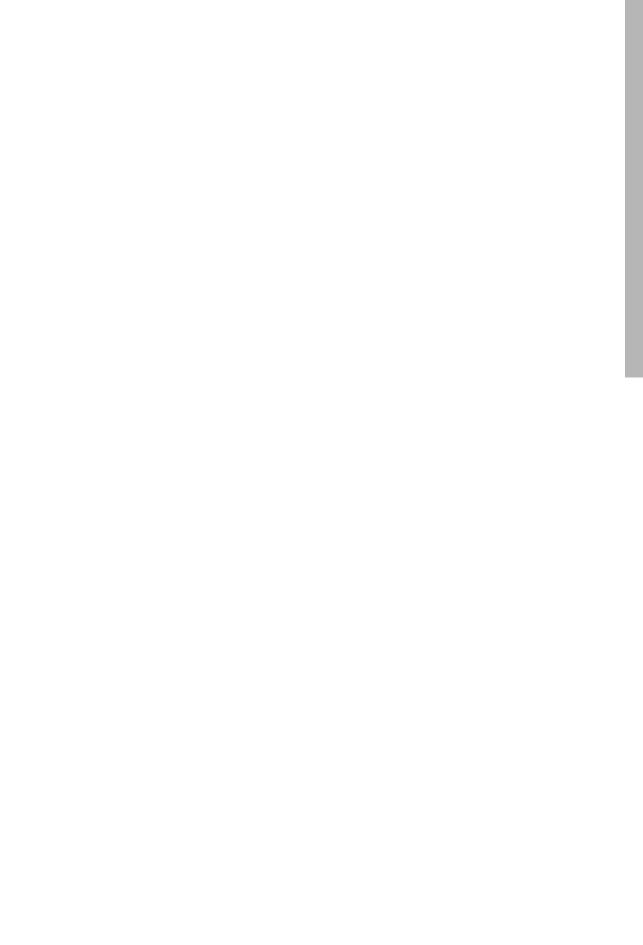
**609-** Pursuant to the provisions of Section 62 of Law No.2000/11 of 19 December 2000 on copyright and neighbouring rights, the Arbitration Commission was put in place by Decision No.55/MINCULT/CAB of 27 May 2011. The Commission is responsible for delivering the final ruling on the rate and the terms of payment of the remuneration of phonograms produced for commercial purposes, when an agreement could not be reached between the competent collective management body in charge of fixing the rate and people using these phonograms for commercial purposes.

#### § 2: Increase in Royalties

**610-** In order to increase royalties, emphasis was laid on raising the awareness of major users on the importance of paying royalties. Thus, on 28 July 2011 a memorandum of understanding was signed between organisations responsible for collective management of copyright and neighbouring rights and the Directorate General of Customs to collect duties on blank audio media for recording or reproducing intellectual works.

### Report by the Ministry of Justice on Human Rights in Cameroon in 2011

**611-** It follows from the foregoing that the promotion and protection of the right to culture has been at the centre of Government's concerns, supported by national and international partners. Current initiatives would be more visible if they are intensified through especially the effective construction of theatres and better management of artists' material and moral interests.



# Chapter 7 RIGHT TO HEALTHY ENVIRONMENT



**612-** Measures aimed at reducing pollution and filth through biodiversity conservation and sustainable management of forest and wildlife resources as well as the settlement of forest and environmental disputes were taken to achieve the right to a healthy environment in Cameroon in 2011.

#### **SECTION 1: POLLUTION AND FILTH CONTROL**

**613-** This section focuses on the legal framework, hygiene, sanitation and waste management campaigns, and environmental inspections.

#### §1: Legal Framework

**614-** In 2011, the following instruments were adopted:

- Decree No. 2011/2582/PM of 23 August 2011 on the protection of the atmosphere. It defines and lists the following controlled air pollutants:
- radioactive air pollutants (krypton and radon);
- gaseous and dust pollutants (hydrochloric acid (HCI); carbon monoxide (CO); mercaptan; carbon dioxide (CO2); volatile organic compounds (VOC); benzene (C6H6); nitrogen oxide (NO2); dinitrogen monoxide (N2O); photochemical oxidant smogs; metals and non metals; fluorine and fluorinated pollutants; methane (CH4); suspended particulates (SPM); lead (Pb); sulphur; sulphurous acid (H2S); sulphur dioxide (SO2);
- chlorofluorocarbons (CFC);
- persistent organic pollutants (POP); and
- ozone depleting substances (ODS) contained in the appendix of the Montreal Protocol of 1987 and its amendments. The appendix identifies air polluting industries<sup>212</sup>.

<sup>212</sup> The following industries may pollute the atmosphere: (1) crude metals and iron ore; (2) breweries; (3) cement; (4) charcoal; (5) copper smelting; (6) dairy industry; (7) dye manufacturing, (8) galvanising industry; (9) smelting; (10) fruits and vegetables processing; (11) industrial facilities; (12) iron and steel production; (13) lead and zinc melting; (14) forest exploitation and logging; (15) sawmill; (16) butchery and meat processing; (17) fertilizers; (18) oil and gas exploitation; (19) pesticides formulation; (20) pesticides production; (21) petrochemicals; (22) oil refining; (23) printing; (24) pulp and paper; (25) sugar production; (26) tanning and leather manufacturing; (27) textiles industry; (28) (new) thermal power plant; (29) (existing and modified) thermal power plant; (30) production of vegetable oils; (31) wood preservation industry; (32) and all other industries identified by the Ministry for Environment after consultation with the competent authorities.

- Decree No. 2011/2583/PM of 23 August 2011 governing sound and odour nuisance applies to all types of noise including noisy occupation that disturb neighbours, dangerous, unhealthy or uncomfortable establishments, noise from mines and quarries, public and private work areas as well as transportation sources. It also applies to all odours that can produce olfactory nuisance containing the following chemical compounds: volatile organic compounds (alcohol and benzenol, aldehydes and acetones, organic acids, esters, terpenes, amines, benzene compounds, non-cyclic hydrocarbons, mercaptans and reduced sulphur), ammonia, and hydrogen sulphide.

The decree further prescribes administrative sanctions in case of non compliance with the limits laid down by the sound and odour pollution standards<sup>213</sup>;

- Decree No. 2011/2584/PM of 23 August 2011 to lay down conditions for the protection of soils and subsoils. It lays down special conditions for the protection of soils and subsoils against erosion and desertification, and the conditions for reduction of pollution of the soil and its resources by chemical products, pesticides and fertilizers. The decree prohibits exploitation in high-risk erosion areas, and confers on the Senior Divisional Officer, the powers to delimit by order on the proposal of the competent technical authorities, high-risk areas as well as take security measures. This decree obliges all physical persons and corporate bodies, who own a farm business or intensively use fertilizers and/or pesticides or conditioning equipment, to regularly assess their environmental impact;
- Decree No. 2011/2585/PM of 23 August 2011 to draw up the list of hazardous and noxious substances and their disposal in continental waters. This decree prohibits the disposal, deposit, immersion or the direct or indirect introduction of the following hazardous and noxious substances in Cameroon's continental waters: chlordane, aldrin, dieldrin, endrin, heptachlor, hexachlorobenzene, mirex, toxaphene, chlordecone, lindane, polychlorobiphenyl, DDT (1-1-1-Trichloro-2.2-bis (4-chlorophenyl) ethane). The disposal, spilling, deposit, immersion or direct or indirect introduction in Cameroon's continental waters of the following hazardous and noxious substances produced in Cameroon requires prior authorisation:

<sup>213</sup> In Cameroon, the limited value of sound and odour emissions is determined by the Office in charge of Standardization and Quality.

ammonium (NH14), antimony, antrazine, silver, arsenic, barium, beryllium, boron, cadmium and its compounds, chromium, cobalt, copper, tin, iron, lead and its compounds, mercury and its compounds, molybdenum, nickel, selenium, sulphide (He25, tellurium, thallium, titanium, uranium, vanadium, zinc).

#### § 2: Hygiene, Sanitation and Waste Management Campaigns

**615-** Measures were taken to provide main hygiene and sanitation services to urban and rural areas, and to improve the health of the local people. Thus, with the support of councils, NGOs and individuals, clean-up campaigns continued. In the South Region, for example, an operation to pick up all wrappings and empty plastic bottles at the Campo beach was organised from 1 to 4 June 2011. In the Vina Division, Adamawa Region, Thursdays are set aside for clean-up campaigns.

**616-** These activities are intended to encourage the people to preserve the environment and especially to involve them in national environmental protection strategies.

617- Measures were equally taken to improve waste management throughout the country. In Northern Cameroon, for example, educative discussions were organised with officials of darkrooms, barber and hairdressing shops on waste management. Similar discussions were organised for tyre salvage dealers, owners of tyre and motorcycle repairs workshops on the dangers of hydrocarbons spill. In the Centre Region, MINEPDED and CIPRE jointly organised hygiene and sanitation activities in Mbalmayo.

#### § 3: Environmental Inspections

**618-** Some 858 environmental inspections were conducted in all the Regions<sup>214</sup> of the country to regularly check the compliance of the different sites with environmental standards:

<sup>214</sup> Environmental inspection data from the North West Region are not contained in the MINEPDED Report.

- in the Adamawa Region, about 205 out of the planned 160 inspections were conducted at petrol stations, bakeries, thermal plants, and other dangerous, unhealthy and uncomfortable establishments. Some 100 environmental inspection reports were drawn up thereafter;
- in the East Region, about 23 environmental inspections were conducted and about 15 reports drawn up;
- in the Far North Region, about 43 inspections were conducted at different hotels, the Maroua-Salak gas filling station, health centres and petrol stations. At the end of the exercise, many remarks and recommendations were made, and 8 reports drawn up;
- in the Littoral Region, 100 out of the 135 initially planned structures were inspected. 14 other establishments that were not in the initial programme were inspected impromptu to check their conformity with environmental standards. The establishments inspected included restaurants, fish shops, bakeries, and health centres. Some of them were inspected following complaints from users;
- in the North Region, about 16 inspections were conducted in industrial and market facilities, tanneries, and health centres;
- in the West Region, some 91 inspections were conducted in coffee pulping factories and farms in the Bamboutos Division;
- in the South Region, some 209 inspections were carried out;
- in the South West Region, about 63 inspections were carried out in mining exploration activities, HYSACAM waste disposal site in Buea, breweries and structures that have not yet carried out their environmental assessment; and
- in the Centre Region, some 148 inspections were conducted in different facilities with about 123 reports drawn up.
- **619-** Overall, these inspections made it possible to take into consideration environmental measures especially regarding environmental audit and impact study. However, to obtain best output, there is need for sufficient staff and material resources in this area. In the Adamawa Region, for example, there is significant shortage of qualified inspectors and technical material in divisional delegations.
- **220-** In 2011, a large number of forest and environmental disputes were recorded.

#### SECTION II: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF FOREST AND WILDLIFE RESOURCES

**621-** Biodiversity protection focused on the sustainable management of forest and wildlife resources. Government endeavoured to respect the principles of sustainable management of forest and wildlife resources under the Lom Pangar Project. Reforestation activities continued throughout the country.

#### § 1: Population-based Activities under the Lom Pangar Project

**622-** Inhabitants evicted from the Lom Pangar Project site were compensated. A new village has been built for their resettlement. It has been planned that they will be given priority during the recruitment process for timber removal. An area has been reserved for the establishment of a community forest for inhabitants who so desire.

**623-** An Environmental and Social Management Plan has been adopted to improve the living standard of the inhabitants in the areas of health, agriculture, fishing, livestock, water supply, forest and biodiversity conservation<sup>215</sup>.

#### §2: Reforestation

**624-** A vast and sustainable reforestation campaign has been underway since 2006. In this connection, MINFOF and MINEPDED have provided financial and technical support to councils, associations, chiefdoms, NGOs and the civil society.

**625-** During the World Biodiversity Day and World Environment Day and during activities to mark the World Day to combat Desertification, many trees were planted and green areas developed across the country. MINFOF launched a national campaign to plant 560,000 trees on 1,400 ha of land in 2011. The cost of the campaign stood at CFAF 760 million<sup>216</sup>. Mayors, traditional rulers and officials of some associations were involved in the implementation of the environmental protection policy. They were allocated funds for technical operations and are bound to respect the programme drawn up as well as contribute up to 40% for the achievement of the project.

<sup>215</sup> Cameroun Tribune, 3 June 2011, p. 7.

<sup>216</sup> About 1,160,305.534 Euros.

Table 1: Trees planted and green areas developed

MINEPDEI	Operations	MINFOF Operations	Regions
World Biodiversity and	Operations Green	Trees Planted	
Environment Days	Towns and Others		
4,350 trees planted	3160 trees planted	28,000 trees;	Far North
		62 ha.	
500 trees planted	17,530 trees planted,	10,538 trees;	North
	green area of 600 m2	2 sites	
	developed in Garoua		
550 trees planted	380 trees planted	8,000 trees;	Adamawa
		15 ha.	
1,956 trees planted	62 trees in Mbalmayo	8,000 trees; 12 ha	Centre
/	/	8,000 trees; 8.76 ha	North West
5,608 trees planted	3 green areas: Noun	21,000 trees; 26.2 ha.	West
	144m2; the Upper-Nkam		
	144m2, and MIFI		
	(144m2 and 3,600 m2)		
1,550 trees planted	2000 trees planted, a site	12,000 trees; many sites	South West
	developed	in Buea	
791 trees planted	/	8,001trees; 8.76 ha.	Littoral
/	/	8,000 trees;	East
		one site in Yokadouma	
4,525 trees planted	2,879 trees planted	43,000 trees; 12 ha and a	South
		site of the Agric Show	

Sources: MINEPDED and MINFOF 2011 Progress Report

**Table 2:** MINFOF support to councils, chiefdoms, and associations for reforestation in 2011

Beneficiaries	Number of	Amount allocated	Number of trees	Area (ha)
	beneficiaries	(Millions)		
Councils	77	385 <sup>217</sup>	308,000	770
Chiefdoms	21	42 <sup>218</sup>	21,000	52.2
Associations	6	21 <sup>219</sup>	15,000	37.5
TOTAL	104	448 <sup>220</sup>	344,000	860

Source: MINFOF

#### SECTION III: FOREST AND ENVIRONMENTAL DISPUTE MANAGEMENT

**626-** Disputes were settled both in the forest and wildlife, and the environmental sectors.

#### §1: Forest and Wildlife Sector

**627-** In this sector, some disputes resulted in administrative and judicial procedures.

<sup>217</sup> About 587,786.25 Euros

<sup>218</sup> About 641, 22.14 Euros

<sup>219</sup> About 32,061.06 Euros

<sup>220</sup> About 683,969.47 Euros

#### A: Administrative Procedures

**628-** Offences registered included illegal possession of trophies of protected species, killing of classes B and A animals, illegal logging, and trafficking of protected species. Such offences are determined in two ways: through MIN-FOF under the transaction, and before competent courts. In 2011, 8 wildlife and 5 forest offenses were recorded as against 14 and 10 respectively in 2010.

#### **B: Judicial Procedures**

**629-** In 2011, 25 wildlife and forest matters were brought before the courts 16 of which have been determined and 9 pending. Most of them were determined by competent courts and included the following offences: possession, transportation and marketing of protected animal species, and killing of class A protected animals (elephant<sup>221</sup>, mandrill<sup>222</sup>, water turtlebacks<sup>223</sup>), illegal possession of two small firearms, and illegal possession of dead class B and class C animals at the close of the hunting period.

#### §2: Environmental Sector

**630-** Environmental disputes were brought before administrative and judicial structures.

#### C: Administrative Procedures

**631-** Matters brought before administrative structures included sound nuisance and other environmental-related offences.

<sup>221</sup> The People v. OUMAROU BOUBA and others, on 11/7/2011, CFI, Douala-Bonanjo awarded damages of CFAF 300,000 (about 458.02 Euros); costs of CFAF 10,000 (about 152.67 Euros); a fine of CFAF 5,000,000 (about 7633.59 Euros), a suspended sentence of 5 years and restitution of seals to MINFOF (trophies of ivory); 9 months imprisonment in case of non-payment of all awards, and a warrant of arrest.

<sup>222</sup> The People v. MINKO MINKO ALAIN and ANGO JACQUES, judgment of CFI, Ebolowa: award of damages of CFAF 547,500 (about 835.88 Euros), 2 months imprisonment of ANGO and a fine of CFAF 250,000 (about 381.68 Euros).

<sup>223</sup> The People v. DELE TOUMOLO JUDE, judgment of CFI, Edea: award of damages of CFAF 630,000 (about 961.83 Euros); costs of CFAF 32,000 (about 48.85 Euros); a fine of CFAF 150,000 (about 229 Euros); restitution of seals to MINFOF (turtlebacks); 6 months imprisonment in case of non-payment of all awards, and a warrant of arrest.

#### 1: Sound Nuisance

**632-** The table below contains matters on sound nuisance registered in some areas in Douala.

Table 3: Matters registered at the Divisional Delegation of MINEPDED-Douala

Parties	Measures Taken
MBANGA J.P v. CTTI: sound nuisance from CTTI activities	First visit to locus in quo initiated by the Regional Delegation was postponed by the company's official. Another visit was conducted and there was conciliation between the two parties.
YOMI Jean v. M. NDOUO Robert, Head of garage: sound nuisance	Visit to the locus in quo and report on conciliation between the two parties drawn up.
PENKA: complaint by Mr. Penka for destruction of nature and exploitation of wetland	Visit to the locus in quo; the matter seems to be more of a land dispute; the matter was planned to be referred to the Subdivisional Officer of the area.

ource: MINEPDED

#### 2: Other Environmental Disputes

**633-** In 2011, inspections resulted in a number of disputes. See the table below for details.

Table 4: Summary of pending matters

Defendant	Nature of Offence
SOCIETE NOVEL	Failure to conduct environmental audit of facilities and activities (a fine of CFAF 3,000,000 <sup>224</sup> ; file forwarded to MINEPDED)
SOCIETE MOORE PARAGON	Failure to conduct environmental audit of facilities and activities (a fine of CFAF 3,000,000 <sup>225</sup> ; file forwarded to MINEPDED)
SOCIETE CAMEROON OIL COMPANY (CAMOCO)	Building of a petrol station without an environmental compliance certificate issued after conducting an environmental impact study (a fine of CFAF 3,000,000 <sup>226</sup> ; file forwarded to

<sup>224</sup> About 4,580.15 Euros.

<sup>225</sup> About 4,580.15 Euros.

<sup>226</sup> About 4,580.15 Euros.

Defendant	Nature of Offence
	MINEPDED)
NAVIRE SAFMARINE ANGOLA	Pollution of River Wouri by sewage disposal (a fine of CFAF 25,000,000 <sup>227</sup> ; a minimum fine was requested by the offender. File forwarded to MINEPDED)
COMPLEXE CHIMIQUE CAMEROUNAIS (CCC)	Soil pollution and risk of water resource degradation from hydrocarbons spill without prior treatment, and residual water from company activities (a fine of CFAF 5,000,000 <sup>228</sup> ; file forwarded to MINEPDED)
SOCIETE CAMOA AIR LIQUIDE	Failure to conduct environmental audit of facilities and activities (a fine of CFAF 3,000,000 <sup>229</sup> ; fine order signed by DR/LT)
SOCIETE PARQUET CAM	Failure to conduct environmental audit of facilities and activities (a fine of CFAF 3,000,000 <sup>230</sup> ; file being forwarded to MINEPDED)

Source: MINEPDED

**634-** After establishment of an environmental offence, the offender is served a fine which he may accept to pay or contest. The table below is illustrative.

Table 5: Summary of fines

			NO	OTIFI	CATION OF FINES		
Proposed Fines			(		Offenders who have Paid	Fines Paid in 2011 (in CFAF	
1					8	53,000 ,000 <sup>232</sup>	
				FINE	S CONTESTED		
Structure or facility			Location	Offe	nce	Fine (in CFAF)	
ORANGE Cameroun		Dou	ala	Air and soil Pollution		5,000,000 <sup>233</sup>	
			<u>Total</u>	<u> </u>	5,000,000		

Source: MINEPDED

<sup>227</sup> About 38,167.94 Euros.

<sup>228</sup> About 7,633.59 Euros.

<sup>229</sup> About 4,580.15 Euros.

<sup>230</sup> About 4,580.15 Euros.

<sup>231</sup> About 93,129.77 Euros.

<sup>232</sup> About 80,916.03 Euros.

<sup>233</sup> About 7,633.59 Euros.

#### A: Judicial Procedures

**635-** The table below shows pollution offences instituted before law courts.

Table 6: Summary of pollution statistics

Offence	Investiga tion	Proceedings		Conviction s	Discha rge and	Victims			Offenders		
		At Prelimin ary Inquiry	Before trial courts		Accqui ttals	М	W	С	Law enforce ment officials	Persons who have authori ty over the victim	Others
Pollution	11 <sup>234</sup>	3 <sup>235</sup>	8 <sup>236</sup>	5	3	1	00	00	00	00	4

**Source: MINJUSTICE** 

**636-** Measures taken to guarantee the right to a healthy environment are obvious. On the whole, they were taken in compliance with the fundamental environmental principles and concepts, notably the principles of prevention, precaution, information, participation, environmental impact studies, and in the perspective of preserving the rights of future generations. However, to achieve the best impact, it is recommended that Government continues to carry out awareness-raising campaigns of local councils, individuals, industries or establishments whose activities are likely to pollute the air, water, soil or even cause sound or odour nuisance.

<sup>234</sup> Data were collected from the following 7 courts: 1 in the South West (3 cases determined in Ndian); 4 in the Littoral (2 cases determined by CFI, Douala-Bonanjo, 1 determined by the Legal Department at CFI, Edea, 1 case at the Legal Department at the High Court, Yabassi); and 2 in the Centre (1 case at the Legal Department at CFI, Yaounde-Ekounou, and 2 at CFI, Yaounde, Centre Administratif).

<sup>235</sup> Data collected at the Legal Department, Ndian.

<sup>236</sup> Data collected from the following 5 courts: 1 in the South West (3 cases determined at the Legal Department, Ndian); 2 in the Centre (1 case determined at the Legal Department at the CFI, Yaounde-Ekounou; and 2 at CFI, Yaounde, Centre Administratif) and 2 in the Littoral (cases determined at the Legal Department, Yabassi).

#### CONCLUSION OF PART TWO

637- Actions carried out by Government with the support of other stake-holders had varied incidences on the economic, social and cultural rights of inhabitants. Actions to improve the business climate helped Cameroon occupy a better position in the Doing Business classification. However, businessmen think their impact is still mitigated due to the complexities of administrative procedures, the dysfunctioning of the labour market, difficult access to funds and infrastructural problems amongst others. The protection of public funds was strengthened with an increase in administrative, financial, disciplinary and judicial sanctions. The setting up of a Special Criminal Court is the expression of the determination to strengthen the anti-impunity institutional mechanism.

**638-** The right to health was consolidated with the recruitment of more medical staff, development of infrastructure and other disease-control strategies. This helped reduce morbidity caused by malaria, HIV/AIDS prevalence, and increase access of PLWA to treatment. The cholera epidemic was under control. Nevertheless, a number of challenges such as improving access to healthcare, sharing health risk, and reducing maternal mortality need to be overcome.

**639-** On the whole, indicators show an increase in school enrolment be it at the level of the school-zone map, or the number of students and pupils or teachers in attendance. However, the school efficiency system needs to be improved, for at the secondary school level there is an increase in examinations organised by the DECC, and a high failure rate in those organised by the BC and the GCE Board. The education system has not yet been adapted to the economic and social context since professionalisation, though on a rising curve, is still to be fully achieved.

- **640-** Regarding the right to adequate standard of living, there was an increase in the production of foodstuffs though it did not fully meet the needs of the population. Efforts have been made to step up water and energy supply especially with the launching of development projects. However, Government's low-cost housing programme did not produce satisfactory results.
- **641-** In the area of culture, diversity of expression was obvious. The organisation of distribution chains and actions relating to the collection of authors' rights continued. It is hoped that there will be a better organisation of the bodies that manage authors' rights. This will help improve the status of artists.
- **642-** In conclusion, actions taken in the area of economic, social and cultural rights have resulted in giant strides that should be consolidated. Thus, the launching of development projects and the deployment of the new agricultural policy are some of the major thrusts that make it possible to hope for significant development.

## Part Three

CROSS-CUTTING ISSUES AND THE RIGHTS OF SPECIFIC GROUPS



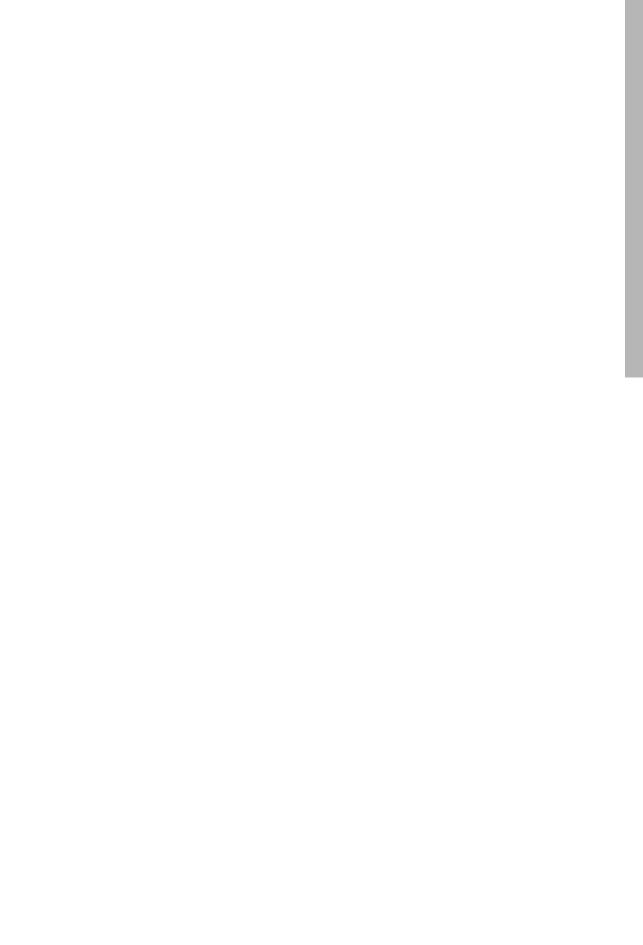
#### INTRODUCTION TO PART THREE

**643-** Persons deprived of their freedom, the vulnerable and women have the peculiarity of enjoying all human rights and also certain specific rights. The implementation of all these rights requires cross-cutting actions undertaken in 2011 by public authorities with the support of development partners.

**644-** To achieve the ultimate goal of penitentiary policy, which is the social reinsertion of persons excluded from society for a given period to expiate their faults and mend their ways, the State continued to strive for the implementation of the minimum standard rules laid down by international legal instruments on detention conditions. These efforts were observed in the supervision of prison personnel, health coverage and feeding of inmates as well as in socio-cultural activities, recreation and education.

**645-** As in 2010, the State continued to support vulnerable groups including children, the elderly, persons with disabilities and indigenous people. Several measures were taken to promote and protect their vested rights.

**646-** In 2011, cross-cutting actions by social actors for the implementation of women's rights were geared towards the promotion of equality and non-discrimination with focus on awareness-raising. Measures were also taken to strengthen the protection of women against violence and their marital rights.



## Chapter DETENTION CONDITIONS



**647-** The loss of liberty has essentially two major objectives: punish the guilty for the crime committed but also facilitate the rehabilitation and reformation of those who have served their sentence and guarantee their social reinsertion. The goal is to prevent recidivism and to ensure that prisoners are fully reinstated into the society. Detention conditions<sup>237</sup> can be understood in terms of the following indicators: the supervision of prison staff, prison statistics, health coverage, diet of inmates, socio-cultural activities, recreation and education, control and visit of prisons.

#### **SECTION 1: SUPERVISION OF PRISON STAFF**

**648-** The need to train penitentiary personnel and other personnel responsible for the implementation of human rights law is real. Activities were conducted in this area in 2011 to address this need.

649- The association "Journalists in Africa for Development" organised a workshop on the capacity building of media workers on the promotion of human rights in prison in Douala from 22 to 24 April 2011. It was attended by journalists, superintendents of prisons, police and gendarmerie officials. Participants agreed on the need to overcome the following obstacles: the lack of dialogue between prison officials, the police and the gendarmerie on one hand and journalists on the other hand, the lack of collaboration among civil society organisations who work in prisons, insufficient investigation resources, the lack of appropriate training for journalists etc.

**650-** Under the auspices of CNUDHD-AC, a seminar was held in Buea from 18 to 22 July 2011, on the training of trainers of the National School of Penitentiary Administration, on human rights in the Penitentiary Administration. This activity was sponsored by the Ministry of Justice, in collaboration with the National School of Penitentiary Administration (ENAP), UNICEF, ICRC, the NCHRF, the Bar Council and the Catholic Church. About 30 ENAP trainers and other personnel of the Penitentiary Administration took part in the training.

#### **651-** Participants made the following recommendations:

- reviewing loss of liberty by the effective implementation of the new conditions relating to the progressive remission of sentences and community labour;
- 2. regulating internal discipline in prisons, by the adoption of rules of procedure by each penitentiary establishment;
- controlling overcrowding and lengthy preventive detention by the effective observance of detention timeframes, the decongestion of prisons and increasing the number of visits to prisons by judicial authorities;
- 4. the effective use of prison uniform based on respect for detainees' rights;
- supplying prison staff with appropriate safety equipment for the performance of their duties (hand-cuffs, stun guns, tear gas, etc.) in compliance with international instruments ratified by Cameroon;
- 6. recruiting penitentiary personnel with various professional profiles (teachers, psychologists, mechanics, masons, etc.) to develop and operationalise the skills of inmates in preparation for social reinsertion. Moreover, this would facilitate the construction and maintenance of prison infrastructure;
- **7.** ethics and professional conduct of the penitentiary staff, by the adoption of a Code of Conduct for penitentiary staff;
- **8.** continuous training of penitentiary personnel by the regular organisation of seminars, courses, study missions etc.;
- **9.** drawing up of Penitentiary Administration projects with the involvement of Penitentiary Administration officers; and
- 10. encouraging the work of non-State stakeholders.

<sup>237</sup> The issues criticised include the thorny problem of overcrowding that leads to others such as promiscuity, inadequate accommodation, infrastructure, insufficient food and medical care, the incarceration of minors alongside adults, the non separation of men and women, torture and inhuman and degrading treatment, and other human rights violations, understaffed judiciary and penitentiary services and the need for the training of staff.

**652-** In addition to seminars and workshops, prison statistics are very useful for understanding detention conditions.

#### **SECTION 2: PRISON STATISTICS**

- **653-** Overall, the warder/inmate ratio is 1:11 with variants by prison, on the understanding that for this calculation, the global workforce was taken into account comprising staff working at the Ministry of Justice and in the regional delegations.
- **654-** Prison accommodation capacity between 2010 and 2011 increased slightly<sup>238</sup> because of the setting up in the Centre Region of the Ntui and Ngoumou prisons with a capacity of 300 beds each. However, these prisons do not have sections for women and minors<sup>239</sup>.
- **655-** The tables below, apart from providing statistics on prison population, provide an overview on its distribution by presenting the situation of women, minors and those on the death row.

Table 1: Data on women in prisons as at December 2011

CATEGORIES	ACCUSED	CONVICTS	TOTAL
REGIONS			
ADAMAWA	5	1	6
CENTRE	150	36	186
EAST	8	3	11
FAR NORTH	35	17	52
LITTORAL	72	23	95
NORTH	17	12	29
NORTHWEST	24	3	27
WEST	29	18	47
SOUTH	16	12	28
SOUTHWEST	11	1	12
TOTAL	367	126	493

Source: DAPEN

Table 2: Data on minors in prisons as at 31 December 2011

CATEGORIES	ACCUSED	CONVICTS	TOTAL
REGIONS			
ADAMAWA	37	8	45
CENTRE	274	40	314
EAST	31	0	31
FAR NORTH	97	19	116
LITTORAL	76	9	85
NORTH	85	17	102
NORTHWEST	37	2	39
WEST	77	1	78
SOUTH	42	10	52
SOUTHWEST	45	9	54
TOTAL	801	115	916

Source: DAPEN

Table 3: Data on the death row as at 31 December 2011

CATEGORIES	MEN	WOMEN	MINORS	TOTAL
REGIONS				
ADAMAWA	1	0	0	1
CENTRE	23	0	0	23
EAST	1	0	0	1
FAR NORTH	3	0	0	3
LITTORAL	14	0	0	14
NORTH	3	0	0	3
NORTHWEST	0	0	0	0
WEST	43	0	0	43
SOUTH	7	0	0	7
SOUTHWEST	2	0	0	2
TOTAL	97	0	0	97

**Source: DAPEN** 

656-Overall, as at 31 December 2011, 24,000 people were detained in prisons.

**657-** It should be noted that measures have been taken to control prison overcrowding. One of them is Decree No. 2011/361 of 3 November 2011 by the President of the Republic on the commutation and remission of sentences.

**658-** In order to decongest prisons, the Association Nationale Cameroun Avenir worked for the release of 249 inmates from the Central Prison, Douala in April 2011 at the end of their sentence. The association paid costs arising from monetary convictions and court fees pronounced in favour of the State<sup>240</sup>.

<sup>240</sup> In its recommendations to Cameroon during the review of her last report, the Human Rights Committee asked the State "to review the provisions of the Criminal Procedure Code relating to attachment and adopt a new system allowing the inmates to pay their debts." See Preliminary Chapter, §25 of 2010 Report.

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

659- Decongestion had a real impact on the health coverage of detainees.

#### **SECTION 3: HEALTH COVERAGE**

**660-** In 2011, a budget of CFAF 86,513,000<sup>241</sup> was allocated for the health of inmates.

**661-** The prevalence rate of non-transmissible diseases is very high compared to transmissible diseases. There is also a low mortality rate and a relatively weak medical support system for prisoners. For example, in the prisons of Ebolowa, Sangmelima, Kribi, Ambam and Djoum, the mortality rate is 1.5%. The main causes of death are related to HIV/AIDS, tuberculosis, diarrhoeal diseases and malaria.

**662-** Medical technical level, medical personnel and the diet of inmates remain real concerns in most prisons.

#### **SECTION 4: DIET OF INMATES**

**663-** In 2011, CFAF 2.05 billion<sup>242</sup> was allocated for the feeding of detainees as compared to CFAF 2.053 billion<sup>243</sup> in 2010. Nutrition for prisoners was allocated CFAF 2 billion<sup>244</sup>, representing CFAF 228<sup>245</sup> per day, inclusive of taxes per prisoner. This amount remains relatively insufficient against market prices.

**664-** In the majority of prisons, prisoners on average have one meal a day, resulting in an overall body mass index less than 18.5 in some cases<sup>246</sup>.

<sup>241</sup> About 132 080.92 Euros

<sup>242</sup> About 312 9770.99 Euros

<sup>243</sup> About 3134351.14 Euros

<sup>244</sup> About 3 053 435.11 Euros

<sup>245 34</sup> cents

<sup>246</sup> The minimum body mass index laid down by nutritionist is 18.5.

**665-** One of the obligations of the State is to organise socio-cultural activities, recreation and provide education for inmates, with available resources.

## SECTION 5: SOCIO-CULTURAL ACTIVITIES, RECREATION AND EDUCATION

666- These activities will be reviewed distinctly.

#### §1: Socio-cultural activities

**667-** Although socio-cultural activities are not well organised and structured in secondary prisons, they are embryonic in other prisons because none of them has a functional literacy system that can facilitate knowledge acquisition in a specific field. This is due to the lack of qualified personnel and financial resources.

**668-** However, the religious bodies play an important role in the supervision of inmates. The Catholic Relief Services, under the project for Protecting the Rights of Inmates and Detainees, organised from 25 to 26 May 2011, in Yaounde, the first national meeting of diocesan chaplains on prisons in Cameroon. The theme of the meeting was "Training of Trainers on the Dissemination of Information for Crime Prevention in Cameroon." The participants were prison workers in charge of prison pastoral care in the 24 Catholic dioceses in the country. Chaplains also exchanged on detention conditions, their work in prisons, the ins and outs of prison ministry, the now indispensable holistic approach of the work of prison chaplains, the place of mediation and reconciliation in the prison ministry, on restorative justice, a new approach to restore hope and life, after committing a crime<sup>247</sup>.

#### §2: Recreation

**669-** Leisure is not organised and structured in most prison establishments due to lack of infrastructure or equipment. Singing, board games and sometimes soccer or handicrafts are the most recurrent recreation in prisons.

<sup>247</sup> Cameroon hosted the 13th World Congress of the International Catholic Commission for the Pastoral Care of Prisons from 27 August to 1 September 2011.

#### §3: Education

**670-** Some courses are taught in prisons reluctantly or continually due to, in most cases, lack of qualified and paid staff. Despite this unfriendly environment, some inmates passed official examinations in 2011.

**671-** The following results were recorded:

- Central Prison, Nkondengui, Yaounde, 2 candidates on 7 passed the CEPE, 0 on 4 for the BEPC and 1 on 2 for the Probatoire;
- Central Prison, Sangmelima, 1 candidate each passed the CEPE and the BEPC.

672- In 2011, as in previous years, prisons were controlled and visited.

#### **SECTION 6: CONTROL AND VISIT OF PRISONS**

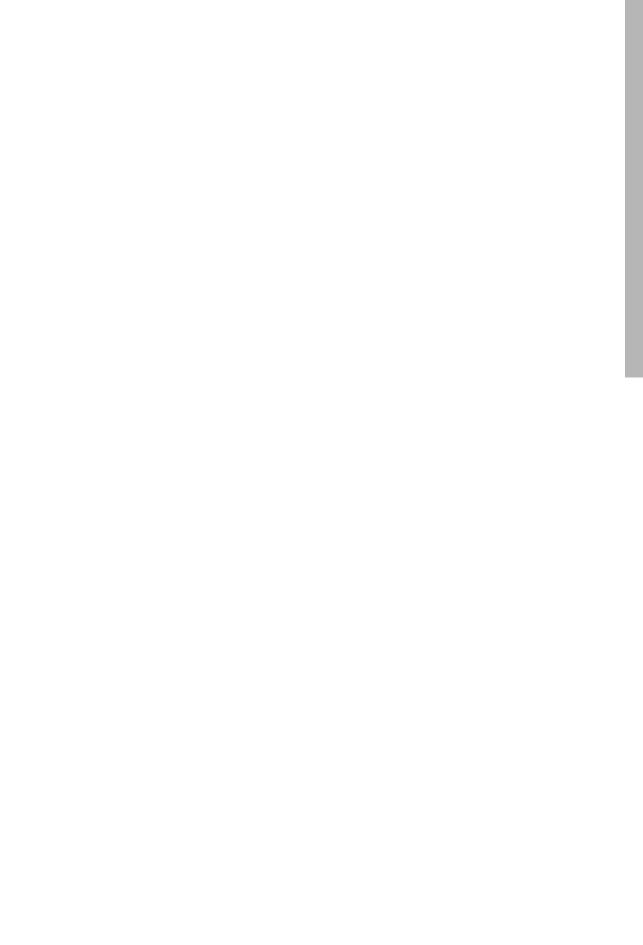
**673-** Prison controls are effective although they are carried out in varying degrees in different prisons. They are implemented by judicial authorities: Procureurs General, State Counsel and Examining Magistrates.

**674-** In 2011, the NCHRF, (Bafia, Ndikinimeki, Mfou, Tcholliré I and II), NGOs, associations and religious congregations visited prisons. For the East Region for example, no control was conducted in the Betare Oya, Doumé, Lomié, Messamena and Moloundou prisons.

**675-** The different visits and controls, in addition to inspections by superiors, expose and put an end to abuse. Thus, abuses that sometimes led to murder in some prisons in Nanga Eboko, Yagoua, and Moulvoudaye were identified. Law suits were brought against the officials involved.

**676-** In Cameroon, prison conditions are constantly improved as a result of efforts made by both public authorities and other stakeholders through charitable works. These efforts should be supported to further humanise the penitentiary by emphasizing on detainees' health by setting up and supplying propharmacies.

<sup>248</sup> See Supra, Part 1, Chapter 1, § 85 to 87 concerning a case of torture heard and determined by the HC, Mifi



Chapter

PROMOTION AND
PROTECTION OF THE
RIGHTS OF SOCIALLY

**VULNERABLE GROUPS**<sup>249</sup>

<sup>249</sup> Appellation enshrined in Decree No. 2011/408 of 9 December 2011 to organize the Government.



**677-** In 2011 as in 2010, measures were taken to promote and protect the rights of the vulnerable<sup>250</sup>. They comprise children, persons with disabilities, the elderly and indigenous people.

# SECTION 1: MEASURES TO PROMOTE AND PROTECT THE RIGHTS OF CHILDREN

**678-** Several measures were taken to promote and protect the rights of children.

#### §1: Promotion Measures

**679-** In addition to the United Nations Girls' Education Initiative<sup>251</sup> (UNGEI) launched by the Minister of Basic Education on 4 May 2011 at Government Primary School, Demba in the East Region to promote gender equality in the education system, promotion measures equally included intellectual and material capacity building.

#### A: Intellectual Capacity Building

**680-** The following activities were carried out within the framework of capacity building:

- the organization of a seminar, in Douala on 15 February 2011, on the new project of the RUBISADT Foundation set up in 2010 for the scientific promotion of young girls on leadership training. The seminar brought together the media and personalities involved in the education and training of young girls;
- the capacity building of about 500 stakeholders in the identification and support for OVC;
- the capacity building of regional and local authorities in the support of OVC with a view to taking them into consideration in the financing of council activities;

<sup>250</sup> For the definition of vulnerable persons, see footnote 147 of the 2009 Report.

<sup>251</sup> The UN launched UNGEI in 2000 during a World Education Forum in Dakar to reduce the education divide between men and women concerning girls to grant them equal access to all educational levels. Therefore, the launching of the initiative in Cameroon is a major breakthrough to narrow this gap in the education system since the education of the girl child is lagging behind in some regions.

- the organizational and technical capacity building of public and private stakeholders, civil society organisations and Regional and Local Authorities (RLA) for the integration and holistic support of OVC in accordance with the standards and guidelines defined in the National Strategic Plan Document in the districts covered by the programme;
- the mobilisation of families, civil society organisations and communities for the care and socio-economic support of OVC on the one hand and the fight against their stigmatization and discrimination on the other; and
- the organization of fora for the collection of data for the identification and evaluation of OVC in the regions.

#### **B:** Material Capacity Building

**681-** In collaboration with partners, the following activities were registered in the promotion of children's education:

- Plan Cameroon, an NGO, with funding from the Korea International Cooperation Agency (KOICA) donated two nursery school buildings, stationery, sports and leisure equipment, hand-pump wells and latrines in Bandongoe in Kadey Division and Yoko-Betoungou in the Lom and Djerem Division. The handover ceremony was equally an occasion for officials of Plan Cameroon to lay the foundation stone for the construction of another nursery school in Gadji village in the Batouri Council, Kadey Division. The two centres supported by KOICA in 2011 bring to 18 the number of Early Childhood Care and Development Centres in the East Region. In the North West Region, Plan Cameroon in a bid to promote the welfare of children, undertook projects in Fundong, Mbengwi, Bafut and Belo Sub-Divisions. The projects which focused on strengthening psychosocial support of some 2,600 children (1,300 girls and 1,300 boys) aged between 0 and 18 went operational in the four council areas from 21 June 2011.

<sup>250</sup> For the definition of vulnerable persons, see footnote 147 of the 2009 Report.

<sup>251</sup> The UN launched UNGEI in 2000 during a World Education Forum in Dakar to reduce the education divide between men and women concerning girls to grant them equal access to all educational levels. Therefore, the launching of the initiative in Cameroon is a major breakthrough to narrow this gap in the education system since the education of the girl child is lagging behind in some regions.

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

- Strategic Humanitarian Services (SHUMAS) and the US based NGO, Cameroon Society Organization (CAMSO) under the aegis of international cooperation for rural development were at the centre of action through which two standard classrooms worth CFAF 7 million<sup>252</sup> were made available for Catholic Primary School, Mali in Nkum Sub-Division in Bui Division. In the same vein, SHUMAS/CAMSO equally donated three classrooms, 29 benches and three sets of tables and chairs worth CFAF 12 million<sup>253</sup> to the Islamic Primary School, Vekovi in Jakiri Sub-Division and six classrooms and an office for the Head Teacher of the Islamic Primary School, Bamdzem in Kumbo Central Sub-Division worth CFAF 18 million<sup>254</sup>.

#### §2: Measures to Protect the Rights of the Child

**682-** Measures taken to protect the rights of the child include the strengthening of the legal framework of child protection, campaign against child abuse and sexual violence, taking care of children in distress and moral danger, judicial protection of children, adoption and curbing the phenomenon of street children.

#### A: Strengthening of the Legal Framework of Child Protection

**683-** The legal framework for the protection of socially vulnerable people was consolidated by the promulgation of Law No. 2011/24 of 14 December 2011 relating to trafficking in persons. This law repeals Law No. 2005/15 of 29 December 2005 on child trafficking and slavery.

**684-** In addition to repressing trafficking in persons, the 2011 Law represses the slavery and exploitation of people and specifies aggravating circumstances relating to these offences.

<sup>252</sup> About 10,687.02 Euros.

<sup>253</sup> About 18,320.61 Euros.

<sup>254</sup> About 27,480.61 Euros.

- **685-** To intensify the control in trafficking in persons, Decree No. 2011/408 of 9 December 2011 to organize the Government included in the duties of MINAS new missions on the fight against trafficking in persons in general and the protection and care of victims of physical abuse among others. Similarly, an interministerial commission responsible for the drawing up of Government Action Plan against Trafficking in Persons was set up on 7 April 2011.
- **686-** To build the capacity of stakeholders responsible for controlling trafficking in persons, Government organized a training workshop in March 2011 in collaboration with the American-based NGO, VITAL VOICES for social workers, judicial and legal officers and law enforcement officials.

#### B: Campaign against Child Abuse and Sexual Violence

- **687-** The first phase of the national awareness campaign against trafficking and sexual exploitation of children was organised from 2 February to 15 June 2011 in 5 Regions of Cameroon.
- **688-** The campaign sought to open frank discussions in the society against child abuse, especially sexual abuse of children, child labour and child trafficking. In that light, the representative of UNICEF in Cameroon pledged to financially support the sensitisation campaigns aimed at educating the parents and educators,.
- **689-** There are equally plans to organise roundtable discussions, open door events, informal and formal talks on child abuse to inform people about this scourge, its manifestation, steps to take when confronted with such a situation and the relevant law.

#### C: Taking Care of Children in Distress and Moral Danger

- **690-** To take care of children in distress and moral danger, Government undertook the following activities:
  - the institutional placement of abandoned, lost or abused children in the Welcome Centres for Children in Need in Yaounde and Garoua;
  - the provision of foster care to 34 children in distress;

- the approval of 40 families for adoption in Cameroon;
- the provision of machines to the carpentry workshop of the Welcome Centre for Minors (WCM) of Bertoua;
- equipping of the agriculture, breeding, computing and robotics workshops of WCM, Bertoua; and
- the inauguration by the Minister of Social Affairs, on 7 June 2011, in Ekondo-Titi, South West Region, of one welcome centre for children in distress fully equipped by ADDAX PETROLEUM.

#### D: Judicial Protection of Children

**691-** The table below shows court sanctions on offences against children.

Table 1: Prosecutions and convictions in the interest of the child

Court of Appeal	Courts	Types and Number of Offences	Total Number of Matters	Remarks
	Maroua (CFI/HC)	-indecency to minor under 16 years (ITM): 18	18	-10 of the cases are pending before the Examining Magistrate7 of the accused were convicted1 is pending hearing and determination before the court.
	Maroua (CA)	- indecency to minor under 10 years: 4	4	-the conviction of the 4 accused was confirmed.
FAR NORTH	Kousseri (CFI/HC)	-assualt on a minor (AM): 3 -kidnapping: 4 -indecency to minor under 16 years: ITM: 10	17	-all the 3 cases of AM were pending hearing and determinationout of the 4 cases of kidnapping, 1 resulted in a conviction and the rest were pending hearing and determination.
	Mora (CFI/HC)	-AM: 3 -kidnapping:1 - ITM: 14	18	-all the 3 cases of AM resulted in a convictionthe accused on the charge of kidnapping was also convictedout of the 14 cases on ITM, 5 resulted in conviction and the rest were pending hearing and determination.
	Kaele (CFI/HC)	- kidnapping:3 -ITM: 11	14	-1 of the 3 cases of kidnapping resulted in a convictionout of the 11 cases on ITM, 1 resulted in a conviction and the rest were pending hearing and determination.
	Mokolo CFI/HC)	-kidnapping:4 - ITM: 7	11	-1 of the 4 cases of kidnapping resulted in a conviction and the rest were pending hearing and determinationout of the 7 cases on ITM, 3 resulted into conviction. The rest were pending hearing

Court of Appeal	Courts	Types and Number of Offences	Total Number of Matters	Remarks
				and determination.
	Yagoua (CFI)	- kidnapping:7 - ITM: 10	17	-4 of the cases of kidnapping resulted in convictionall the cases on ITM resulted in conviction.
LITTORAL	Edea (CFI/HC)	- kidnapping: 7 - ITM: 13	20	-for the cases of kidnapping, 3 were pending hearing and determination and 4 pending before the Examining Magistratefor the cases of ITM, 3 resulted in conviction and 10 pending before the Examining Magistrate.
NORTH	Nkongsamba (CFI/HC)	- kidnapping: 2 - ITM: 12	14	-both cases of kidnapping resulted in convictionall the cases of ITM resulted in conviction.
	Douala-Bonanjo (CFI/HC)	- kidnapping: 5 - ITM: 57	62	-of the cases of kidnapping, 2 resulted in conviction and 3 were pending before the Examining Magistrateof the cases of ITM, 53 resulted in conviction while the rest were pending before the Examining Magistrate.

Court o Appeal	f Courts	Types and Number of Offences	Total Number of Matters	Remarks
	Douala-Ndokoti (CFI)	- AM: 2 - kidnapping: 4 - ITM: 9	15	-1 of the cases of AM resulted in conviction and the other was pending hearing and determination2 of the cases of kidnapping resulted in conviction and the other 2 were pending hearing and determination7 of the cases of ITM resulted in conviction and the other 2 were pending before the Examining Magistrate.
	Garoua (CA)	-AM: 1 - kidnapping:3 -ITM: 8	12	the appellant was acquitted on the charge of AM. the appellants were also acquitted on the charges of kidnapping. of the 8 cases of ITM, 5 convictions were confirmed, 1 acquittal and the rest were still pending before the court for hearing and determination
	Garoua (CFI/HC)	- AM: 1 - kidnapping:6 -ITM: 27	34	-the lone case of AM resulted in a convictionall the 6 cases of kidnapping were pending before the Examining magistrateout of the 27 cases of ITM, 1 resulted in conviction, 24 were pending before the Examining Magistrate and 2 were pending hearing and determination.
	Tchollire (CFI/HC)	- kidnapping:2 - ITM: 6	8	-for the cases of kidnapping, there was 1 acquittal and 1 convictionfor the cases of ITM, there were 4 convictions, 1 pending before the Examining Magistrate and 1 pending hearing and determination.

# Report by the Ministry of Justice on Human Rights in Cameroon in 2011

Court of Appeal	Courts	Types and Number of Offences	Total Number of Matters	Remarks
	Guider (CFI/HC)	- kidnapping:4 -ITM: 2	6	-all the cases of kidnapping were pending hearing and determinationboth cases on ITM were pending hearing and determination.
	Bamenda (CFI/HC)	- kidnapping: 11 - ITM: 10	21	-out of the 11 cases of kidnapping, 6 were pending before the Examining Magistrate and 5 pending hearing and determination before the courtof the 10 cases of ITM, 5 resulted in conviction, 2 acquittals and 3 pending hearing and determination.
NORTH WEST	Batibo (CFI)	- kidnapping: 3 - ITM: 14	17	-out of the 3 cases of kidnapping, 2 were withdrawn from the court and 1 is pending hearing and determinationall the 14 cases of ITM were pending hearing and determination.
	Fundong (CFI/HC)	- kidnapping: 1 - ITM: 4	5	-for the case of kidnapping, the accused was convictedfor the cases of ITM, 2 were pending before the Examining Magistrate and 2 pending hearing and determination.
WEST	Bafoussam (CFI/HC)	- AM: 1 - kidnapping: 4 - ITM: 22	27	-the lone case of AM resulted in convictionall the cases of kidnapping resulted in convictionfor the cases of ITM, 18 resulted in conviction and 4 in acquittal.

Court o Appeal	f Courts	Types and Number of Offences	Total Number of Matters	Remarks
	Foumban (CFI/HC)	- AM: 1 - kidnapping: 2 - ITM: 11	14	-the cases of AM and kidnapping were pending hearing and determinationout of the 11 cases of ITM, 9 resulted in conviction and 2 were pending hearing and determination.
	Foumbot (CFI)	- AM: 1 - kidnapping: 2 - ITM: 5	8	-the lone case of AM resulted in convictionfor the cases of kidnapping, 1 was pending before the Examining Magistrate and the other was pending hearing and determinationfor the cases of ITM, 1 resulted in conviction, 3 were pending before the Examining Magistrate and 1 pending hearing and determination.
	Mbouda (CFI/HC)	- kidnapping: 3 - ITM: 20	23	-of the cases of kidnapping, 1 resulted in conviction and the rest were pending hearing and determinationfor the cases of ITM, 3 resulted in conviction, 7 were pending hearing and determination while the rest were pending before the Examining Magistrate.
	Bangem (CFI/HC)	- ITM: 1	1	-the lone case resulted in conviction.

Court of Appeal	Courts	Types and Number of Offences	Total Number of Matters	Remarks
SOUTH WEST	Buea (CFI/HC)	- AM: 1 - kidnapping: 1 - ITM: 11	13	- the cases of AM and kidnapping resulted in convictionfor the cases of ITM, 7 resulted in conviction and 4 in acquittal.
	Kumba (CFI/HC)	- AM: 3 - kidnapping: 4 - ITM: 28	35	-the cases of AM and kidnapping were pending hearing and determination for the cases of ITM, 11 resulted in conviction and 17 were pending hearing and determination.
	Mamfe (CFI/HC)	- kidnapping: 2 - ITM: 9	11	the cases of kidnapping were pending hearing and determination while those of ITM were pending before the Examining Magistrate.
	Menji (CFI/HC)	- ITM: 2	2	-both cases resulted in conviction.
	Muyuka (CFI)	- ITM: 3	3	-1 of the cases was pending hearing and determination while the rest were pending before the Examining Magistrate.

Court of Appeal	Courts	Types and Number of Offences	Total Number of Matters	Remarks
	Mvila (CFI/HC)	- AM: 3 - kidnapping: 6 - ITM: 10	19	-2 of the cases of AM were pending hearing and determination before the court6 cases of kidnapping were pending hearing before the courtof the cases of ITM, 6 were pending hearing and determination and 4 pending before the Examining Magistrate.
	Bengbis (CFI)	- ITM: 2	2	-both cases were pending judgment.
South	Kribi (CFI/HC)	- ITM: 39	39	-29 of the cases resulted in conviction and the rest were pending hearing and determination.
	Ambam (CFI/HC)	- AM: 1 - kidnapping: 6 - ITM: 9	16	-the case of AM was pending hearing and determinationfor the cases of kidnapping, 4 resulted in conviction and 2 others were pending hearing and determination for the cases of ITM, 8 were pending before the Examining Magistrate and 1 pending hearing and determination.
	Djoum (CFI)	- kidnapping: 1	1	-the case was pending hearing and determination.

Court of Appeal	f Courts	Types and Number of Offences	Total Number of Matters	Remarks
	Ebolowa (CFI/HC)	- kidnapping: 10 - ITM: 29	39	-for the cases of kidnapping, 6 were pending hearing and determination and 4 pending before the Examining Magistratefor the cases of ITM, 8 resulted in conviction, 14 pending hearing and determination and 7 pending before the Examining Magistrate.
	Sangmelima (CFI/HC)	- AM: 1 - kidnapping: 3 - ITM: 9	13	-the case of AM was pending before the Examining Magistratefor the cases of kidnapping, 2 resulted in conviction and 1 was pending hearing and determinationfor the cases of ITM, 2 resulted in conviction, 6 were pending before the Examining Magistrate and 1 was pending hearing and determination.

Source: MINJUSTICE

#### **E:** Adoption Procedures

- **692-** The following are examples of adoption cases granted in 2011:
  - 2 cases of adoption of Cameroonian minors of 16 and 14 years by an Italian missionary granted by the HC Diamaré, Maroua;
  - 2 cases of adoption of children granted to Cameroonians by the CFI,
     Douala, Ndokoti, one of these cases involves an abandoned baby at the Laquintinie Hospital, Douala.
- **693-** One case is pending before the HC, Mayo-Tsanaga, Mokolo for the adoption of a baby of 3 months abandoned at Zamay. The matter was adjourned at the instance of the Regional Delegation of Social Affairs of the Far North for administrative findings.

#### F: Curbing the Phenomenon of Street Children

**694-** As in the previous years, the fight against the phenomenon of street children continued in 2011 with the following results:

- the identification of 30 street children. They were closely monitored by the Counselling Centre, Yaounde. 16 of them were returned to their respective families (including 9 who were to return to school and who received school support) while 3 others were sent to rehabilitation institutions (ICE Betamba, CAD and CEREM Douala);
- 36 street children are currently monitored in the Counselling Centre,
   Yaounde and shall be returned to their respective families in the days ahead; and
- the production of a guide for urgent actions towards street children with emphasis on prevention, reporting and the fundamental role of parents, family and community.

**695-** The situation of this category of children was emphasised during the:

- organisation, in prelude to the celebration of the 21st edition of the Day of the African Child on 16 June 2011. The Minister of Youth Affairs organised for the 180 Junior Parliamentarians, a training workshop on leadership and conflict management at the John the XXIII Centre at Mvolye, Yaounde. Present at the workshop were the Ministers of Social Affairs and Basic Education as well as other stakeholders involved in the control of the phenomenon of street children in Cameroon; - organisation of the 21st edition of the African Child and the Sensitization of National Community on 16 June 2011 on the theme: "Together for Urgent Actions for the Wellbeing of Street Children"; and - organisation of a conference by Plan Cameroon in collaboration with the "Chantier d'Appui, de Loisir et de Bricolage des Lapinos" (CALBRIL) which brought together stakeholders of the sector as well as street children from Yaounde. The objective of the conference was to contribute towards a greater consciousness on the dangers which street children are exposed to.

**696-** Apart from children, Government equally focused on the promotion and protection of the rights of persons with disabilities.

# SECTION 2: MEASURES TO PROMOTE AND PROTECT THE RIGHTS OF PERSONS WITH DISABILITIES

**697-** In 2011 as in previous years, Government continued with the promotion and protection of the rights of persons with disabilities who are about  $2,910,000^{255}$  in Cameroon . Among the actions taken is the improvement of their right to vote<sup>256</sup> dealt with in the chapter on the Management of Public Affairs.

#### §1: Promotion Actions

**698-** Some measures to promote the rights of persons with disabilities in 2011 comprise facilitating access to work, easy access to buildings, strengthening the operational capacity of their organisations and the celebration of the 20th edition of the International Day of Persons with Disabilities.

#### A: Facilitating Access to Work

**699-** The following actions were taken with respect to access to work:

- the insertion and economic reintegration of persons with disabilities through the support of ICT training for 78 persons with disabilities at the IAI Cameroon;
- computer training for visually impaired persons in the Centre Region, Yaounde;
- the socio-economic integration of 30 girls with disabilities from the Golden Reel Training and Production Centre;
- the recruitment of over 400 people with disabilities in the administration under the special recruitment authorised by the Head of State;<sup>257</sup> and
- scholarship awards for the vocational training and learning of the vulnerable and people with disabilities by MINEFOP for the 2011/2012 academic year.

<sup>255</sup> CT of 5 December 2011, P.12

<sup>256</sup> On the right to vote see chapter on the Right to Participate in the Management of Public Affairs, §226 supra. 257 Contribution by the National Union of Associations and Institutions of, and for People with Disabilities in Cameroon (UNAPHAC).

Report by the Ministry of Justice on Human Rights in Cameroon in 2011

**700-** To improve on the level of persons with disabilities, specialists met in Yaounde during the 8th session of the AU Labour and Social Affairs Commission on the theme "Social Inclusion of Persons with Disabilities in Africa". During this meeting, experts reviewed and updated the Continental Plan of Action for the African Decade for Persons with Disabilities adopted by the AU in 2002.

**701-** African countries, regional economic communities and the AU Commission were called upon to reflect over the unemployment of persons with disabilities. It was stated that only 1% of persons with disabilities have paid employment out of less than 30% of them who are educated.

#### **B:** Access to Buildings

**702-** Advocacy for the inclusion of the disability approach in the construction of public infrastructure and buildings was continued. MINAS' institutional partners were called upon to take into account the disability approach in the construction of infrastructure and buildings such as handicraft centres and social housing under the authority of MINPMEESA and MINDUH.

**703-** Centres for persons with disabilities were constructed (Rehabilitation Centre for Persons with Disabilities, Maroua) or equipped with tricycles, wheelchairs, white canes, crutches and hearing gadgets.

#### C: Capacity Building of Organisations for Persons with Disabilities

**704-** The promotion of the rights of persons with disabilities is not the concern of Government alone. In 2011, development partners equally showed solidarity with this group:

- by offering subsidies worth CFAF 14,440,000<sup>258</sup> to private social services, NGOs and associations caring for the socially vulnerable;
- by granting CFAF 12,500,000<sup>259</sup> in direct aid to the socially vulnerable;

<sup>258</sup> About 22,045.80 Euros

- the Association of Cameroonian Students in Darmstadt Germany donated 1,000 Euros (about CFAF 656,000) for the welfare of 21 inmates of the state-owned Buea Rehabilitation Institute for the Blind;
- the Non-Governmental Organization, Association des Jeunes Handicaps Volontaires in collaboration with the Mobile Telephone Network (MTN) donated equipment worth CFAF 32 million<sup>260</sup>, including wheelchairs, crutches, walking sticks, and basic drugs to detainees with disabilities at the Central Prison, Kondengui, Yaounde; and
- the Association Chine-Cameroun donated about CFAF 3,000,000<sup>261</sup> in the form of insecticidal nets for newly born babies, detergents and bar soap, salt, shirts, umbrellas, and slippers to the persons with disabilities in the Wouri Division. The Association equally distributed aid to three local associations of persons with disabilities to wit: L'Asphadycam handicapées, L'Association des Femmes Handicapées de Douala 1 er and L'Amicale des Jeunes Handicapées du Cameroun.

## D: Celebration of the 20th edition of the International Day of Persons with Disabilities

**705-** The 20th edition of the International Day of Persons with Disabilities was celebrated at the National Rehabilitation Centre for the Handicapped in Yaounde under the theme "Together for a Better World for all Including Persons with Disabilities in Development".

**706-** MINAS used the occasion to hand equipment and financial assistance to persons with disabilities and associations in charge of caring for them. Attestations were also awarded to participants of a training programme in computer sciences and trophies handed over to winners of sports competitions to mark the week.

#### **SECTION 3: PROMOTION AND PROTECTION OF THE ELDERLY**

**707-** The Government took the following measures to promote and protect the elderly:

- awareness-raising on the benefits of intergenerational dialogue by initiating the implementation of the project to build a "Home for the

Elderly" (Centre for the Development of the Elderly and Meeting for Exchanges with the Youth) in Yaounde. To implement the project, terms of reference have been drawn up, an outline plan produced, land acquired, and there is ongoing geotechnical and architectural studies;

- dissemination of information and awareness-raising on ageing issues through the drawing up of "Guidelines for Healthy and Active Ageing" which is a collection of useful information and advice related to the elderly, the young, pensioners, to help them prepare for old age; and
- the development of Cameroon's second report on the implementation of the Madrid International Action Plan on Ageing.

**708-** Within the framework of national solidarity, social inclusion and the socio-economic integration of the vulnerable group, the promotion and protection of the rights of indigenous populations continued.

# SECTION 4: PROMOTION AND PROTECTION OF THE RIGHTS OF INDIGENOUS POPULATIONS

**709-** To promote and protect indigenous people, Government commenced examining their identification in Cameroon, focused on pygmies' vocational training and issued them official documents. The celebration of the International Day of Indigenous People was equally a turning point for the promotion of their rights.

#### §1: Identification of Indigenous Populations

**710-** To review the difficulty in defining indigenous people, MINREX in collaboration with CNUDHD-AC, Plan Cameroon and the ILO, organised in Kribi, from 14 to 16 December 2011, a Validation Workshop of the first phase of the study on the identification of indigenous people in Cameroon.

**711-** After the meeting, a select committee comprising stakeholders from Government, civil society organisations, UN Agencies, academics, a representative of Baka communities and a female representative of Bororo communities was set up. The Committee will suggest criteria for the identification

of indigenous populations during the second phase of this study<sup>262</sup>. At the end of the study, these criteria will be used to define indigenous population based on international standards for the protection of their rights and to identify its constituent groups.

#### §2: Vocational Training of Pygmies

**712-** To curb social exclusion, 4 young pygmies, holders of the BEPC were granted admission into the National School of Forestry, Mbalmayo to be trained as Technical Officers. During their training, Government ordered that their registration fees, tuition, books, school uniforms, clothing and boarding fees should be handled.

#### §3: Official Documents

**713-** After the identification of some of the vulnerable indigenous people (pygmies and mbororo) in 8 regions of Cameroon, they were issued 6,600 national identity cards and 4,253 declaratory judgments including 1,500 birth certificates for children.

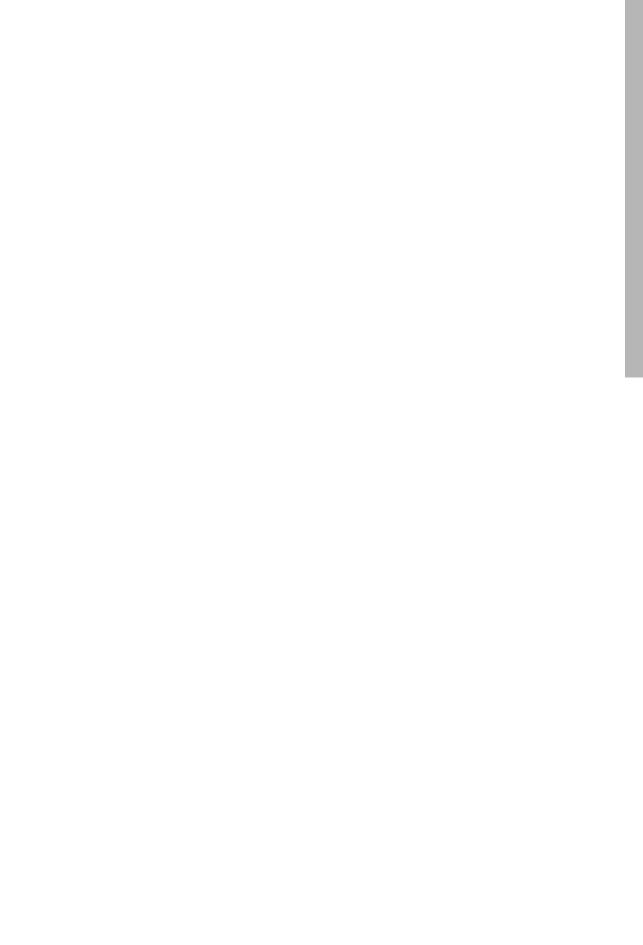
#### §4: Celebration of the International Day of Indigenous People

**714-** The following activities were carried out to celebrate the International Day of Indigenous People:

- support to some OVC in the form of food, education, health, legal and psychosocial assistance; and
- holding of technical sector consultations for the inclusion of the vulnerability /disability approach into policy and programme development with MINEDUB, MINPROFF, MINJEUN, MINEFOP and MOH.

<sup>262</sup> The second phase of the study shall comprise on site identification of indigenous populations based on the criteria suggested.

- **715-** Notwithstanding the above-mentioned efforts by the State to promote and protect the rights of vulnerable groups, the relevant legal framework should be strengthened by ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol and signing the enabling instruments of Law No. 2010/2 of 13 April 2010 on the protection and promotion of persons with disabilities.
- **716-** Furthermore, Government should ensure the popularisation and interpretation of sign language and the transcription in Braille of all important instruments, documents and information on Cameroon.



# Chapter

# PROMOTION AND PROCTECTION OF WOMEN'S RIGHTS



**717-** The realisation of women's rights comprising human rights set out in the Universal Declaration of Human Rights, sexo-specific women's rights and the specific rights of rural women enshrined in national, regional and international legal instruments require cross-cutting actions by social stakeholders. These actions were visible in 2011 through measures taken for the promotion of equality and non-discrimination, the protection of women against violence and the protection of their marital rights.

#### SECTION 1: PROMOTION OF EQUALITY AND NON-DISCRIMINATION

**718-** Significant actions were taken to promote equal access to education and employment. Similarly, sector plans drawn up to implement the National Gender Policy helped clarify Government's view on target areas. Participation in the management of public affairs was also improved.

#### §1: Promotion of Equal Access to Education and Employment

#### A: Access to Education

**719-** The 26th edition of the International Women's Day, organised on 8 March 2011 was celebrated under the theme "Equal Access to Education, Training, Science and Technology: Pathway to Decent Work for Women".

**720-** Activities organised throughout the year under the theme included, "Week of Education for All", organised by the Ministry of Basic Education from 28 June to 2 July 2011 on the theme "Education of Women and Girls." The event took place in pursuit of the Millennium Development Goals (MDGs) Target 3 on "Gender Equality and Women's Empowerment." It was intended to recall the commitments made by Government: education for all by 2015, on the one hand, and the mobilisation of all partners and members of the educational community, on the other.

- **721-** To achieve this objective, several measures were taken by Government through MINEDUB. Mention can be made, among others, of the rising enrolment and the modification of school syllabuses. Government action led to the increase of the enrolment rate to 83.1%. Girls (6-14 years) representing 88.6%, while the literacy rate of the female population (15 years and above) stands at 64.7%<sup>263</sup>.
- **722-** Despite ongoing efforts by public authorities, women still encounter education-related difficulties. According to MINPROFF, illiterate women are 1.72 times more numerous than men. Although young girls go to school, continuity is a real challenge. The dropout rate is higher among girls than boys because of socio-cultural handicaps such as marriage and early pregnancy. Girls are often removed early from school to learn a trade such as sewing or hair dressing at the expense of university studies.
- **723-** Some parents lack motivation for economic reasons. It is common to see families prioritise the education of boys over girls under difficult financial situations.

#### **B:** Access to Employment

Human Rights in Cameroon in 2011

**724-** Under the special recruitment of 25,000 young Cameroonians into the Public Service<sup>264</sup>, the gender approach was taken into account during the selection of files as revealed in the table below.

**Table 1:** Gender analysis of the twenty five thousand young people recruited into the Public Service

Gender	Workforce	Percentage
Female	11,262	45.026 %
Male	13,750	54.974 %
Total	25,012	100 %

Source: MINFOPRA

 $263\ NIS, 2010\ Survey$  on Employment and the Informal Sector.

264 See Chapter on Right to Work and Social Security, §554

**725-** Thus, women's recruitment rate was about equal but exceeded the minimum rate of 30% provided by GESP.

# §2: Sector Plans for the Implementation of the National Gender Policy (NGP)

**726-** In view of implementing the NGP which is under adoption, sector plans that will specifically identify actions to be undertaken in the areas of rights/law and health, produced by national consultants, were validated at a workshop organised by MINPROFF from 28 November to 1 December 2011<sup>265</sup>.

#### A: Rights and the Law Sector Plan

**727-** The sector plan to implement rights and the law under the NGP (PMDL/PNG) directs the inputs of the different stakeholders in the domain. It is intended to contribute to a better understanding and effective respect for the rights of women hence contributing to the development of a sociocultural environment conducive to the promotion and protection of women's rights in Cameroon<sup>266</sup>.

**728-** Four strategic thrusts were defined with priority action areas for 2015 including:

- reducing the socio-cultural impact on the implementation of the rights of women. This strategic thrust includes two priority action areas that are the extension of the rights of women and capacity building of stakeholders;
- improving universal access to legal and judicial services. This thrust's priority action areas include support for women and specific groups who are victims of violence;
- improving the legal status of women. The priority action is to adopt legislation that will promote and protect the rights of women; and
- supporting PMDL/PNG implementation. This strategic thrust has 6 priority action areas namely, the strengthening of some basic services, strengthening of coordination structures, sustainable funding for the advancement of women, improvement of production management, management of strategic information resources and the strengthening of partnerships.

<sup>265</sup> Other sector plans are envisaged namely, on the one hand the promotion of equal and equitable access of women and men, girls and boys to education, training and information and on the other hand, promotion of equal chances and opportunities for men and women in the areas of economy and employment.

<sup>266</sup> The generic word "Woman" refers to both adult women and the young girl.

#### **B: Health Sector Plan**

**729-** The Gender and Health Sector Plan is based on 9 strategic thrusts that have been split into several priority action areas including:

- strengthening maternal mortality control;
- strengthening maternal morbidity reduction;
- strenghthening HIV/AIDS prevalence control among women and infants, men and young people;
- promoting health and nutrition education of women and girls;
- improving contraceptive prevalence of women of childbearing age (to avoid pregnancies...);
- promoting gender issues in reproductive health;
- strengthening gender-based violence control;
- promoting gender-sensitive health information system; and
- promoting gender institutionalisation in the health sector.
- **730-** Women also took active part in political and public life in 2011.

#### §3: Participation of Women in the Management of Public Affairs

#### A: Participation in Political Life

**731-**The political scene was enlivened by the preparation and the conduct of the presidential election in 2011. Women's participation was marked by high registration rate on electoral lists, female candidates and voting.

#### 1: Registration on Electoral Lists

**732-** Compared to previous elections, a considerable number of women registered for this election. However, it should be noted that these statistics are not inflexible. ELECAM indicated that the gender of many registered voters was not stated

733-The table below illustrates this trend.

Table 2: Number of women and men registered on the electoral register

Year	Total	Men	Women	% M	% W
2007	4,940,203	3,210,640	1,729,563	64.99%	35.01%
2011	7,525,532	3,853,208	3,537,047	51.20%	48.80%

Source: ELECAM Strategic Gender and Elections Plan

#### 2: Female Presidential Candidates

**734-** "The « La Dynamique Conquérante Libérale des Indomptables du Cameroun » (DCLIC), that was among the 20 political parties authorised in 2011 by Decision No. 328/D/MINATD/DAP/SDE/SPP of 18 August 2011, is chaired by TCHANA Lamartine. She and two other women filed their nominations for the election of the President of the Republic with mixed fortunes.

### a) TCHANA Lamartine

**735-** The candidacy of TCHANA Lamartine was invalidated by ELECAM for failing to present a:

- criminal record Bulletin No. 3;
- tax certificate; and
- certificate of nationality.

**736-** She appealed against Decision No. 55/ELECAM/CE of 9 September 2011 rejecting her candidacy. The SC declared her appeal admissible in form but dismissed it on the merits because it was unjustified.

# b) DANG BAYIBIDIO Esther and WALLA Edith KAHBANG<sup>267</sup>

**737-** These two women exercised their right of eligibility for the presidential election against 21 men. They benefited from all the facilities set up for the conduct of the election campaign<sup>268</sup>.

<sup>267</sup> See general report on the presidential election of 9 October 2011, p.243.

<sup>268</sup> See supra, part I, chapter on the Right to Participate in the Management of Public Affairs, §226

#### i) DANG BAYIBIDIO Esther

**738-** She participated in the presidential election under the banner of : «Bloc pour la Reconstruction et l'Indépendance Economique du Cameroun» (BRIC). She was 2nd out of 23 at the proclamation of results.

#### ii) WALLA Edith KAHBANG

**739-** She ran as candidate for the Cameroon People's Party (CPP). She was 6th out of 23.

**740-** These pioneers obtained honorable results.

#### 3: Voting

**741-** The increased number of registered women on the electoral lists was not reflected by their massive participation at the pools. Thus, only 1,158,121 women effectively<sup>269</sup> voted out of 3,126,946 voters.

#### **B: Participation in Decision-making Process**

**742-** With the formation of the Government by Presidential Decree No. 2011/409 of 9 December 2011, 3 women made their entry therein and those who were in place were maintained at their posts. The number of women increased from 6 in 2010 to 9 in 2011 against 54 men. Although there is an increase in the relative value of the rate of representation of women in the Government of the Republic from 13.5% to 14.51%, much effort remains to be made to achieve the 30% set by GESP for the participation of women in public life.

**743-** In addition to these actions for the promotion of women, those relating to their protection were also recorded.

<sup>269</sup> ELECAM Gender and Elections Strategic Plan

#### **SECTION 2: PROTECTION OF WOMEN AGAINST VIOLENCE**

**744-** In 2011, several actions were taken to prevent violence against women. The Courts handled their repressive aspects. Actions were also taken to rehabilitate victims of violence.

## §1: Preventive Measures against Violence on Women

**745-** This concerned essentially the development of strategy papers relating to the fight against gender-based violence including a platform and awareness sessions.

#### A: Platform for the Control of Gender-based Violence

**746-** In order to harmonise and coordinate inputs on gender-based violence (GBV), a draft platform of actions prepared by MINPROFF was updated and validated at a workshop that held from 8 to 9 September 2011 bringing together representatives of ministries, UN bodies especially UN/Women and UNFPA, the NCHRF, women's associations and religious associations.

**747-** This harmonisation is justified by the fact that the dispersal of the actions of different stakeholders rendered control ineffective. It was noted that State institutions, private structures, communities and civil society organisations provided different answers to GBV and support to the victims of such violence. However, perceptions and approaches were often divergent and sometimes conflicting. It was necessary to implement a formal response and to harmonise approaches that can guarantee the achievement of the objectives through coordination of inputs.

**748-** The validated document defines the concept of GBV. It lays down the terms and conditions of collaboration between MINPROFF and the abovementioned partners, in the control of gender-based violence against women or men.

**749-** Thus, collaboration areas were clarified, common and sector commitments taken and a monitoring and evaluation mechanism provided. Similarly, a National Action Plan for FGM was developed and provides for the following contribution thrusts: prevention, psycho-social support for victims, socio-professional reconversion of excisers, research, coordination, monitoring and evaluation.

#### **B:** Gender-Based Violence

**750-** Gender-based awareness-campaigns were carried out on commemorative days for women<sup>270</sup>. Special emphasis was laid on days devoted to widows and rural women and the celebration of 16 days of advocacy against violence on women.

## 1: Celebration of the International Widows Day

**751-** By Resolution No. A/RES/65/189, adopted at its 65th session on 21 December 2010, the UN General Assembly established the International Widows Day (IWD) celebrated on 23 June of each year.

**752-** According to the Resolution, "widows and their children, in many countries of the world, suffer in all aspects of their lives from various economic, social and cultural factors, particularly denial of the right to inherit, land rights, access to employment or livelihood, social protection, health care and education".

**753-** The United Nations thereby establishes the link between the situation of widows and that of their children and calls on Member States to give it special attention and awareness.

<sup>270</sup> The International Day for the Fight against Female Genital Mutilation organised on 6 February 2011 under the theme "Engaging Governments Needed to Achieve Zero Tolerance to FGM"; the International Women's Day on 8 March under the theme "Equality of Access to Education, Training, Science and Technology: Pathway to Decent Work for Women"; the African Women's Day on 31 July 2011 under the theme "Pan-African Women's Organization: Contribution by Member Countries to Reduce Maternal and Infant Mortality and HIV / AIDS 49 Years After".

- **754-** Cameroon, together with the international community, celebrated the first edition of the IWD on 23 June 2011. As part of the celebration, a symposium was organised on widows in Cameroon on 20 June 2011.
- **755-** During this major gathering, stock was taken on the situation of widows, the legal framework for the protection of the rights of the widow was presented and attempts to find solutions discussed.

#### a) Widows in Cameroon

**756-** The situation of widows is summarised with respect to:

- physical and moral violence following the death of the husband under the pretext of widowhood rites;
- restriction of the right to ownership of property;
- widow's ignorance of her fundamental rights; and
- social exclusion from heritage.

**757-** Nonetheless, Cameroon has a normative and institutional framework that protects the rights of widows.

## b) Legal framework for the Protection of Widows' Rights

**758-** The normative and institutional framework was presented at this celebration.

#### i) Normative Framework

**759-** The normative framework for the protection of widows and orphans comprising national, regional and international instruments were presented. Participants retained, for example, that widowhood rites are prohibited by law. Article 20 of the Maputo Protocol provides that States Parties shall take appropriate legal measures to ensure that "widows are not subjected to inhuman, humiliating or degrading treatment" and section *77* of

Ordinance No. 81/2 of 29 June 1981 to organize the Civil Status Registration provides: "in the event of death of the husband, his heirs shall have no right over the widow, nor over her freedom or the share of property belonging to her....".

- **760-** The widow has the right, regardless of the matrimonial regime, to continue to live in the matrimonial house (Art. 21 of the Maputo Protocol).
- **761-** The widow must first obtain the liquidation of the matrimonial property and the division of assets of the marriage before the opening of the succession of the deceased (Section 1441 et seq. of the Civil Code).
- **762-** The widow succeeds in full ownership the property of her husband if the deceased leaves neither descendants nor parents who are entitled to inherit. Otherwise, she has the right to usufruct on the estate of her late husband regardless of the designated heir.
- **763-** Orphans, without distinction of sex or primogeniture, succeed their deceased parent and inherit his part of property. Any other successor may intervene only in absence of children or grandchildren (Section 745 of the Civil Code).
- **764-** The widow and orphans of a civil servant, state agents and employees are entitled to allowances paid by the employer under various names including, death benefit, reversion pensions, etc.

#### (ii) Institutional Framework

- **765-** In the course of this meeting, participants were clarified on the institutional mechanisms for the implementation of protected rights, especially administrative services responsible for the liquidation and payment of allowances for widows and orphans and the courts competent to decide on disputes or conflicts relating to the realisation of the rights of widows and orphans.
- **766-** After identifying the weaknesses of the protection system of widows' rights, some possible solutions were proposed.

## c) Possible Solutions to Weaknesses of the System

## i) Identified Weaknesses

**767-** Given the perpetuation of violence and discrimination despite the existence of relevant legal instruments, a few obstacles to the implementation of these instruments were identified. They include the lack of harmonised instruments, the persistence of discriminatory provisions in some instruments and legal voids, socio-cultural obstacles and the reluctance of stakeholders to apply instruments favourable to women who are beneficiaries of rights.

#### ii) Possible Solutions

**768-** At the end of the symposium, suggestions were made to improve the impact of the normative framework on the promotion and protection of the rights of widows and orphans. A review of the normative framework was proposed to harmonise national legislation on the one hand and the latter with international instruments ratified by Cameroon, which are included in its positive law on the other.

**769-** However, because the best normative framework cannot be effective unless it is actually implemented and because the proper application of an instrument is dependent on its ownership both by those who have rights and obligations, it is important to embark on awareness-raising. This implies providing means to intensify awareness on the rights of women and children and to build the capacity of stakeholders.

# 2: Celebration of the International Day of the Rural Woman

**770-** The International Day of the Rural Woman that is celebrated yearly on 15 October was commemorated in 2011 under the theme "Rural Women, Claim your Right to Land and Succession". The main activity of this commemoration was a presentation made to several women's associations on the right to land and the right to succession.

#### 771- During this talk, participants were drilled on:

- legal means to access land and land ownership;
- scope of an estate;
- persons who may succeed a deceased person; and
- administrative and judicial procedures for asserting violated rights.

## 3: Celebration of 16 Days of Advocacy against Violence on Women

**772-** During this celebration, held from 25 November to 10 December 2011 under the theme "Peace at Home Peace in the World: Challenge Militarism and End up with Violence against Women", several activities were carried out.

773- To this end, the Cameroon Association of Female Jurists (ACAFEJ) organised a social mobilisation campaign expressed through various activities. This included respectively a roundtable discussion on preventive engagement as a way of preventing violence against women; exhibition of photos, poems and cartoons on violence against women on the theme "The Other Me/I Love You, I Love You"; and the design of communication and awareness aids on the violence, the foremost being the editing of a documentary entitled "The sufferings of women." Broadcast on national television, Cameroon Radio Television, this 43-minute long film presented the most common abuses suffered by women in the Far North, Centre, West and Littoral Regions and testimonies of victims.

## §2: Punishment of Violence against Women

**774-** An analysis of the table on the criminal response to certain human rights violations<sup>271</sup> reveals that sexual violence (indecency and rape) once more formed the major part of cases of violence against women heard and determined by the Courts in 2011. Most of the cases resulted in convictions.

**775-** Moreover, the courts entertained 58 cases of capital murder, 32 cases of murder and 50 cases of grievous harm concerning women.

<sup>274</sup> Table 4 on the chapter on the Right to Fair Trial, § 119.

## §3: Support and Rehabilitation of Victims of Violence

**776-**The following actions were carried out to support and rehabilitate victims of violence:

- training of 25 communal and community radio hosts on GBV;
- training of 50 young mothers and free girls to fight against teenage and/or unwanted pregnancy;
- control of domestic and marital violence through mediation. 11,019
   people benefited from listening services, 5,365 from family and domestic mediation;
- assistance to 22,042 destitute and needy people; and
- the organisation of holiday classes for 204 pupils, students and orphans from families with limited income for a total of CFAF 96,525,000.

**777-** To stabilise families and ensure social cohesion, public authorities guaranteed the rights of women arising from marriage.

#### **SECTION 3: WOMEN'S MARITAL RIGHTS**

**778-** Women's marital rights mainly involve the promotion of equal rights in marriage and the judicial protection of their marital rights.

## §1: Promotion of Equal Rights in Marriage

**779-** To control free unions, a source of social imbalance, Government continued to promote the collective celebration of marriages. Thus, 4,021 marriages were celebrated with financial support of CFAF 7,125,000.

**780-** Other actions were taken including:

- awareness-raising of 3,000 community leaders and leaders of associations on the rights and duties of family members;
- the holding throughout the country of 67 educational talk sessions on the arousal and preparation for marriage, promoting dialogue within families, family values, cohabitation and divorce, the importance of

- civil marriage, pre-marital, marriage and family education. A total of 23,956 people, mostly the young, benefited therefrom; and
- the celebration of the International Day of the Family, on 15 May 2011 under the theme "Combating Family Poverty And Social Exclusion."

## §2: Judicial Protection of Women's Marital Rights

**781-** The protection of these rights was expressed by the management of property rights during the dissolution or disintegration of marriage and the settlement of related conflicts during marriage.

## A: Management of Property upon the Dissolution of Marriage

**782-** During the dissolution of marriage many women's rights are violated. The Courts intervene to restore them. The following table illustrates this protection in 2011.

**Table 1:** Protection of women's rights during the dissolution of marriage in 2011

Court	Number of Divorce Cases				Judicial Separation		Annulment of marriage		Successions			
	Husband 's Fault	Wife's Fault	Shared Responsibilit y	Marriage Settlement	Alimony to the Wife	Husband 's Fault	Wife's Fault	Shared Responsibilit y	Alimony to the Wife		M	W
<u>TC</u>	480	443	228	150	140	37	10	06	34	65	1771	1182
<u>HC</u>	203	159	138	123	71	28	10	12	20	65	170	119
CA	41	28	44	73	57	03	03	02	06	14	54	48
Total	724	630	410	346	268	68	23	20	60	144	1995	1349

Source: MINJUSTICE

**783-** It is observed that the situation of marriage settlement, provision of alimony after the granting of divorce and judicial separation as well as the right of inheritance has improved. The table below shows the variations.

Table 2: Statistics on the protection of women's marital rights

	2010	2011	Variations	
Liquidation of Matrimon Property	ial			
	228	346	+118	
Alimony to Women				
	250	328	+78	
Succession Granted	to 983	1349	+366	
Women				

Source: MINJUSTICE

**784-** However, jurisprudence is not harmonised on the share of property given to each spouse during division of the legal estate, under ordinary law regime where the spouses were married without a marriage contract, where they declared that they were married under a joint property regime or where they did not state the marriage settlement on the day of the marriage.

**785-** The principle laid down by the Civil Code (Section. 1441 et seq.) and international legal instruments ratified by Cameroon is that marriage is dissolved by divorce, judicial separation or by the death of a spouse. The liquidation and division of the assets are therefore a legal outcome of the dissolution of the marriage and the division of the property of the union is shared equally between the spouses or their representatives, after removal of personal property. It was indeed found that some courts order unequal division of common property always at the detriment of the woman while others decide in accordance with the law.

**786-** The following two cases illustrate these contradictions by the same Court of Appeal:

- In Judgment No. 42/CC of 1 March 2010, MOUDIO née MOU-KOKO Catherine and MOUDIO Roger, for divorce, the CA Littoral, Douala reversed Judgment No. 682 delivered by HC, Wouri, Douala on 17 September 2004, which had not ruled on the fate of the property of the union, on the ground that no party had applied for the sharing acknowledging that "the sharing of property jointly owned by spouses is a logical extension of the application for divorce" and "that it is common knowledge that the MOUDIOs jointly owned that property".

- **787-** However, the Court ordered the settlement and division of the joint estate "in the proportions of 2/3 to the husband and 1/3 to the wife."
  - The same CA (with different panel), in Judgment No. 31/CC of 3 January 2011, delivered in the divorce suit of EKOKO PRISO Albert and MABOA EPO Patience EKOKO PRISO, confirmed Judgment No.584 rendered by the HC, Wouri, on 20 July 2009 which ordered "the settlement of the spouses' joint estate and the equal sharing of their marital property".

**788-** This inconsistent jurisprudence in the same matter paves the way for judicial insecurity. Urgent measures should be taken to redress this situation. Judicial and Legal Officers should be trained irrespective of any action by the SC to redress violation of the law.

# B: Resolution of Conflicts Arising from the Management of Assets of the Marriage

**789-** A case-law should be presented because it illustrates the settlement of a conflict between the Civil Code, national legislation and the International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) about the concept of head of the family and the right to dispose of the assets of the conjugal estate.

**790-** In NKOT Jean Calvin and MBELLA MANANGA Créscence, MBELLA Eugène had sold, before a Notary Public, a building, part of the family property, while he was divorcing his wife MANANGA Créscence. The wife discovered the sale after the death of her husband that occurred when divorce proceedings were pending. She sued the buyer, NKOT Jean Calvin, before the HC, Wouri, Douala, with territorial competence, for the annulment of the sale of part of the estate on the grounds that he could not sell a joint property without her consent in accordance with the provisions of Article 16 of CEDAW.

- **791-** The Court rejected the argument of NKOT Jean Calvin who relied on Section 1421 of the Civil Code which allows the husband to dispose of the joint property without the consent of his wife. The Court, in Judgment No. 37/CIV/TGI/9 of 16 December 2009, declared null, void and unenforceable erga omnes the notarial deed that certified the sale of the disputed land.
- **792-** Ruling on an appeal by the respondent, the CA Littoral, in Judgment No. 75/C of 17 June 2011, confirmed the judgment.
- **793-** Efforts made by the State, supported by its technical and financial partners, for the promotion of gender equality will gradually achieve Target 3 of the MDG reflected in the GESP by 2015.

# **CONCLUSION OF PART THREE**

**794-** The improvement of detention conditions is strongly sustained by the combined actions of Government and different stakeholders including charities. However, much remains to be done to attain international standards including diet and health care because detainees are only deprived of their freedom of movement and should continue to enjoy the other rights. Measures taken to promote and protect the rights of vulnerable groups should be consolidated by ratifying the United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol as well as the signing of the enabling instruments of Law No. 2010/2 of 13 April 2010 on the protection and welfare of persons with disabilities. Transcription in Braille of important information and sign language learning will enable better social integration of persons with sensory disabilities. Finally, efforts made by the State supported by its technical and financial partners for the promotion of gender equality should be consolidated and should materialise by the adoption of all the draft instruments in order to achieve Target 3 of the MDG expressed in the GESP by 2015.

# **GENERAL CONCLUSION**

- **795-** The appraisal of human rights presupposes the review of achievements, progress, inaction, regression, constraints and difficulties as well as challenges.
- **796-** What can be considered as a major achievement is the political will to make Cameroon a democratic country in which respect for human rights would be a value shared by all. Actions undertaken to this end allowed for stabilisation for example of freedom of expression and communication, the fight against impunity, not only with regard to the violation of civil rights but also with regard to the fight against corruption and detention conditions.
- **797-** Progress was observed in several areas such as capacity building of stakeholders from all sectors, improvement of the normative and institutional framework for the exercise of the right to a fair trial, management of refugees, consumer protection and healthy environment.
- **798-** Major strides were also made in the health sector with the increase of medical personnel, infrastructure development and disease control strategies. The overall progress in schooling rate indicators, increase in foodstuff production and contemplated water and energy offer, with the launch of major strategic projects, illustrate these advances in the areas of education and the right to adequate standard of living.
- **799-** Immobilism includes the situation of adequate housing whose actions over the years are slow to bear fruit. Academic success regressed with a drop in performance at examinations organised by the BC and the GCE Board.
- **800-** The economic and financial crises which restrict the State's possibilities of implementing all its rather ambitious projects and to improve the human rights situation constitute constraints and difficulties. Another obstacle to the realisation of human rights is the low awareness of social stakeholders, including rights holders, who do not have the culture of claiming their rights.
- **801-** But their passive attitude should not prevent the State from taking up challenges especially in the popularisation of human rights legal instruments and the awareness of public authorities on their effective and efficient implementation.
- **802-** Challenges also relate to the harmonisation of national legislation with international legal instruments, the effective implementation of the management bodies of refugees, the acceleration of the ongoing institutional process, the relief of administrative directives, health care improvement and the reduction of maternal mortality. The professionalisation of teaching still deserves further extension to reduce the rate of unspecialised graduates. Food production is expected to increase for optimum coverage of the population's needs just as better organisation of copyright management mechanisms will contribute in improving the social status of the artist.
- **803-** Finally, the social inclusion of all remains one of the main concerns of the State.