



2019 ANNUAL REPORT OF THE NCHRF

Yaounde, March 2022









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LIST OF ACRONYMS AND ABBREVIATIONS

ACHPR:	African Charter on human and people's Rights
AfCON:	African Cup of Nations
ARMP:	Public Contracts Regulatory Agency
ARSEL:	Electricity Sector Regulatory Agency
AU:	African Union
BIR:	Rapid Intervention Battalion
BUCREP:	Central Bureau of the Census and population Studies
CAMWATER:	Cameroon Water Utilities Corporation
CAR:	Central African Republic
CAT:	Committee Against Torture
CC:	Criminal Code
CDE:	Cameroon Waters
CEDAW:	Committee for the Elimination of All Forms of Discrimination against Women
CEFAID:	Centre for Education, Training and Support to Development Initiatives in Cameroon
CEMAC:	Economic and Monetary Community of Central Africa
CERD:	Committee on the Elimination of Racial Discrimination
CESCR:	Committee on Economic, Social and Cultural Rights
CHR:	Commission (Committee) on Human Rights
CHRC:	Cameroon Human Rights Commission
NSIF:	National Social Insurance Fund
COMINSUD:	Community Initiative for Sustainable Development
CONAC:	National Anti-Corruption Commission
CONSUPE:	Supreme State Audit Office
COSUP:	Center for School, University and Vocational Guidance
CPC:	Criminal Procedure Code
CRC:	Convention on the Rights of the Child
CRM:	Cameroon Renaissance Movement
CRTV:	Cameroon Radio Television
CSO:	Civil Society Organisation
CSU:	Universal health Coverage
CTD:	Decentralised Territorial Community
CURY:	Yaounde Emergency Centre
DGRE:	Directorate General of External Research
DGSN:	General Delegation for National Security
DST:	Directorate of Territorial Surveillance
ECAM:	Cameroon Household Survey
ECHR:	European Court of Human Rights
EDC:	Electricity Development Corporation
EITI:	Extractive Industries Transparency Initiative
ELECAM:	Elections Cameroon
ENAM:	National School of Administration and Magistracy
ENSAI:	National School of Agro-Industrial Sciences

ESCR:	Economic, Social and Cultural Rights
ESSEC:	Advanced School of Economics and Commerce
EU:	European Union
FDS:	Defence and Security Forces
FEICOM:	Special Fund for Equipment and Inter-municipal Intervention
FMO:	Forces of Law and Order
GBV:	Gender-Based Violence
HIMO:	Higher Intensity of Manpower
HYSACAM:	Cameroon Hygiene and Sanitation Company
ICCPR:	International Covenant on Civil and Political Rights
ICESCR:	International Covenant on Economic, Social and Cultural Rights
ICRC:	International Committee of the Red Cross
ICT:	Information and Communication Technologies
ILO:	International Labour Office
ILO:	International Labour Office
INGOs:	International Non-governmental Organisations
INTERPOL:	International Criminal Police Organization
IPES:	Private Institute of Higher Education
IRIC:	International Relations Institute of Cameroon
JPO:	Judicial Police Officer
MAETUR:	Planning and Equipment Mission of Urban and Rural Lands
MBOSCUDA:	Mbororo Social and Cultural Development Association
MINADER:	Ministry of Agriculture and Rural Development
MINAS:	Ministry of Social Affairs
MINAT:	Ministry of Territorial Administration
MINATD:	Ministry of Territorial Administration and Decentralisation
MINCOMMERCE:	Ministry of Commerce
MINDCAF:	Ministry of State Property, Surveys and Land Tenure
MINDEF:	Ministry of Defence
MINDUH:	Ministry of Urban Development and Housing
MINEDUB:	Ministry of Basic Education
MINEE:	Ministry of Water Resources and Energy
MINEFOP:	Ministry of Employment and Vocational Training
MINEPAT:	Ministry of the Economy, Planning and regional Development
MINEPDED:	Ministry of Environment, Nature Protection and Sustainable Development
MINEPIA:	Ministry of Livestock, Fisheries and Animal Industries
MINESEC:	Ministry of Secondary Education
MINESUP:	Ministry of Higher Education
MINFI:	Ministry of Finance
MINJEC:	Ministry of Youth Affairs and Civic Education
MINJUSTICE:	Ministry of Justice
MINPMEESA:	Ministry of Small and Medium-sized Enterprises, Social Economy and Handicraft
MINPOSTE:	Ministry of Posts and Telecommunications
MINPROFF:	Ministry of Women Empowerment and the Family

MINREX:	Ministry of External Relations
MINSANTE:	Ministry of Public Health
MINTSS:	Ministry of Labour and Social Security
MND:	Major National Dialogue
MNPT:	National Mechanism for the Prevention of Torture
NCC:	National Communication Council
NCHRF:	National Commission on Human Rights and Freedoms
NECC:	National Episcopal Conference of Cameroon of Child Labour
OHCHR:	Office of the United Nations High Commissioner for Refugees
OIF:	Organisation internationale de la Francophonie
OPCAT:	Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
PANETEC:	National Action Plan to Eliminate the Worst Forms
PDPP:	Indigenous (Pygmy) Peoples Development Plan
PICEF:	Project to Improve the Conditions for Exercising Freedoms in Cameroon
PLANUT:	A three-year emergency investment plan to accelerate growth
PNACC:	National Plan for Adaptation to the Climate Change
PNG:	National Governance Programme
PTA:	Parents and Teachers Association
SAMU:	Emergency Medical Assistance Services
SAR/SM:	Collège d'enseignement technique de section artisanale rurale/section ménagère
SCNC :	Southern Cameroons National Council
SDGs:	Sustainable Development Goals
SED:	State Secretariat for Defence
SEMIL:	Military Security
SIC:	Cameroon Real Estate Company
SMEPA:	Small and Medium-Sized Entreprises Promotion Agency
SMIG:	Interprofessional Guaranteed Minimum Wage
SNCFF:	National Forestry and Wildlife Control Strategy
SOCAPALM:	Société camerounaise des palmeraies
SONATREL :	Société nationale de transport de l'électricité
SRGBV:	School-Related Gender-Based Violence
TCS:	Special Criminal Court
TGI:	High Court
TPI:	Court of First Instance
UDHR:	Universal Declaration of Human Rights
UNCHRD-CA:	United Nations Centre for Human Rights and Democracy in Central Africa
UNDP:	United Nations Development Programme
UNFPA:	United Nations Population Fund
VIH:	Human Immunodeficiency Virus
WFP :	World Food Programme
WHO:	World Health Organization
WWF:	World Wide Fund for nature
ZEP:	Priority Education Zones



GENERAL INTRODUCTION

The 2019 Annual Report of the National Commission on Human Rights and Freedoms (NCHRF), which is the 12th of its kind, was prepared according to Section 19 of Law No. 2004/016 of 22 July 2004 to set up the organization and functioning of the NCHRF, as amended and supplemented by Law No. 2010/004 of 13 April 2010. This Section states that "Within the framework of its activities, the Commission shall hold deliberation, make recommendations, give its opinions and draw up reports".

Thus, for several years, the NCHRF has produced, in addition to the specific reports for each activity carried out, two types of annual reports: one relating to the activities of the reference year and the other on the state of human rights in Cameroon.

In 2018, by a resolution of the members, during a monthly meeting of the Chairpersons and Rapporteurs of the Sub-Commissions headed by the Chairperson of the NCHRF, the Commission opted for a single annual report, henceforth including data relating to the activities carried out on the one hand, and the state of Freedoms on the other. The 2019 Annual Report follows this approach. It opens with a brief review of the institution's activities in 2019 and then focuses on the human rights situation in Cameroon during the reference year.

On the whole, the year 2019 was severely marred by security and sociopolitical unrest in some regions of Cameroon. These include the state of affairs in the North-West and South-West Regions, the resurgence of terrorist attacks by Boko Haram in the Far-North, hostage-taking in the North and Adamawa Regions, sporadic incursions by Central African rebel troops into Cameroonian territory (in the East) and attempts to challenge the constitutional order, following the presidential election of 7 October 2018, whose result was proclaimed by the Constitutional Council, the competent body, is being contested unsubstantiated, in some cases violently, by the Cameroon Renaissance Movement (CRM) and its sympathisers.

These episodes severely challenged human rights during the reference year. In addition to the numerous losses of human life, material damage and disruption of socio-economic activities, particularly in the North-West and South-West, this unrest has squeezed the State's resources and forced a shift in public policy priorities towards security considerations, with a subsequent reduction in the budgets of most public institutions and ministries with a social vocation.

Nevertheless, there have been some remarkable advances in human rights during 2019, such as (i) the adoption of Law No. 2019/014 of 19 July 2019 relating to the establishment, organisation and functioning of the Cameroon Human Rights Commission (CHRC), which repeals the 2004 law creating the National Commission on Human Rights and Freedoms; (ii) the holding of the Major National Dialogue (MND) from 30 September to 4 October 2019, during which several recommendations aimed at bringing peace to the North-West and South-West Regions and easing social and political tensions in Cameroon were adopted.

The NCHRF was further pleased to observe the release of 230 persons who were being prosecuted before the military courts as part of the situation in the North-West and South-West Regions, as well as 103 CRM militants who were being criminally prosecuted before the military courts as part of the unfounded challenge of the 2018 presidential election results.

In the wake of the Great National Dialogue, several laws were also adopted, such as:

- Law No. 2019/019 on the promotion of official languages in Cameroon,
- Law N° 2019/020 of 24 December 2019 to amend and supplement some provisions of Law No.2016/7 of 12 July 2016 relating to the penal code, aimed at punishing contempt for races and religions as well as contempt for tribe or ethnicity to combat hate speech,
- Law No.2019/024 of 24 December 2019 bill to institute the general code of regional and local authorities. This Code paved the way for the establishment of the second tier of decentralisation, the Region, enshrined in the Constitution of 18 January 1996 and recommended by the MND, with emphasis on the specificities of implementing a special status in the North-West and South-West Regions.

NCHRF

2019 ANNUAL REPORT

In this regard, the substantial decrease in the NCHRF's budget for FY2019 explains the low level of achievement of activities (PART I). The security situation in some regions of Cameroon has compromised the full enjoyment of civil and political rights (PART II), economic, social and cultural rights (PART III) and the rights of specific categories (PART IV). Special issues (Part V) and the problem of respect for regional and international human rights commitments by the State of Cameroon during the reference year (Part VI) will also be examined in this report.

PART 1.- NCHRF MEETINGS AND ACTIVITIES IN 2019

According to Section 14 (1) of Law No. 2004/016 of July 22, 2004, which set up the National Commission on Human Rights and Freedoms, the institution "The Chairperson of the Commission shall convene an ordinary session once every six months"; however, due to constraints related to the national economic situation that weighed on the Commission's budget, it was only able to hold an ordinary session during the reference year.

In addition, monthly coordination meetings were held with the chairpersons and rapporteurs of the working groups, the vice-chairpersons of the Commission, the secretary-general and certain staff of the Permanent Secretariat, to issue opinions and recommendations on all matters relating to the protection and promotion of human rights. The coordination meetings also contributed to the implementation of the resolutions and recommendations adopted by the members meeting in session.

The Commission had four Working Groups, set up under Section 17 of the above-mentioned Founding Law, which carried out activities in their respective areas of competence.

The institution has also conducted human rights promotion and protection activities, both at its head office and branches, and participated in activities initiated by national, regional and international partners.

Thus, this Report will attempt to look at the meetings of the NCHRF's organic bodies (Chapter 1), before focusing on the activities organized by the Commission, as well as those in which it participated (Chapter 2).



CHAPTER 1 - MEETINGS OF THE ORGANIC BODIES OF THE NCHRF

Commission proceedings that were held in 2019 include the May 2019 Ordinary Session (I) and monthly coordination meetings (II).

SECTION 1.- THE MAY 2019 ORDINARY SESSION

During the first session of the year, the Commission usually defines its major policies for the reference year, based on its action plan and budget.

The 26th Ordinary Session of the institution was held on 9 May 2019 at its Head Office in Yaoundé. It dealt mainly with the examination and adoption of the Reports and follow-up of resolutions and recommendations (paragraph 1), the examination and adoption of the financial documents (paragraph 2), election of the Chairpersons and Rapporteurs of the Working Groups and discussions on important issues related to the promotion and protection of human rights (paragraph 3).

Paragraph 1.- Examination and adoption of reports and follow-up of resolutions and recommendations

Following the opening ceremony, the 26th Ordinary Session began with the examination and adoption of the report of the 25th Ordinary Session of 7 December 2018, and the 2018 Annual Report. They proceeded with the evaluation of the implementation level of the resolutions and recommendations of that session.

After discussion, the Report of the 25th Ordinary Session of the NCHRF was unanimously adopted as presented. As for the resolutions and recommendations, it was observed that they had been effectively implemented on the whole.

Paragraph 2.- Examination and adoption of financial documents

During the NCHRF's 26th ordinary session, they adopted some financial documents. These included the 2018 administrative account, the 2018 management account and the 2020 draft budget.

A. Examination and adoption of the 2018 administrative account

The head of the General Affairs Service presented the 2018 administrative account. The budget, which showed revenue and expenditure balanced at the sum of 3,227,055,886 F CFA, was adopted. Some difficulties occurred during this fiscal year that was nevertheless underscored, such as the late release of the budget, the insufficient collaboration between the actors of the disbursement chain and the bottleneck observed in the start-up phase of the construction project of the NCHRF Head Office building after one of the contractors withdrew from the contract.

B. Examination and adoption of the 2018 Management Account

Ms FRU Sylvie, the NCHRF accounting officer since 1 February 2019, presented the 2018 NCHRF management account in the absence of Mr MBOCK Louis Zachée, acting accounting officer.

The result was an execution rate of 65. 53 per cent for revenues and 31. 99 per cent for expenditures. A cash return of 3,178.870 (three million one hundred and seventy-eight thousand eight hundred and seventy) CFA francs was recorded, after the resources were used in the two accounts of the NCHRF opened at the Société Générale Cameroun and the Paierie générale du Trésor.

However, the management account as presented showed some discrepancies due to the unavailability of some data for periods before the accounting officer took office. Its adoption was therefore postponed to the meeting of the chairpersons and rapporteurs of the Working Groups in May 2019, Mr. MBOCK Louis Zachée shall have submitted the account. Until December 2019, the NCHRF management account for FY 2018 had not yet been adopted.

C. Examination and adoption of the draft 2020 budget

The head of the General Affairs Service presented the NCHRF's 2020 draft budget together with the head of the Division for the Promotion and Protection of Human Rights (CDPP). The document showed a total budget of 3.558.668.613 F CFA, that is 1.525,680.887 F CFA for investment and 2,032,987,726 F CFA for operation.

The discussions focused on the respect for a certain balance in the distribution of the budget allocation between promotion and protection activities.

The members equally prescribed a presentation of the budget that would make it possible to distinguish the daily actions of the NCHRF from the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF).

Paragraph 3.- Election of Chairpersons and Rapporteurs of the Working Groups and Deliberations on important issues

An important feature of the 9 May 2019 Session was the election of the chairs and rapporteurs of the NCHRF Working Groups, followed by discussions on topics of interest to the Commission.

A. The election of the Working Groups boards

The officers of the Working Groups are rotated each year, usually at the first session. All Commissioners are shared among the various Working Groups. Then, by secret ballot, each Working Group appoints a chairperson and a rapporteur. Following the elections on 9 May 2019, the following results were obtained:

Working Group 1 on Civil and Political Rights:

- Me KAMGA NOUTCHOGOUIN Laurette (Chairlady)
- M. BOBIOKONO Christophe (Rapporteur)
- M. ABOUBAKARY Abdoulaye
- Hon. MONJOWA LIFAKA Emilia
- Mme NKO TONGZOCK Irène
- Mme MENGUE Suzanne
- M. ABBO Ahmadou.

Working Group 2 on Economic, Social and Cultural Rights:

- Me BALEMAKEN Eugène Louis René (Chairman) ;
- M. METUGE Manfred AKAME (Rapporteur) ;
- Mme MEBIANE TANGONO Antoinette épouse EKOAN
- M. EZOA MBIDA COME Parfait
- Dr. NGUELE MEKE Huguette
- M. TABETANDO NDIEP NSO.

Working Group 3 on the Rights of Vulnerable Groups:

- Mme BOUBA née HAWÉ Hamman (Chairlady)
- Mme MPOUNG née MEMONG MENO Elise Pierrette (Rapporteur)
- Mme MINLEND Clémence Sidonie
- Prof. ATANGANA, née NGOLUMA Thérèse
- Hon. ZONDOL Hersesse
- M. TEZANOU Paul
- Rev. NGUETE Philippe.

Working Group 4 on Special Issues:

- Dr YANPELDA Virginie (Chairlady)
- Mme TILDER KUMICHII NDICHIA (Rapporteur)
- M. SALATOU BABA
- Hon. EMAH ETOUNDI
- Hon. Chief NJI TUMASANG Paul
- Mme MPÉSSA MOUANGUE Marie Marcelle.

B. Discussions on major concerns

During the 26th Ordinary Session of the NCHRF, members addressed the following issues of concern.

1.- How NCHRF interacts with the authorities

The issue of concern arose from an open letter from the Chairperson of the NCHRF to the Head of State. It was agreed at the end of the deliberations that a broad-based discussion with the members should be conducted before any official statement is issued by the heads of the Institution on sensitive matters.

The members deplored the difficulties encountered by the NCHRF in accomplishing its missions related to the security situation in certain regions of the country, particularly concerning collaboration with certain authorities in the Ministries of Defense and Justice.

The members resolved that the NCHRF should refer the matter to the relevant authorities, particularly the Minister of State, Minister of Justice, Keeper of the Seals, and the Minister Delegate to the Presidency of the Republic in charge of Defense, to remind them of the role and powers conferred by law on the NCHRF in terms of the promotion and protection of human rights throughout the national territory.

2.- The situation concerning children born and living in prisons in Cameroon

The members of the NCHRF were interested in the status of children living in prisons with their mothers. To remedy this situation, the Permanent Secretariat was instructed to conduct a census of these children and to propose appropriate measures, especially referring them to the competent authorities and the families concerned, so that such children may be removed from the prison environment.

SECTION 2.- MONTHLY COORDINATION MEETINGS AND WORKING GROUP MEETINGS

The monthly coordination meetings of the Chairs and Rapporteurs Working Groups were held on the last Wednesday of each month. The major issues discussed at such meetings are presented in the summary table below.

Table 1.- Summary of issues discussed at monthly coordination meetings of Working Group Chairs and Rapporteurs during 2019

N°	Subject	Dates
1	Adoption of the NCHRF budget for the year 2019.	30 January
2	Response of the Minister Delegate at the Presidency in charge of Defense to the NCHRF's letter.	30 January
3	Update on the human rights impact of the socio-political and security situation in Cameroon.	30 January, 27 February, 27 March, 29 May, 27 June, 31 July, 28 August, 25 September, 31 October, 28 November
4	Memorandum from the NCHRF staff delegates.	30 January, 27 February, 27 March, 24 April
5	Statement on the status of members' participation in the 2018 Ordinary Sessions and Working Group meetings.	30 January, 27 February
6	Report on the Working Group activities for 2018 and prospects for 2019, choice of the central theme of the coming issue of Born Free magazine to be on Women's Rights, report on the visit to suspects arrested in Nigeria. Examination of the draft deliberation on the creation of an imprest account at the NCHRF.	30 January
7	Adoption of the NCHRF budget for the year 2019.	27 February

8	NCHRF's 2018 annual report.	27 February, 27 March, 24 April, 27 June, 31 July, 28 August, 25 September, 31 October, 28 November
9	NCHRF memorandum to the Prime Minister.	27 February, 27 March, 27 June
10	Report on the mission to Douala General Hospital by the NCHRF's Littoral Branch. Reflection on the functioning of the Permanent Secretariat.	27 February
11	Reflection on the functioning of the Communication Unit and on the documentary to be prepared on the situation in the North West and South-West Regions.	27 March, 24 April,
12	Project to Improve the Conditions for Exercising Freedoms in Cameroon (PACEL).	27 March, 24 April, 29 May
13	Draft law relating to the establishment of the Cameroon Human Rights Commission (CHRC); the NCHRF accreditation certificate and unpaid contributions to NANHRI	27 March, 24 April, 27 June, 31 July
14	presenting the 45th issue of Born Free.	27 March, 31 July
15	Update on the situation of those arrested during the illegal marches organized by the CRM on 26 January 2019.	24 April, 29 May, 27 June, 31 July, 28 August, 25 September, 31 October, 28 November, 23 December
16	Follow-up on the resolutions and recommendations of the 25th Ordinary Session and organization of the 26th Ordinary Session of the NCHRF; an update on the situation of the NCHRF's West branch office.	24 April, 29 May
17	Finalization of the documentary on the situation in the Northwest and South-west Regions.	29 May, 27 June, 31 July, 28 August, 25 September, 31 October
18	Evaluation and follow-up on the implementation of the resolutions and recommendations of the 26th Ordinary Session of the NCHRF; NCHRF's draft budget for 2020-2022; Commonwealth-supported mediation project for peace in the Northwest and Southwest Regions.	27 June, 31 July, 28 August, 25 September
19	Examination and adoption of the special communiqué on obstructions and hindrances to the NCHRF's missions; independence and neutrality of NCHRF members; preparation for the transition from the NCHRF to the CHRC.	28 August, 25 September, 31 October, 28 November
20	NCHRF memorandum on the Major National Dialogue; an update on the outcomes of the MND.	25 September, 31 October
21	Reflection on the resurgence of inter-ethnic conflicts in Cameroon (Obala and Sangmelima).	31 October
22	Preparation of the NCHRF's 2019 Report.	28 November
23	Preparation of the Commission's observation of the dual legislative and municipal elections of 9 February 2020.	23 December

Source.- NCHRF

From the table above, it appears that the major themes that were discussed during these meetings centred on the socio-political context of Cameroon (Paragraph 1) and the strengthening of the institutional framework of the NCHRF (Paragraph B).

Paragraph 1.- Themes related to the socio-political context of Cameroon

The monthly coordination meetings of the chairpersons and rapporteurs were held in a socio-political context where security problems affecting several regions of the country persist, especially the regions of Adamawa, Far North, North West and South West. The members also discussed the organization of legislative and municipal elections.

Regarding the troubled areas, noting the persistence of violence in the North-West and South-West Regions, the increase in hostage-taking in Adamawa and the return in force of Boko Haram in the Far-North, the members continued to encourage the Government to move forward in its efforts to defend the national territory and open dialogue with the armed groups for a return to stability.

On the specific issue of the management of public protests, especially those initiated by members of the political party called the Cameroon Renaissance Movement (CRM), the members noted the illegal purpose of demonstrations aimed at challenging the election results proclaimed by the Constitutional Council and other cases of undeclared or prohibited demonstrations. They made recommendations for the respect for legality and for the peaceful management of public meetings and demonstrations that were not banned.

The Commission equally welcomed the decision of the President of the Republic to order the suspension of legal proceedings against certain leaders and CRM militants as a measure of conciliation.

Paragraph 2.- Building the NCHRF institutional framework

In the wake of the promulgation of Law No. 2019/014 of 19 July 2019 related to the establishment, organization and functioning of the Cameroon Human Rights Commission by the President of the Republic, the members prescribed to the Permanent Secretariat a series of measures aimed at implementing this law. Numerous other changes were adopted during the reference to strengthen the institutional structure of the Commission.

Preparing transitional measures

The discussions on this issue led the members to prescribe the following measures to the Permanent Secretariat:

- preparing a draft Transition Report
- the steps are taken to grant the end-of-term bonus to the outgoing team of members and associates
- the examination of the law related to the establishment, organization and functioning of the CHRC, to identify both the positive and negative points;- preparing a draft decree on the organization and functioning of the CHRC
- the drafting of a decree on the organization and functioning of the Permanent Secretariat and a draft organizational chart for the CHRC;
- preparing proposals for remuneration and other requirements for new members.

The proposals for these transitional measures have been submitted to the decision-making bodies for action.

A. Institutional capacity building of the NCHRF (opening of branches)

As part of its institutional strengthening, the Commission proceeded during the reference year with the setting up of the Centre Branch Office. This measure helped to reduce the number of complaints handled at the Commission's Head Office.

The creation of the regional branch for the Centre brought the total number of CHRC's functioning branches to nine.

The planned opening of the Commission's East branch was postponed due to budgetary constraints. The activities carried out by the branches are part of the activities of the NCHRF.



CHAPTER 2.- NCHRF ACTIVITIES

In 2019, the Commission witnessed intense activity as it went about its regalian missions of promotion and protection of human rights, as defined in Section 2 of Law No. 2004/016 of July 22, 2004, setting up the Commission and organizing its functioning.

The major policies for the promotion and protection of human rights are decided during the sessions of the members of the Commission, and the Permanent Secretariat executes, under the supervision of the chairpersons and rapporteurs of the Working Groups during their monthly coordination meetings.

Accordingly, the Commission carried out various promotion (section 1), protection (section 2) and cooperation (section 3) activities aimed at raising the level of respect for human rights in Cameroon in 2019.

SECTION 1.- HUMAN RIGHTS PROMOTION ACTIVITIES

Under Section 2 of its enabling law, the NCHRF's missions include the promotion of human rights.

To that end, it shall:

- study all matters relating to the promotion and protection of human rights and freedoms;
- propose to the public authorities measures to be taken in the area of human rights and freedoms;
- popularise by all possible means instrument, relating to human rights and freedoms and forge a human rights culture in the people through education, information and the holding of conferences and seminars.

Under this mandate, during 2019, the NCHRF organized or participated in activities commemorating international human rights days (paragraph 1). It also initiated activities to promote certain human rights themes (paragraph 2).

Paragraph 1.- The organization of Human Rights commemorative days

Human rights commemorative days provide the Commission with appropriate opportunities to draw public attention to the rights situation of Cameroon and to propose measures to be taken to improve the level of enjoyment of the rights in question. These events range from ceremonial occasions to legal clinics, from symposiums to walkathons. The main objective is to ensure that the central theme of the commemorative activity attracts the attention of as many people as possible and raises awareness to improve the situation of the right concerned.

In many cases, the commemorative days are celebrated simultaneously in the head office and branches of the Commission.

In this respect, the following events took place during the reference year:

- the participation of the Commission in the first International Sign Language Day on the theme Access to sign language in education and public services: issues, challenges and prospects, from 23 to 24 September 2019, organized in partnership with the Cameroonian Organization for the Development of the Deaf, at the HOPE and LIFE Conference Hall, in the TSINGA quarters, in Yaoundé. The event brought together persons living with deafness and experts from the invited entities, such as the NCHRF, the Ministry of Basic Education (MINEDUB), the Ministry of Secondary Education (MINESEC) and the United Nations Centre for Human Rights and Democracy in Central Africa (UNCHRD-AC).
- Participation in the International Day of Democracy, organized on 17 September 2019, by the UNCHRD-AC. It was a conference discussion on the topic of Inclusion and participation. The objective of the activity was to promote and protect fundamental rights for the consolidation of the rule of law to better protect women, children and persons living with disabilities.
- Participation in the International Widows' Day (IWD), which is celebrated on 23 June of each year. The Commission participated in a round table organized on 25 June 2019 in Yaoundé, by the Association of Widows of Veterans and Victims of War of Cameroon (AVAC.VIG.CAM). The purpose of the round table was to analyze the situation of widows in the country, build their capacities in terms of defending their rights and present the institutions responsible for promoting and protecting women in Cameroon.
- The involvement of the NCHRF West Branch in celebrating the 2019 International Women's Day, under the theme Crusade against Gender Inequalities: Committing to the New Impetus. This activity took place in the West Region, with an awareness caravan from 4 to 7 March 2019 in the markets Socada, Guinness Depot of LAFE and Big-Mob in the Haoussa quarters.

- The participation of the Commission's branch office for the North in the legal clinics organized from 4 to 5 March 2019 at the square of the regional delegation of MINPROFF/North to mark the International Women's Day. In the same vein, an educational talk was held at the Garoua Central Prison and, as part of the event, the NCHRF/North facilitated the release of two women detained thereby paying the fines that had led to their imprisonment. The highlight of the events in this region was the participation of staff in the Match 8 parade.
- participation in celebrating the 133rd Labour Day commemorated on the theme Protection of the worker: vector of social justice and decent work in Cameroon. The commemorative activities of the 133rd International Workers' Day took place in various regions of Cameroon:
 - In the West, an awareness campaign was conducted from 27 to 29 April at companies such as the Cameroon Soap Company and service stations (TOTAL, TRADEX, CAMOCO, BOCOM, and GLOBAL PETROLEUM), crowned by the participation of the Branch on the 1st May parade.
 - In the North, the branch conducted an awareness campaign from 27 to 29 April 2019 in Garoua. The campaign consisted of the placing of stickers as well as radio and television talks and debates in the local media.
 - the Commission participated in the commemorative activities of the International Day of Remembrance to honour the victims of terrorism, organised on 21 August 2019 in Maroua, on the initiative of the Cameroonian Association of Victims of Terrorism, on the theme The Power of Resilience.

Concerning the commemoration of the 71st International Human Rights Day (IHRD) on the theme Young People Defending Human Rights, the NCHRF Head Office and branches showcased initiatives that rivalled each other in creativity and impact.

At Head Office, the event was marked by a series of activities the Commission organised from 3 to 12 December 2019, in partnership with the United Nations Centre for Human Rights and Democracy in Central Africa (UNCHRD-AC), the United Nations Development Programme (UNDP), the European Union, the Human Rights Commission of the Bar Association, the Catholic University of Central Africa (UCAC), the Academy for Peace and Human Rights in Central Africa (APDHAC), Plan Cameroon and the NGO New Human Rights (NDH). The activities included:

- the launching ceremony of the Human Rights Week at UCAC, Ekounou Campus, on 3 December
- a human rights awareness campaign organised as an exhibition at UCAC-Ekounou throughout the period
- a conference debate on Emerging Rights in Africa, 71 years after the UDHR, on 6 December at the same venue
- a power walk, on 7 December, in some streets of Yaoundé
- a film projection followed by a debate on Civil Status as the basis of Citizens' Rights, on 9 December, again at the UCAC-Ekounou
- the official ceremony to commemorate the IDHR on 10 December also at the same venue, and
- a colloquium on Criminal Justice in Cameroon: the law, its application and accessibility, at the Felidac-Hotel, Yaoundé, on 11 and 12 December.

The NCHRF regional branches also organised numerous activities to commemorate the 71st International Human Rights Day. For example :

- An awareness-raising workshop was co-organised by the NCHRF Branch Office and the regional directorate of the Civil Society for Literature and Dramatic Arts (SOCILADRA) on the topic of copyright and neighbouring rights in the Adamawa Region on 10 December 2019. The workshop was attended by 85 young artists who are members of copyright and neighbouring rights collective management societies.
- In the North, a series of activities was organised from 1 to 9 December 2019 at the branch office, comprising an open house day and educational talks with students on topics such as the participation of young people in the Northern Region in sustainable development for all, the role of young people in bringing about positive change and the participation of young people in defending human rights. Finally, a ceremony was held on 10 December to mark the culmination of the event, with a presentation on the issue of human rights in Africa:

The Universal Declaration of Human Rights (UDHR), an entire project for society.

- In the South, the branch organised a media campaign on 4, 9 and 11 December 2019 on CRTV-Sud and Glory FM radio. On 10 December 2019, an opening ceremony, during which the Branch presented the balance sheet of its five years of existence, concluded the celebration in the MINFOPRA conference room in Ebolowa.
- In the South West Region, the celebration of 10 December took the form of a symposium for students of the Pan African Institute for Development in West Africa (PAID-WA) in that structure's conference room.
- In the Far North, on 10 December 2019, the NCHRF regional branch participated in broadcasts on the theme of the 71st International Human Rights Day on some radio stations in Maroua, such as the CRTV regional station and Woila Radio. It also conducted an awareness-raising campaign on Freedoms for students of the Maroua Secondary School and Technical School, the Kakatare Secondary School, and the Abou Daoud College, during the period from 3 to 10 December 2019.

Paragraph 2.- Organising thematic activities

Several activities were organised on human rights themes and for the popularisation of certain human rights instruments.

These included:

- the capacity-building seminar for members of civil society organisations on human rights took place on 20 February 2019 in Garoua
- the training of students of the University of Maroua on Freedoms, on 5 May 2019
- the education and awareness campaign on Freedoms conducted from 7 January to 17 May 2019 in two schools in Ebolowa (Ebolowa high school and Ebolowa rural high school) by the South branch
- The NCHRF South branch hosted the radio programme "Juridis" on CRTV/South, with a focus on the Rights of the Child
- the caravan to raise awareness among stakeholders on the rights of local and indigenous peoples as part of implementing development projects in the communities of Meyomessala, Djoum and Mintom, which took place from 25 to 31 March 2019. The awareness-raising caravan, initiated by the Promotion Unit at the Commission's Head Office and conducted in collaboration with the NCHRF's South Branch was generally aimed at inculcating Freedoms principles - with particular emphasis on the rights of residents of development projects - in local actors, including local authorities, organisations for the promotion and defence of the rights of indigenous peoples, and communities of indigenous people
- the regional workshop for the training of leaders and representatives of local communities, indigenous people and CSOs working on gender-related land issues organised on 21 November 2019 in Ngaoundéré by a consortium of NGOs and local associations, with funding from the European Union and technical support from the NCHRF. The NCHRF's contribution enabled the participants to learn about the remedies available in case of violation of the right to land ownership, including in the case of community land grabbing.

Although the Commission suffered some cash flow pressures due to its limited budget and delay in releasing it, the institution remained active thanks in part to multiple invitations and contributions from partners.

SECTION 2.- HUMAN RIGHTS PROTECTION ACTIVITIES

According to the terms of Section 2 of the law setting up the NCHRF and organising its functioning, the NCHRF's missions include the protection of human rights.

To that end, it shall:

- receive all denunciations relating to violations of human rights and freedoms;
- conduct all enquiries and carry out all the necessary investigations on violations of human rights and freedoms and report thereon to the President of the Republic;
- refer cases of violations of human rights and freedoms to the competent authorities;
- as and when necessary, inspect penitentiary establishments, police stations and gendarmerie brigades, in the presence of the competent State Counsellor his representative; such inspections may entail the drafting of a report submitted to the competent authorities.

The protection activities carried out by the NCHRF in 2019 are based on alleged cases of human rights violations - lodged at the Head Office and branches of the institution (paragraph 1) and handled as complaints (paragraph 2) and self-initiated investigations (paragraph 3) - and on visits to detention facilities (paragraph 4).

Paragraph 1.- Alleged cases of human rights violations lodged at the NCHRF Head Office and branches in 2019

The following table and graphs illustrate all alleged cases of violation that were reported to the Commission during the reference year.

Table 2.- General data on alleged human rights violations

N°	NCHRF Entity	Number of complaints lodged	Total number of propio-motu investigations	Total number of cases filed	Total Number of cases handled	Percentage of cases filed
1	Adamawa (AD)	35	35	70	30	5,82%
2	Centre (CE)	276	3	279	117	23,21%
3	Far-North (EN)	30	0	30	16	2,50%
4	Littoral (LT)	177	2	179	90	14,89%
5	North (NO)	72	14	86	40	7,15%
6	North-West (NW)	271	25	296	254	24,63%
7	West (OU)	42	14	56	44	4,66%
8	Head Office (S)	39	44	83	77	6,91%
9	South (SU)	39	4	43	43	3,58%
10	South-West (SW)	50	30	80	80	6,66%
11	Total	1031	171	1202	791	100,00%

Source.- CNDHL

On analysis, in 2019, the Commission recorded 1202 alleged cases of human rights violations, of which a significant percentage were received in the North-West branch (24.63%), undoubtedly due to the socio-political and security situation that has prevailed there since 2016, as illustrated by the graphs below:

Figure 1: General data on alleged human rights violations

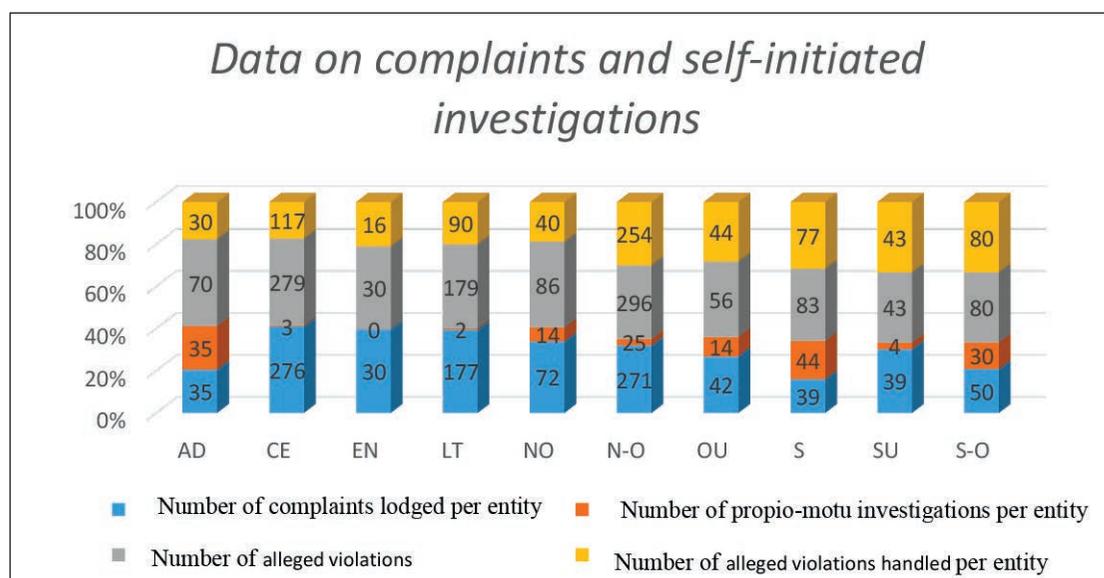
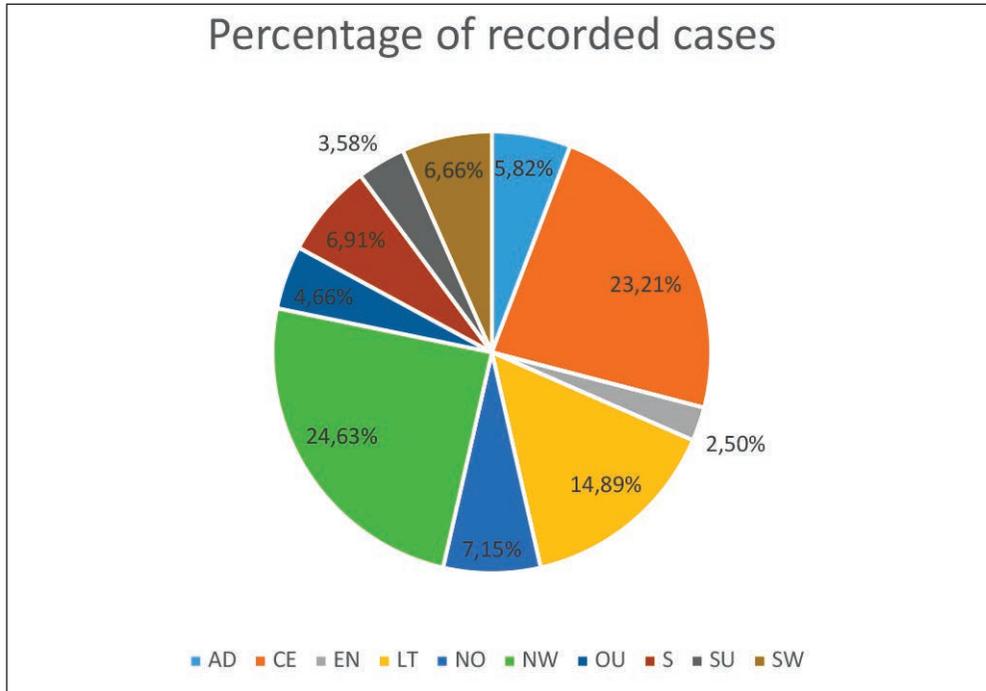


Figure 2 - Distribution of cases filed per NCHRF entity



Out of 1202 cases of alleged human rights violations filed, 791 cases were handled, representing a handling rate of 65.80%. The data in the following paragraphs provide details on various aspects of such cases handled both at the NCHRF Head Office and branches offices.

Paragraph 2.- Handling of human rights complaints at Head Office and Branch Offices

The data derived from handling complaints lodged at the Commission (1,031 in total) - broken down by region and by type of rights allegedly violated - and the measures taken to solve the problems identified are highlighted in this paragraph.

A. Data on incoming complaints

The following chart illustrates data from the complaints as per the alleged perpetrators of human rights violations.

Table 3.- Respondent Data

N°	Respondent	AD	CE	EN	LT	NO	NW	OU	S	SU	SW	Total number of respondents per type of respondent	Percentage of the total number of respondents per region by type of respondent (%)
1	Defence and security forces	4	13	0	3	10	42	5	6	3	16	102	9,54
2	Army	1	2		0	3	15		1		7	29	2,71
3	Gendarmerie	1	5		2	7	13	2	4	3	3	40	3,74
4	Police	2	6		1		14	3	1		6	33	3,09
5	Public institutions and administrative authorities	11	114	0	6	15	62	4	27	0	16	255	21,33
6	Prison administration	0	3		0	2	15		1			21	1,96
7	Public administrations	2	45		1	2	32	1	7		9	99	9,26
8	Authorities	0	3		0	6	7		0			16	1,50
9	authorities	7	3		5	5	4	3	9		1	37	3,46
10	Judicial authorities		3		0	8			3			14	1,31
11	Local and regional authorities	1	30		0		2		5		3	41	3,84
12	Public enterprises								0			0	0
13	Personalities and international organisations	0	4	0	0	0	0	0	0	0	4	8	0,75
	Embassies	0	2	0					0		2	4	0,37
14	Other foreign agencies								0		2	2	0,19

	International organizations	0	2	0					0			2	0,19
15	Non-state actors	21	231	0	101	51	204	23	54	0	46	731	68,38
16	Religious authorities	0	3		0		31		0		2	36	3,37
17	Traditional authorities	1	6		1	23	25		2		1	59	5,52
18	Bar Association	1	2		0		14		0			17	1,59
19	Private companies	4	26		10	5	6	3	5		2	61	5,71
20	Individuals	15	190		90	23	118	20	47		35	538	50,33
21	Private companies	0	4	0			10		0		6	20	1,87
22	Total number of respondents per region	35	335	0	110	84	306	32	85	3	79	1069	100,00
23	Total number of respondents per region as a percentage of the total number of respondents nationally (%)	3,27	31,34	0	10,29	7,86	28,62	2,99	7,95	0,28	7,39	100,00	

Source.- CNDHL

The above chart reveals that the bulk of human rights violations in Cameroon are committed by non-state actors (68.38 per cent), especially individuals (50.33 per cent), followed by state actors (30.87 per cent), of which 21.33 per cent are public administrations and 9.54 per cent are defence and security forces, as illustrated in the charts below.

Figures 3 and 4 - Number and percentage distribution of respondents

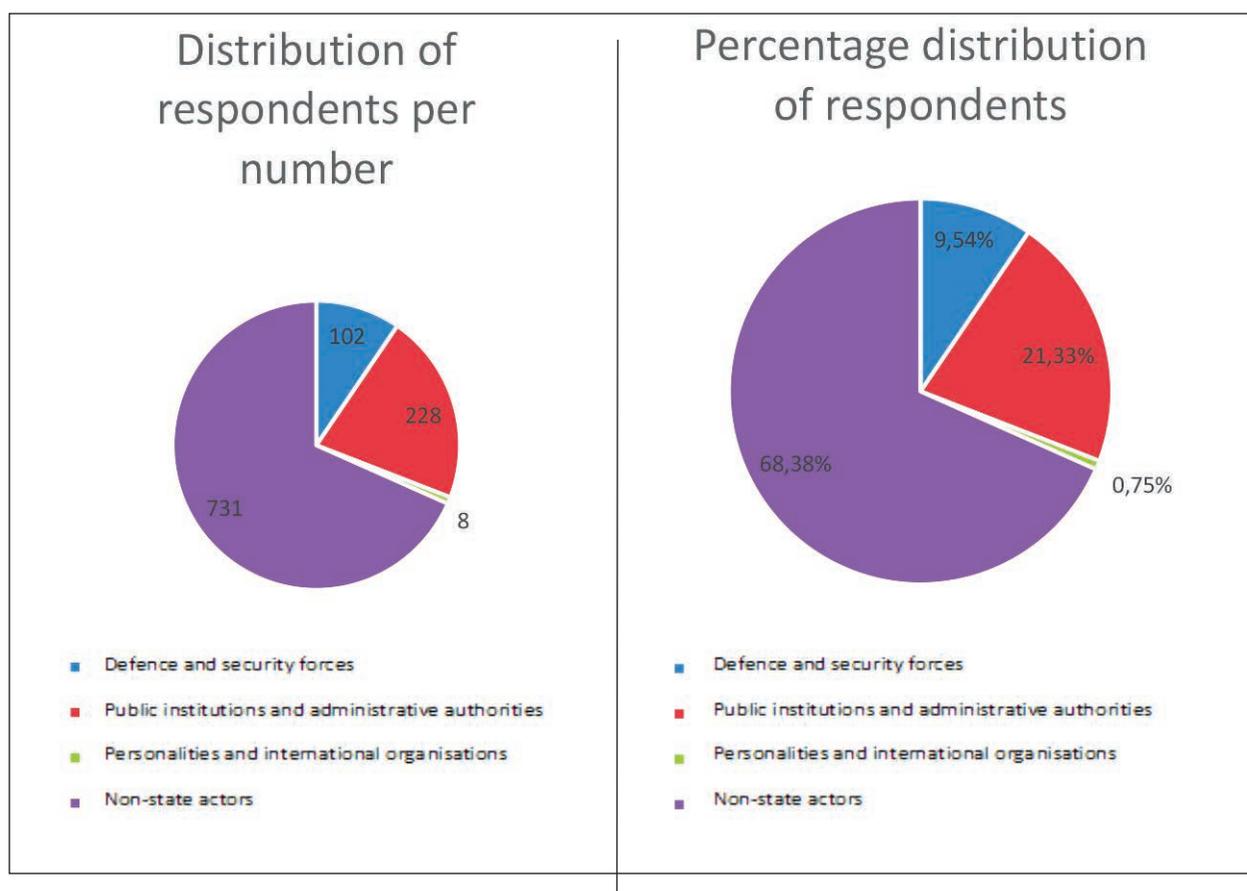


Table 4.- Data on types of alleged violations

N°	Types of rights concerned	AD	CE	EN	LT	NO	NW	OU	S	SU	SW	Total number of alleged human rights violations per type of rights	Percentage of alleged human rights violations per type of rights out of a total number of alleged human rights violations reported (%)
1	Right to property	6	66	16	65	26	22	15	15	12	16	259	20,97
2	Right to a fair trial	7	54	11	20	7	18	7	9	12	3	148	11,98
3	Right to work and fundamental rights of the worker	3	58		25	7	17	5	3	6	2	126	10,20
4	Right to physical and moral integrity	9	32		22	16		8	6	4	10	107	8,66
5	Arbitrary arrest and detention	4	1		2	12	43	5	1		7	75	6,07
6	Right to security	4	2		3	21	29	5	4	2	1	71	5,75
7	Torture and other cruel, inhuman or degrading treatment or punishment	0	18		3	3	21		1		4	50	4,05
8	Right to dignity	0			5	5	28				9	47	3,81
9	Right to life		1		2		37	4	1			45	3,64
10	Right to a decent working environment	0	37		0	1						38	3,08
11	Right to education		2		8			13	3	1	4	31	2,51

12	Right to shelter		3		1	4	19					27	2,19
13	Right to health		6						1	3		10	0,81
14	Miscellaneous	2	56		21	34	62	0	8	4	14	201	16,28
	Total number of alleged cases of human rights violations	35	336	27	177	136	296	62	52	44	70	1235	100,00
	Percentage of alleged human rights violations out of a total number of reported allegations of human rights violations (%)	2,83	27,21	2,19	14,33	11,01	23,97	5,02	4,21	3,56	5,67	100,00	/

Source.- NCHRF

Looking at the data on the type of alleged violations filed at the NCHRF in 2019, it is clear that the right whose violation is the most recurrent is the property right, with 259 occurrences, or 20.97% of the total types of allegations filed during 2019.

Figure 5 - Number of complaints per type of alleged violation

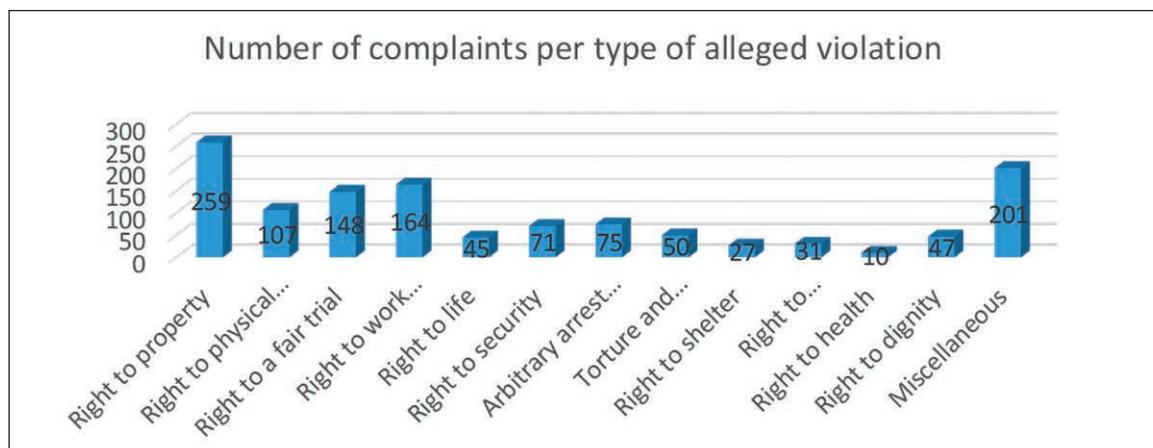


Table 5.- Data on complainants per type of person

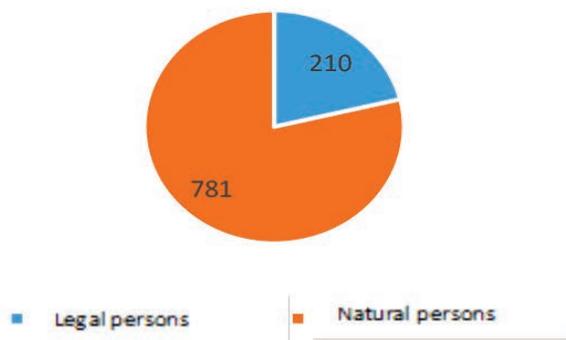
N°	Complainant	AD	CE	EN	LT	NO	NW	S	OU	SU	SW	A total number of complainants per type of complainant	Percentage of the total number of complainants per region concerning the total number of complainants (%)
1	Legal persons	5	138		0	23	8	15	5	10	6	210	21,19
2	Natural persons	30	169		90	49	288	18	35	26	76	781	78,81
3	Total number of complainants	35	307	0	90	72	296	33	40	36	82	991	
4	Total number of complainants as a percentage of the total number of complainants nationally (%)	3,53	30,98	0	9,08	7,27	29,87	3,33	4,04	3,63	8,27	100	/

Source.- NCHRF

In 2019, the Commission was approached by a total of 991 complainants, 781 of whom, or 78.81%, were natural persons. The distribution of complainants based on the type of person is illustrated in the charts below:

Figures 6 and 7 - Distribution of complainants per type of person in number and percentage

Percentage of complainants per number of complainants.



Percentage of complainants (%)

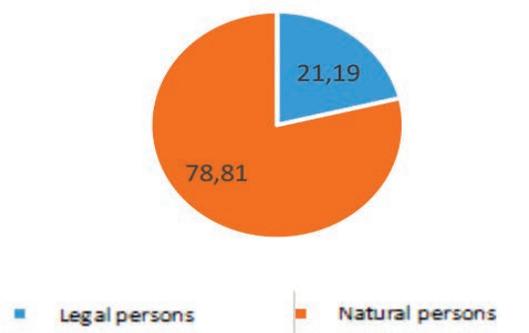


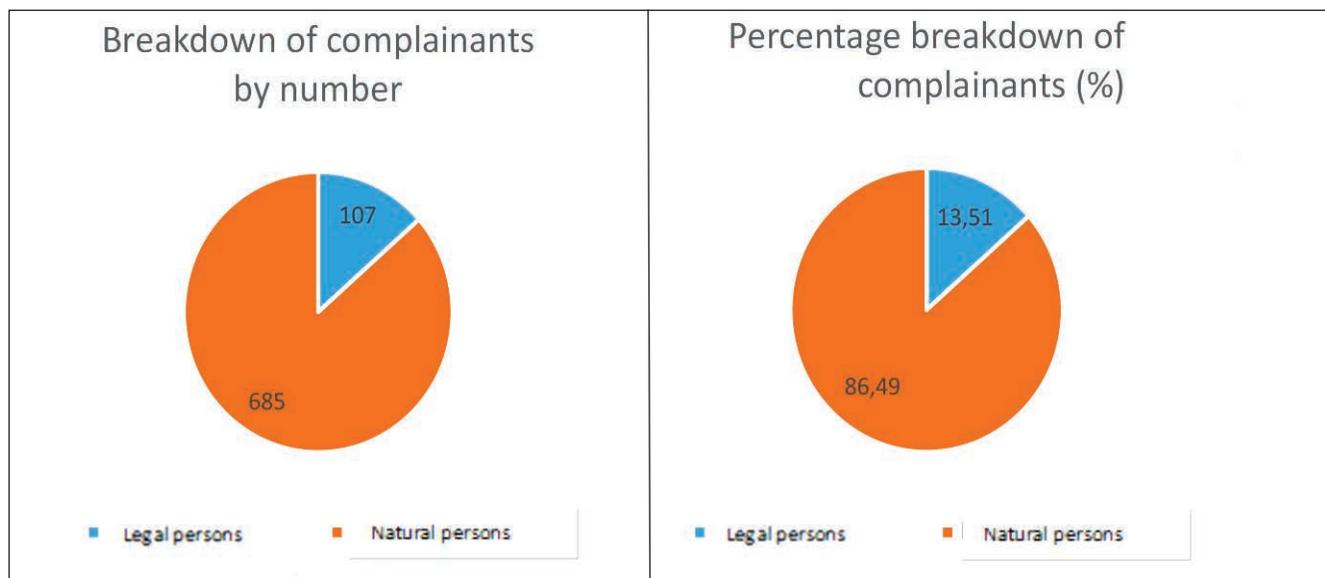
Table 6.- Data on alleged victims

N°	Complainants	AD	CE	EN	LT	NO	NW	S	OU	SU	SW	Total number per type of victim	Percentage of the total number of victims per region by type of victim (%)
1	Legal entities	5	27		6	0	8	3	2		56	107	13,51
2	Natural persons	30	251		24	72	236	28	40		4	685	86,49
3	Total number of complainants	35	278	0	30	72	244	31	42	0	60	792	
4	Total number of complainants as a percentage of the national total (%)	4,42	35,10	0	3,79	9,09	30,81	3,91	5,30	0	7,58	100	/

Source.- NCHRF

Figure 6 above reflects the reality of the categories of alleged victims of human rights violations based on the alleged cases referred to the Commission in 2019. The table shows that 86. 49 per cent of these victims were natural persons, while 13. 51 per cent were legal persons.

Figures 8 and 9 - Number and percentage distribution of alleged victims per type of person



B. The procedures for handling complaints filed at the Commission

The main steps taken consisted of summoning the parties and witnesses to appear for hearings, conducting field visits and referring cases to the competent authorities.

a. Summoning the parties and witnesses

The tables and graphs below provide details of the data relating to summonses and the compliance of the parties and witnesses with such summonses.

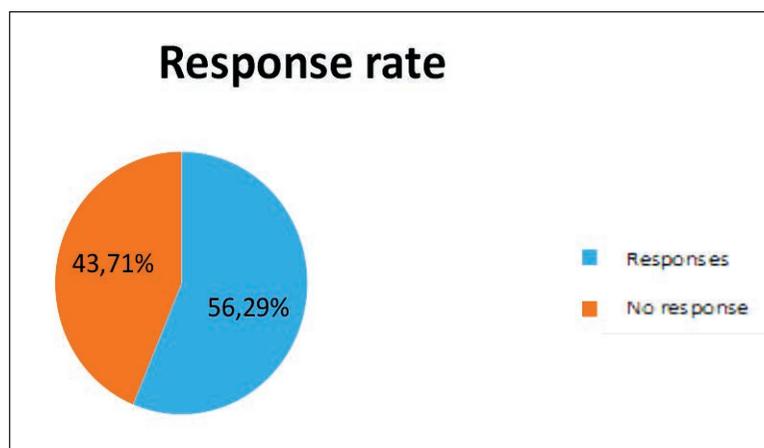
Table 7.- Data on summonses of parties and witnesses

Convocations	AD	CE	EN	LT	NO	N-O	OU	S	SU	S-O	National
Convocations émises	10	8		82	25	198	7	6		14	350
Réponses	8	8		40	21	102	4			14	197
Pas de réponse	2	0	0	42	4	96	3		0	0	153
Convocations émises (%)	2,86	2,29	0	23,43	7,14	56,57	2	1,71	0	4	100
Réponses (%)	4,06	4,06	0	20,30	10,66	51,78		0	0	7,11	100
Pas de réponse (%)	1,31	0	0	27,45	2,61	62,75		0	0	0	100

Source.- NCHRF

The total number of summonses issued was 350 for 197 references, i.e. a positive response rate of 56.29% as shown below.

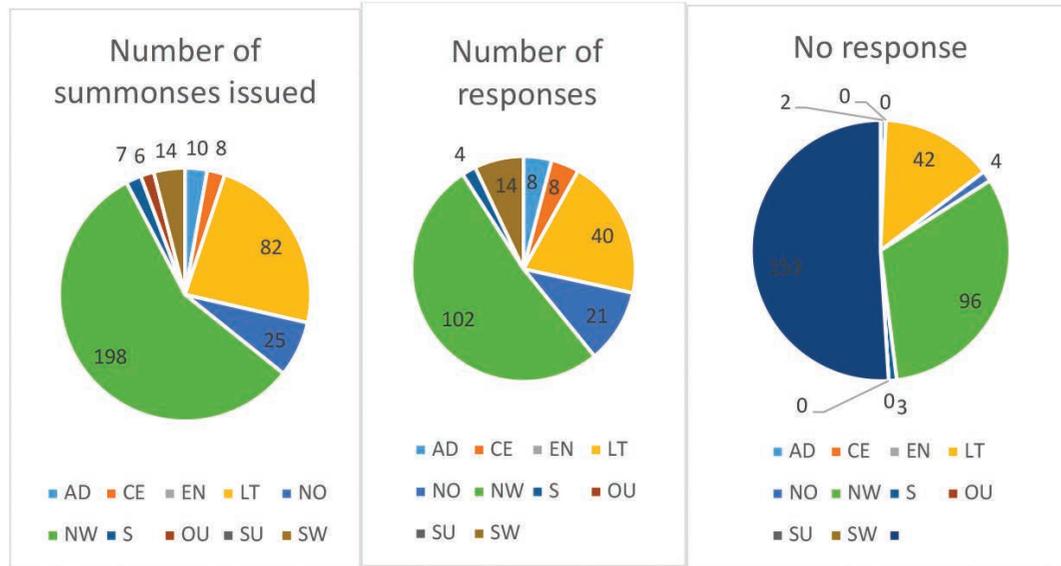
Figure 10.- Response rate to summonses issued



Given the rather worrying rate of non-compliance (43.71%), it should be recalled that under Section 28 (1) of Law No. 2004/016 of 22 July 2004, 'Whoever, having been duly served with a summons, fail to appear before the National Commission on Human Rights and Freedoms shall be liable to the penalties provided for in Section R 370 of the Penal Code.

An examination of the data concerning summonses and whether or not they were taken into consideration reveals a significant dynamism in the North-West Region - undoubtedly an effect of the particularly unhealthy socio-political situation in this Region - with 198 summonses, 102 of which were positive in absolute terms, i.e. 57. 56 per cent of the total number of summonses and 51. 78 per cent of the total number of responses in relative terms, as shown in the graphs below:

Figure 11, 12 and 13 - Responses to summonses issued in number and by NCHRF entity



Figures 14, 15 and 16 - Response rate to summonses issued



b. Investigative missions as part of the handling of complaints

The hearings of the parties and witnesses involved in the complaints handled have often led to fact-finding operations, such as the following, by way of example.

In Adamawa Region:

- Two investigative missions were carried out on 17 and 28 October 2019 in Tignère town and Mbifoukou village, in the Faro-et-Deo division, concerning the case of the Mbakana Bantai Farmers' and Herders' Collective v. Abdullahi ABUBAKAR regarding the forced eviction of members of the collective. After unsuccessful attempts at conciliation between these two parties, the alleged victims were advised to take their case to the competent courts. [They, therefore, brought the case before the High Court of Tignère which, on 15 September 2020, rendered a decision in their favour, condemning the respondent to pay them the sum of 910,000 CFA francs as damages];
- an investigative visit was conducted in Laoupaga village (Nyambaka district, Vina department) following a complaint received on 4 April 2019 concerning obstacles to the free exercise of pastoral activities in the pastures under the jurisdiction of the Wakwa Zootechnical Centre. The complainant, Mr Hamoa HAMADOU, was among the breeders concerned and complained about the arbitrary prohibition measures taken by the Director of the said Centre. At the end of the procedures carried out as part of this visit on 14 April 2019, the NCHRF obtained from the Director in question a guarantee that the concerned farmers would have free access to the pastures under the authority of the said Centre, as per the regulations in force.

In the North Region, an investigative mission was carried out on 16 September 2019 at the Guider prison concerning the denunciation of the abusive detention of Mohamadou LAWALI alias Mohamadou Bande and Abdoulaye BOKOLO, and then on 23 September 2019 at the same prison to follow up on this case, and especially the state of health of the detainee Abdoulaye BOKOLO, which had been a cause for concern during the first visit. These efforts resulted in the medical care of the latter, and then the release of the two suspects two days later.

c. The authorities referred to for due diligence in the handling of complaints

The authorities concerned by or involved in the confirmed cases of human rights violations are referred to after the investigations are completed. The table below summarises the types of authorities referred to in 2019.

Figure 8: Data on the authorities referred to

N°	Administrations	Number of cases	Percentage of cases (%)
1	Administrative authorities	68	50%
2	Judicial authorities	36	26,5%
3	Prison authorities	3	2,2%
4	Heads of schools	4	2,9%
5	Heads of private or semi-public companies	14	10,3%
6	Law enforcement agencies (FMO)	11	8,1%
TOTAL		136	100%

Source.- NCHRF

In addition to handling complaints lodged with it, the Commission also handled certain allegations of human rights violations.

Paragraph 3.- Handling alleged human rights violations by self-initiated investigations

In 2019, the NCHRF took up 171 alleged cases of human rights violations in the 10 regions of the country and at Head Office, for which it conducted about 40 fact-finding missions in the field. The following cases are among those in which the Commission achieved conclusive results.

Some cases of an investigation by the competent authorities of the NCHRF Head Office

- An NCHRF delegation, headed by the Chairperson, conducted a fact-finding mission to the Yaounde Central Prison on 31 January 2019, to meet the 58 suspects arrested in Nigeria and detained in the said prison,

suspected of being the masterminds of the secessionist movement at the origin of the atrocities in the North-West and South-West Regions. Details and findings on the conduct of this raid are provided in Part V, Chapter 2 of this Annual Report.

- The Commission also conducted investigative visits on 31 January and 7 June 2019 to the Yaounde Central Prison, and on 6 June to the Secretariat of State for Defence, regarding allegations of human rights violations as part of the arrest and detention of demonstrators who took part in the illegal marches of 26 January and 1 and 8 June 2019, organised by the Cameroon Renaissance Movement (CRM) and its allies. The intricacies of these investigations constitute the basis of paragraph 2, section 1, chapter 3 of Part II of this Report.
- A fact-finding mission was conducted in the plantations of the Société Camerounaise des palmeraies (Socapalm) in the Centre, Littoral and South Regions from 5 February to 10 March 2019. Case study 19 reports on the details of this mission.

In the West Region

- Investigation and follow-up mission on alleged human rights violations at Zavion High School, Babadjou District, Bamboutos Division, on 13 and 14 February 2019, after attacks by secessionists from the North-West Region, which led to the suspension of classes at the school: talks between school officials, administrative authorities and students, which were followed up by the Branch, led to the resumption of classes approximately one month later.
- Investigation into the illegal demonstrations organised by the Cameroon Renaissance Movement (CRM) in Bafoussam on 26 January and 1 June 2019, and in the towns of Mbouda and Bagangté: The investigations carried out by the branch revealed that 41 people were arrested in Bafoussam, of whom 37 were transferred to Yaounde; in addition, 13 people were arrested in Mbouda and 11 in Bagangté, of whom 4 were released on 2 June 2019.
- Follow-up mission carried out on 3 and 4 September 2019 in Mbouda, in the Bamboutos Division, to assess the situation of the rights to education, housing and adequate food for IDPs and to raise awareness on the activities of the regional branch. The mission provided the following data on the IDP population in some communities: nearly 6,000 in Batcham, 3,000 in Galim and 1,000 in Mbouda. Similarly, the Commission was able to note the measures taken by the administrative authorities to facilitate the enrolment of IDP pupils from the North-West and South-West Regions in schools. Concerning the right to shelter, the authorities indicated that the construction of IDP camps would be considered if the hospitality of the host populations was not sufficient to meet the needs in this area. The government also provided material compensation to internally displaced families.

In the Littoral Region

- A visit to the Douala Central Prison and the Littoral Regional Division of the Judicial Police (DRPJ) on 7 June 2019, for an interview with CRM militants, arrested during the 1 June 2019 illegal demonstration and to verify the respect for their rights during their arrest and custody. It was found that 31 people had been arrested, 22 of whom were at the DRPJ and 9 at the central prison. Some eight persons in the custody of the DRPJ were released at the end of the investigations. For the rest, the branch office recommended that their right to a fair trial be respected throughout the procedure.

In the North Region

- Information was gathered on the infringement of the right to a healthy environment caused by the discharge of wastewater from the Garoua Central Prison on 8 January 2019. Having noted the persistence of this pollution and its disturbing nature, the Branch Office made recommendations to the local authorities to remedy the situation. It was noted that some of the suggested measures were subsequently implemented, such as emptying and closing the septic tanks and treating and draining the prison's wastewater.
- Fact finding visit to the Bockle Massa quarter in Garoua concerning the abduction of Miss TCHINDA Marie alias Ramatou on 10 January 2019: The branch's visit to the village of Bockle Massa led to the release of young 'Ramatou', who was forcibly detained by the parents of GUIBOLO Etienne on the grounds of a

supposed customary marriage with their son according to Massa customs, even though the girl's parents were unaware and had therefore not given their consent to this union, as their daughter had been abducted by two individuals on a motorbike.

In the North-West

- An investigation was conducted on 10 October 2019, regarding the assassination of Mrs Florence NDZEKOR AYAFOR wife ASONGWO, a prison guard on duty at the Bamenda Central Prison by secessionists who abducted her on 28 September 2019 while she was returning from a funeral ceremony, then stripped, humiliated, mutilated and decapitated her, atrocities of which they later published the pictures on social media. The data collected during this mission was forwarded to the regional governor's office and the public prosecutor at the North-West Court of Appeal, with recommendations for the speedy investigation, prosecution and conviction of the perpetrators. It was later established that two persons were indeed arrested in this case, namely, Roger NGU (30 years) and Nina Innocent Akuma (31 years), who were subsequently transferred to the Yaoundé Military Court.
- Investigative visit on 29 and 30 April 2019, further to the invasion and destruction of the Fon of Bafut royal palace on 15 September 2018 implicating the military. The Branch took up this case in which the following rights were allegedly violated the right to life, due to the death of the named MANKA'A Brigitte, an elderly lady, during this attack, the right to moral integrity, due to the trauma caused to the residents of the palace by this armed attack which allegedly lasted for more than 5 hours, thereby violating their property right, the cultural rights of the Bafut people, because of the destruction of the royal museum and the desecration of the sacred places by the numerous live fire. An attempt to counter-check these allegations with Cameroon army officials was unsuccessful.
- An investigative mission was carried out on 23 September 2019, concerning a lady allegedly buried alive by secessionists in Guzang, Batibo district, Momo Division, an accusation relayed by a video that went viral on social media. The authorities and the local population were contacted and it was discovered that the allegations were unfounded and that the video in question was merely a fake.

In the South Region,

- Follow-up mission, from 25 to 27 November 2021, of the irregularities identified in 2018 at the Kribi Central Prison, in particular cases of disappearance of files from the registry of the Kribi Court of First Instance (e.g. Mr NOUROU's file), abusive suspension of trials (5 to 7 months since their last hearing for some of them) and failure to extradite people to appear before the courts (case of Mr NAM ATYAM Martin). Out of 18 persons concerned by these disturbing cases, 16 were released following the intervention of the NCHRF/South regional branch.

Paragraph 4.- Visits to police custody units and prisons

The Commission also visited 54 places of detention during the reference year, including 11 prisons and 43 police stations, to check on the respect for the rights of persons in detention, and to make some donations of foodstuffs and necessities to this vulnerable category of persons.

Figure 9.- Overview of prisons and police custody units visited in 2019

Regions	Date	Places visited	Issues to be addressed	Subsequent improvements
ADAMAWA	18 to 22 February and 27 to 29 November 2019	<ul style="list-style-type: none"> - Ngaoundéré Central Prison - Banyo main prison - Tibati main prison - Tignère main prison 	<ul style="list-style-type: none"> - Overcrowding (with a ratio of a prisoner for less than 30 square centimetres (30 cm²) in most cells) - High number of remand prisoners (e.g.: 100 remand prisoners out of 140 detainees in the main prison of Banyo, for a capacity of 70 places, and 721 remand prisoners out of 1526 detainees in the central prison of Ngaoundéré, for a capacity of 600 places) - proliferation of contagious and respiratory diseases due to the great overcrowdedness and the low level of ventilation in the cells - absence of quarters for minors - water shortages due to a far lower supply than demand - insufficient food for detainees (daily ration of between 100 and 120 CFA francs per detainee) - inadequate and dilapidated sanitary facilities (some out of order) - Insalubrity due to the failure to empty septic tanks (Ngaoundéré and Tibati) - infirmaries lacking appropriate equipment and a doctor. 	<ul style="list-style-type: none"> - Increase in the budget for health and food in almost all prisons in the Adamawa Region - A significant drop in the number of remand prisoners at the main prison in Tibati due to the speedy treatment of legal proceedings - care for HIV/AIDS patients in the central prison of Ngaoundéré.
	18 au 22 February et 27 au 29 November 2019	<ul style="list-style-type: none"> - Ngaoundéré Gendarmerie Legion - Public security police stations and gendarmerie brigades of Ngaoundéré, Tibati, Tignère, Banyo and Bankim - BIR camp in Ngaoundéré 	<ul style="list-style-type: none"> - Several unhealthy cells (Bankim gendarmerie brigade, Tibati and Tignère gendarmerie brigades and public security police stations) - some cells lack ventilation, sanitary facilities, water and sleeping space (Tibati, Tignère, Banyo gendarmerie brigade, Ngaoundéré I) - difficult transport conditions for persons in police custody in remote areas and referred to the public prosecutor's offices in Tibati, Banyo and Tignère - No provision has been made to feed persons in police custody at the level of the police and gendarmerie units. 	<ul style="list-style-type: none"> - Construction of modern police stations and gendarmerie brigades, and on-call accommodation in certain localities (Mayo-Darley, Bankim) - Provision of rolling stock (pick-up vehicles and all-terrain motorbikes) for gendarmerie brigades located in remote areas to facilitate the transport of persons referred to Tibati, Banyo and Tignère.

Regions	Date	Places visited	Issues to be addressed	Subsequent improvements
NORTH	31 October au 06 November 2019	Garoua Central Prison	<ul style="list-style-type: none"> - Water supply difficulties - overcrowding (four times the capacity) - glaring insalubrity (septic tanks not emptied) - Inadequate ventilation of cells, which led to suffocation problems in periods of heat, jeopardising the prisoners' right to life - inadequate sleeping equipment - poor technical facilities for the treatment of sick prisoners - under-staffing of health personnel due to overcrowding - very high number of pre-trial detainees - poor attention to the specific needs of prisoners from vulnerable groups (women, minors, disabled persons, elderly). 	<ul style="list-style-type: none"> - Construction of a borehole ; - Significant efforts in terms of hygiene and sanitation (creation of a wastewater drainage system and emptying of septic tanks) - installation of two fans in cells¹.
		Gendarmerie brigades of Dembo, Bascheo, Gaschiga, Barndake, Demsa, Boula Ibbi, Bockle, Touroua, Garoua I, Garoua II -Bibemi, Lagdo, Poumpoumre, Pitoa territorial brigades - Research brigades of Ngong, Pitoa, Garoua - Lagdo, Lainde public security police stations - Gaschiga special police station, -Mbilla gendarmerie post, - Barndake border police station	<ul style="list-style-type: none"> - Lack of appropriate infrastructure (Garoua gendarmerie brigades, Lainde and Roumde Adja public security police stations, Ngong territorial brigade) - Dirty cells (Garoua research brigade) - absence of cells for women (single cell in the police stations of Lainde and Roumde Adja, and at the Ngong research brigade) - cells with little or no ventilation (in almost all the units visited) - very weak or even absent logistics (idem) - lack of electricity in some cells (e.g. Boula Ibbi gendarmerie) - no health and food care for detainees in custody, left to the care of families and officers - Control visits not conducted by the public prosecutor (Bascheo gendarmerie brigade). 	New buildings constructed for the gendarmerie brigades of Dembo, Barndake, Touroua and Bimemi ²

¹ Findings from visits in July-August 2021, the year of publication of this report.

² Ibid.

Regions	Date	Places visited	Issues to be addressed	Subsequent improvements
FAR-NORTH	13 to 15 January 2019	Mora main prison	<ul style="list-style-type: none"> - Overcrowding - Untimely power cuts, especially in the dry season - insufficient budget allocation to deal with cases of illness. 	Rehabilitation of the secondary prison in Meri, as part of the project to transform it into a transit centre for Boko Haram returnees before their transfer to the regional DDR centre in Mémé, Mayo-Sava.
		Méri main prison	<ul style="list-style-type: none"> - Problems with the drinking water supply due to a breakdown in the borehole that supplies the prison. 	
NORTH-WEST	4 to 5 June 2019	Mbengwi and Wum Main Prisons	<ul style="list-style-type: none"> - Infirmaries not equipped with beds - dysfunctional toilets - frequent power cuts - poor security (Mbengwi: no watchtower, low perimeter walls) - frequent escapes - lack of vehicles for transporting prisoners 	<ul style="list-style-type: none"> - Installation of a generator - Erection of perimeter walls and construction of lookout posts in Mbengwi - construction of external toilets³
		Police and Gendarmerie Units of Mbengwi and Wum	<ul style="list-style-type: none"> - Arbitrary custody of three students (Mbengwi Brigade) - inadequate staffing in the units - cells without water, toilets or windows, and not electrified; (Mbengwi public security police station) - lack of sleeping materials. 	<ul style="list-style-type: none"> - The three students arbitrarily detained were released - reinforcement of the police and gendarmerie units.

³ Developments during further visits in July 2021, the year of publication of this report

Regions	Date	Places visited	Issues to be addressed	Subsequent improvements
CENTRE	18 to 20 December 2019	Sa'a main prison	<ul style="list-style-type: none"> - overcrowding (136 residents for a capacity of 100) - no infirmary - no drinking water supply (the detainees get their supplies from wells which are insufficient for the number of residents) - no sleeping facilities - lack of hygiene (toilet pits not separated by walls) - lack of information on the status of appeals to the Supreme Court by the prisoners concerned - some cases of the cruel and degrading treatment inflicted on some inmates by guards. 	<p>Report prepared and transmitted to the competent authorities (including cases of concern and recommendations) for appropriate action</p> <p>- three cases of appeal to the First President of the Supreme Court</p>
		Eséka main prison	<ul style="list-style-type: none"> - overcrowding (228 inmates for a capacity of 150) - lack of an infirmary and competent medical staff - sanitation problems due to defective pipes - lack of sleeping materials (women's cell). 	- Inmates suffering from hernia and scabies were treated by the prison's medical services in collaboration with the local district hospital.
		Sa'a gendarmerie brigade and public security police station	<ul style="list-style-type: none"> - Lack or inadequacy of rolling stock for the transfer of detainees to the territorially competent prosecutor's office; - insufficient personnel (gendarmerie brigade). 	/
		Eséka gendarmerie brigade and public security police station	<ul style="list-style-type: none"> - insufficient personnel (brigade) or qualified staff (police station) - no drinking water supply (the commander, his staff and the detainees get their water from a borehole more than 400 metres from the brigade) - dysfunctional toilets (brigade) - insufficient office equipment (police station) - defective electrical installations causing untimely power cuts (police station) 	/

Source.- NCHRF

The various findings and recommendations arising from these fact-finding missions will be examined in Chapter 4 of Part III, devoted to the rights of vulnerable groups.

SECTION 3.- COOPERATION ACTIVITIES

As part of its mission of cooperation in human rights matters, as defined in the provisions of Section 2 of Law No. 2004/16 of 22 July 2004, the Commission shall:

- liaise, where necessary with non-governmental organizations working for the promotion and protection of human rights and freedoms;
- maintain, where necessary, relations with the United Nations Organizations, international organizations, and foreign committees or associations pursuing similar goals; and inform the minister in charge of external relations thereon.

The year 2019 was shaped by partnership activities at the national and international level, through the involvement of the NCHRF in cooperation projects with various actors (paragraph 1), participation in certain meetings and gatherings, and the reception of various personalities and delegations (paragraph 2).

Paragraph 1. - Collaboration with various actors

During 2019, the NCHRF received funding for some of its major projects from technical and financial partners (A). It also collaborated with CSOs, to whom it provided material and financial support, and with the media (B).

A. Collaboration with technical and funding partners

With support from its partners, the NCHRF was able to implement two important projects in 2019.

The first project was a pilot study on access to inclusive primary education for children with disabilities, in collaboration with the African Women Leadership Colloquium, conducted in the Adamawa, North and Far-North Regions of Cameroon, involving the relevant branches. This study, which took place from 7 to 15 May 2019, yielded major recommendations.

In this respect, we note the need to:

- include modules related to inclusive education in teacher training schools in Cameroon (ENIEG and ENIET)
- increase awareness of the concept of inclusive education among teachers
- Set up, in collaboration with the local authorities, support programmes for children with disabilities in schools
- make primary schools accessible to children with mobility impairments
- train teachers on languages and tools adapted to children with disabilities
- increase awareness among parents of children with disabilities of the need to ensure their schooling to promote their full development.

The second main line of activities carried out with the support of the Commission's partners in the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF), funded by the European Development Fund, as part of the Support Programme for Active Citizenship (PROCIVIS), which is covered by the grant agreement signed between the State of Cameroon and the European Union. PICEF focuses on three areas: training of CSOs, the establishment of the Freedoms Observatory and the involvement of public authorities in human rights promotion and protection through human rights focal points in the various administrations.

As part of the implementation of this three-year project launched in January 2019, the following activities were carried out during the reference year:

- A national workshop to launch the project, organised in Yaoundé on 23 April 2019
- A study tour to Morocco from 23 to 26 June 2019, led by the Secretary-General of the NCHRF, enabled the PICEF team to learn about the strategy and modes of collaboration of the Moroccan NHRI with the administrative authorities and CSOs, to improve the management of freedoms in Cameroon

- Various capacity building workshops for NCHRF staff, especially on Institutional Development and Organisational Strengthening (DIRO) organised from 5 to 9 July 2019 in Yaoundé and the Workshop on Project Management, organised from 8 to 12 August 2019 in Nkolandom (Ebolowa)
- the study on the mapping of civil society organisations involved in the promotion and protection of human rights in Cameroon was delivered in September 2019
- the updating of the NCHRF's Focal Point roster, which at the end of the period under review comprised 35 representatives of public administrations at the centre and about ten at the regional level. The focal points participated in a capacity building workshop on 30 and 31 October 2019 in Kribi.

The Commission's branches also participated in several activities initiated by UN agencies and NGOs in various locations. This is the case in particular with:

In the Far-North Region

- Participation in the Regional Stabilization Facility for Lake Chad Basin implemented in Cameroon by the United Nations Development Programme (UNDP). The Branch office took part in the Capitalization Workshop on Civil-Military Activities held in Maroua on 19 November 2019, the Workshop on the Registration and Training of Members of Vigilance Committees in the Communities of Blangoua, Fotokol, Kolofata, Mora and Moskota on 29 October 2019 in Maroua, and the Training Workshop organized by the Norwegian Refugee Council (NRC) on 19 December 2019 on The dignity project, aiming at improving humanitarian assistance in the Region.
 - The organisation of the Workshop to raise awareness among administrative, traditional and religious authorities on advocacy for access to HIV-related health services for vulnerable people, from 22 November to 2 December 2019 in Maroua, in collaboration with the NGO CAMNAFAW.
 - Participation in the consultation workshop on managing Boko Haram ex-combatants in the Far-North of Cameroon, organised by the International Organisation for Migration (IOM) and the National Committee for Disarmament, Demobilisation and Reintegration (CNDDR), on 25 and 26 July 2019 in Maroua.
 - Participation in the Regional Workshop on the United Nations Peacebuilding Fund and the Government of Cameroon's Priorities for Peacekeeping and Peacebuilding, organised in Maroua on 21 June 2019 by the United Nations System Coordination.

In the Centre Region,

Training of some NCHRF staff on the reconciliation and conflict prevention process from 25 to 26 April 2019 in Yaoundé, in collaboration with UNCHRD-AC.

In the Littoral Region

Capacity building workshop for NCHRF and NSI members and staff on monitoring respect for economic, social and cultural rights, held in Douala from 3 to 5 September 2019, in collaboration with UNCHRD-AC.

In the Adamawa Region,

Participation in the second edition of the Adamawa Region Administrative Action Fair held from 13th to 15th November 2019 in Ngaoundéré, under the coordination of the Governor of the Region. The Branch raised awareness among about 200 people through the distribution of brochures and various NCHRF products on human rights.

A. Working with CSOs

In 2019, the Commission continued to strengthen its collaboration with civil society organisations, in particular through financial and technical support, assistance with the design and implementation of projects, participation in CSO activities and handling of complaints referred by these associations.

- In the North Region, the NCHRF provided financial and technical support to the associations African Protection of Human Rights and Freedoms (PADHL) and Action for the Defence of Human Rights (ADDH) as part of a capacity-building activity for CSOs in the Region on data collection and human rights monitoring on 20 February 2019, and to the ADDH on the other hand, during an awareness campaign for the Mbororos of the Gaschiga quarter on birth spacing, from 3 to 15 December 2019. It also educated the public on

- activities to promote and protect human rights through its collaboration with the GALAXIE TV, CRTV Nord, Info TV and FM Bénoué media, particularly during the International Women's Rights Day on 8 March, and the International Human Rights Day on 10 December 2019.
- In the South, the NCHRF Branch Office participated in the constitutive assembly of a platform of CSOs in the South working on human rights on 12 March 2019, and from 25 to 31 March 2019, in the 4th Baka Dream Days cultural tourism festival held in Assok by Mintom, at the invitation of the Association for the Self-Promotion and Integration of Women and the Unemployed (APIFED). On this occasion, the branch organised a legal clinic and a human rights awareness campaign at the festival site.
 - In the Adamawa Region, during 2019, Seven associations applied for and obtained registration in the NCHRF directory of affiliated organisations.

Paragraph 2.- Participation in certain meetings and hearings granted by CHRF officials

Throughout the reference year, the NCHRF participated in meetings and gatherings at the invitation of its partners, both national and international level (A). The NCHRF also received in audience various personalities for feedback and information on human rights (B).

B. Participation in meetings

These meetings were sometimes national (1) and sometimes international (2).

1- At the National Level

The branches of the NCHRF took part in several meetings and activities at the national level.

In the North Region

- Consultation meeting on strategies for raising public awareness for voter registration, organised by the Elections Cameroon (ELECAM) regional delegation for the North in Garoua, 17 January 2019.
- Closing ceremony of the academic course of students of the University of Garoua organised at CRTV/Garoua on 6 June 2019.
- International socio-cultural and sports festival organised from 26 to 28 September 2019 in Garoua by the Plateforme des associations de personnes handicapées du Septentrion.

In the West Region

- Visit of the delegation of the United States Embassy in Cameroon to the NCHRF West on 13 May 2019 for discussions on the impact of the security situation in the North-West and South-West Regions, and human rights situation in the West Region, which borders the preceding regions.

In the South-West Region

- Workshop on "Monitoring and Reporting during Crisis and the Role of the NCHRF in the Protection of the Rights of detainees", organised through close collaboration between UNHCR, UNCHR-AC and the NCHRF South-West Branch Office, at the Mountain Hotel in Buea, from 6 to 8 November 2019. Participants learned how to gather evidence to establish the illegality of an arrest or detention, which could be used for a habeas corpus petition.
- Workshop on the popularisation of the Maputo Protocol and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), organised by the Cameroon Association of Women Lawyers (ACAFEJ) in partnership with the NCHRF South-West Branch Office, on 29 August 2019, at the Buea Mountain Hotel.

In the North-West Region

- Launch on 5 June 2019 of the pilot project dubbed "Community of Practice" implemented by the Socio-economic Empowerment and Development Program (SEEDP), an arm of the Cameroon Baptist Convention (CBC), with the participation of the NCHRF North-West branch.

- Referral pathway workshop organised by the Community Initiative for Sustainable Development (COMINSUD) at the Blue Pearl Hotel on 12 July 2019, in partnership with UNFPA, with the participation of the NCHRF North-West branch.

2- At the international level

The NCHRF participated in several international human rights meetings and workshops. These included the following events:

- NANHRI Working Group Meeting on Sustainable Development Goals and Agenda 2063 in Nairobi, 24-25 January 2019.
- The 7th World Congress against the Death Penalty in Brussels from 26 February to 1 March 2019.
- The 2019 Annual Meeting of the Global Alliance of National Human Rights Institutions in Geneva, from 4 to 7 March 2019.
- Training workshop on the role of NHRIs in Francophone Africa in implementing the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa from 5 to 6 May 2019 in Abidjan.
- Initial training of members of the Conseil national des droits de l'homme (CNDH) of Côte d'Ivoire, from 8 to 9 May 2019, in Grand-Bassam (Côte d'Ivoire).
- 3rd AUC-Nanhri Policy Forum on the State of African National Human Rights Institutions, 5-6 September 2019.
- 12th Biennial NANHRI Conference in Cairo, 3-7 November 2019, with the theme The Global Compact on Migration: Common Vision of African NHRIs, Opportunities and Challenges for Implementation.

C. Hearings granted to various personalities

Among the national and foreign personalities who were granted an audience at the NCHRF and who came to inquire into the human rights situation in Cameroon, are:

- Mr Abdoulaye TRAORE, Chief of Office at UNCHRD-AC, was granted audience on 11 March 2019 to discuss joint actions with the NCHRF for the year and the human rights situation in Cameroon.
- a Swiss delegation from the Federal Department of Foreign Affairs, led by H.E. Pietro LAZZERI, Swiss Ambassador to Cameroon, received on 1 April 2019. Discussions focused on human rights violations in the North-West and South-West Regions, and possible areas of cooperation.
- A delegation from the Political Affairs Section of the United States Embassy in Cameroon, on 4 April 2019. Representatives of the two institutions discussed the possibilities of finding a peaceful solution to the situation in the North-West and South-West Regions.
- a delegation from the Westminster Foundation for Democracy led by H.E. Mr Rowan James LAXTON, United Kingdom High Commissioner to Cameroon, granted an audience on 10 April 2019. The audience provided an opportunity to share information on the remit, role and structure of ombudsmen in the two countries.
- a delegation of the United Nations Development Programme from New York, led by Mr Samba SANE, Deputy Director of the Central and Southern Africa Division of the Department of Political Affairs and Peace-building (DPPA) and the Department of Peace Operations (DPO) of the United Nations; as part of a visit to Cameroon from 16 to 18 April 2019, the NCHRF granted audience to this delegation on 18 April 2019, to discuss issues relating to human rights in Cameroon.
- a delegation from the German Parliament, led by Dr Barbel KOFLER, Member of Parliament and Federal Government Delegate for Human Rights and Humanitarian Aid, was received on 25 April 2019. The discussions centred on human rights issues, especially against the background of the security situation in the North-West and South-West Regions.
- a delegation from the Office of the High Commissioner for Human Rights, headed by Ms Michelle BACHELET, United Nations High Commissioner for Human Rights, was received on 3 May 2019. Discussions centred on the security situation in Cameroon and ways to support the NCHRF's action.
- a fact-finding mission from the Commonwealth Secretariat, led by Ms Katalaina SAPULO, Director of Governance and Peace of the Commonwealth, was granted audience on 6 May 2019. The objective of the visit was to learn about the origin and progress of the situation in the North-West and South-West Regions.
- a delegation from the UNDP was granted audience on 22 May 2019, to discuss certain aspects of governance,

- especially the promotion of the rule of law and respect for human rights within the context of the involvement of the Defence and Security Forces in the North-West and South-West Regions.
- a delegation from the Centre for the Promotion of Human Rights and Development in Africa was granted an audience on 4 December 2019, on the situation in the North-West and South-West Regions.

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The details of some of the activities listed under this heading will be presented in the chapters of the headings that follow, to illustrate the level of achievement of the various Rights listed.

PART 2 - THE SITUATION OF CIVIL AND POLITICAL RIGHTS

Civil and political rights are recognised and protected in Cameroon by numerous domestic and international legal instruments. Their inclusion in the preamble of the Cameroonian Constitutional Law of 18 January 1996 translates the commitment of the State of Cameroon to respect, protect and implement the procedural and material rights which constitute their essence.

These include:

- the right to life and to physical and moral integrity;
- the right to security of persons and property;
- the right to equality before courts and tribunals;
- the right to a fair trial;
- the right to freedom of opinion, thought, conscience and religion ;
- the right to participate in public affairs;
- the right not to be subjected to torture or cruel, inhuman and/or degrading treatment.

The recurrent attacks on freedoms observed in previous years was confirmed in 2019, due in particular to the worrying socio-political and security context in certain regions of the country⁴ and the management of illegal public demonstrations initiated by the Cameroon Renaissance Movement, aimed at challenging the results of the presidential election of 7 October 2018 by challenging the constitutional order and the rule of law. The human rights consequences of these different situations will be analysed in Part IV, entitled Special Issues.

Here, the focus will be on the specific situation of the right to identity and citizenship (Chapter 1), the right to security of persons and property (Chapter 2), the right to a fair trial (Chapter 3) and collective public freedoms (Chapter 4).

⁴On the security front, the North West and South West Regions face persistent abuses by armed separatist groups and the intervention of the Defence and Security Forces deployed in these two Regions to defend the integrity of the territory, institutions and to protect persons and property. The Far North Region is suffering from the havoc of the terrorist sect Boko Haram, while the Adamawa Region was characterized by the phenomenon of abductions, and the East faced by the massive presence of refugees, following the politico-military conflicts in the Central African Republic.



CHAPTER 1 - THE RIGHT TO IDENTITY AND CITIZENSHIP

Identity and citizenship are two closely related concepts in that, in order to enjoy legal personality and claim the status of citizen, one must justify a recognised identity.

Identity is made up of the elements of designation, date of birth, parentage, geographical location, profession, etc. These are all the parameters that make it possible at a given moment to distinguish one individual from another, to classify him in a specific category, to enable him to benefit from the rights attached to the status thus determined, and to enable him to assume the related responsibilities.

In Cameroon, the issue of identity is governed by internal laws and regulations as well as by regional and international instruments. We will present the legal and institutional framework governing the right to identity (section 1) and, the obstacles to the effectiveness of this right, observed during the reference year (section 2).

SECTION 1. - THE LEGAL AND INSTITUTIONAL FRAMEWORK GOVERNING THE RIGHT TO IDENTITY

At the national level, Cameroon has, in its legal corpus, a set of texts governing civil status and the status of natural persons. These include:

- Constitutional Law No. 96/06 of 18 January 1996 amending the Constitution of 2 June 1972;
- Law No. 2011/011 of 6 May 2011 to amend and supplement Ordinance No. 81/002 of 29 June 1981 on the organisation of civil status and various provisions relating to the status of natural persons;
- Law No. 2016/007 of 12 July 2016 on the Penal Code;
- Law No. 1968-LF-3 of 11 June 1968 to establish the Cameroonian Nationality Code;
- Ordinance No. 81/002 of 29 June 1981 on the organisation of civil status and various provisions relating to the status of natural persons;
- Decree No. 2013/031 of 13 February 2013 on the organisation and functioning of the National Civil Status Registration Office (BUNEC) ;
- Decree No. 87/1115 of 17 August 1987 establishing the modalities for the establishment and operation of special civil status centres.

The State of Cameroon is party to several regional and universal instruments for the promotion and protection of human rights, some of which relate to the right to identity and citizenship. This is the case in particular:

- at the regional level,
 - o the African Charter on Human and Peoples' Rights of 1981; (Articles 12 et 13)
 - o the African Charter on the Rights and Welfare of the Child of 1990;
 - o the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 2009 (Article 3);
- at the universal level,
 - o the preamble to the United Nations Charter of 1945;
 - o the Universal Declaration of Human Rights of 1948 (Articles 6 and 15);
 - o the Convention relating to the Status of Stateless Persons of 1954 (Articles 12, 27 et 28);
 - o the New York Convention on the Reduction of Statelessness of 1961 (Article 1);
 - o the International Covenant on Civil and Political Rights of 1966 (Articles 24 and 25);
 - o the Convention on the Elimination of All Forms of Discrimination against Women of 1979 (Articles 7, 9 and 16);
 - o the United Nations Convention on the Rights of the Child of 1989 (Articles 7 and 8);
 - o the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993 (articles 16 and 26).

As part of the consolidation of its diplomatic and consular relations with other States, Cameroon has signed fourteen (14) judicial cooperation agreements. These agreements provide for the sharing of information relating to

civil status between Cameroon and these countries.

The State has also given a prominent place to civil status in its Growth and Employment Strategy Paper (GESP) adopted in 2010. To ensure the promotion and protection of the right to identity and to ensure the security of Cameroonian nationality, Decree No. 2013/031 of 13 February 2013 on the organisation and functioning of the National Civil Status Registration Office (BUNEC) established it as the body responsible for regulating the civil status sector. This body is thus responsible for fighting against bad practices of civil status actors and, above all, against civil status fraud.

Despite this legal and institutional framework, there is a high rate of children without birth certificates, many unmarried couples and very few death certificates. It is to remedy some of the many shortcomings noted that the process to revisit the 1981 ordinance on civil status was the focus of a workshop organised in February 2019 by BUNEC, with the technical support of the German cooperation (GIZ). The purpose of the workshop was to examine the draft bill on civil status. The adoption of this new law will enable the State of Cameroon, among others to:

- provide a framework for the computerisation of civil status registration procedures;
- continue to match Cameroon's civil status law with international standards in this area;
- comply with the requirement to produce civil status statistics, and
- propose solutions to certain difficulties in applying the 1981 ordinance.

SECTION 2. - OBSTACLES TO THE EFFECTIVENESS OF THE RIGHT TO IDENTITY

Obstacles to the effectiveness of the right to identity arise in particular from actors' ignorance of legal procedures (paragraph 1) or the complexity of the procedures in force (paragraph 2).

Paragraph 1. - Ignorance of civil registration procedures

Ordinance No. 81/002 of 29 June 1981 on the organisation of civil status and various provisions relating to the status of natural persons identifies three (3) types of civil status documents, namely: birth certificates, marriage certificates and death certificates. The establishment of each of these documents is subject to conditions of substance and form. The biggest problem in 2019 in the context of the establishment of civil status records was the failure to respect the prescribed deadlines and the difficulties in producing the required documents.

Thus, with regard to birth certificates, a combined reading of Sections 30 and 31 of the Law of 6 May 2011, to amend and supplement Ordinance No. 81/002 of 29 June 1981, shows that this document must be drawn up within 60 to 90 days, depending on whether the declaration is made on the initiative of the parents or of third parties who participated in or witnessed the birth.

In addition to the issue of deadlines, the identity of the persons involved in the registration procedure plays an important role, as does the marital status of the parents, as the procedure varies depending on whether the parents are married or not.

The simplest case is that of married parents. For these, the presentation of the birth declaration and the marriage certificate is sufficient to establish the birth certificate with the names of the two parents mentioned. In the second case, where the parents are not married, the presentation of witnesses is required. The registration of marriage certificates requires the presence of witnesses. For the death certificate, the presence of witnesses is also required, as well as the production of a certificate of cause of death.

If the initial deadlines are not met, there is a recourse to enable the person to have an identity and a legal personality attached to it. The declaratory judgment allows late parents to declare the birth of their child to the competent civil status office, with a view to establishing the child's birth certificate.

Those who commit serious breaches of the rules governing civil status are liable to sanctions which may be criminal, civil or administrative.

Administrative sanctions are measures taken by administrative authorities to punish the perpetrators of various civil status frauds. They may range from a call to order, a warning, a reprimand, suspension, or dismissal.

Civil sanctions are applicable when the certificates are not regularly drawn up and thus lose their legal value. The same applies where the certificates are recorded in media other than the registers provided for this purpose. In either

case, the competent court may declare the certificate null and void and order the payment of damages, where appropriate.

At the penal level, perpetrators of irregularities and other fraudulent acts in the process of establishing civil status records are liable to heavy prison sentences and fines. Thus, Section 144 of Law No. 2016 /07 of 12 July 2016 on the Cameroonian Penal Code punishes cases of forgery in a document with penalties ranging from 10 to 20 years' imprisonment and a fine of three hundred thousand (CFAF 300,000) to three million (CFAF 3,000,000) CFA francs. Section 150 of the same Penal Code punishes the irregular keeping of civil status registers, while article 162 punishes false declarations.

Despite the importance of civil status documents for people, a significant proportion of the population in towns and rural areas still lacks these documents. This phenomenon is mostly common among the indigenous people of the South and East Regions, notably the Bakas.

Indeed, during the 4th edition of the Baka Dream Days tourist cultural festival held in Assok through Mintom from 25 to 31 March 2019, an edition in which the NCHRF South Chapter took part, it appeared that the majority of the members of the 58 Baka families identified on the site neither had a birth certificate, nor a national identity card, let alone a marriage certificate for those living as a couple.

In addition, in security-affected regions such as the North West and South West, the right to an identity was a major concern in 2019 for both children and adults. The situation in these regions has led to forced displacement of adults and many children who have ended up in bushes or in towns where civil registry services have been closed or destroyed. Adults also lost their identity documents when they fled for security reasons.

The Commission received allegations of violations of children's right to identity. About 15 women filed petitions regarding the non- possession of birth certificates by their children. Several of these cases were presented by CSOs affiliated to the Commission who needed the NCHRF's support to facilitate the process of producing civil status documents such as birth certificates, certificates of nationality, supplementary judgments of birth certificates, etc.

The NCHRF South West regional branch, in its efforts to facilitate birth registration or the issuance of civil status documents, has been working closely with the BUNEC regional branch. According to BUNEC statistics, the South West region had the second lowest percentage (55.6%) of birth registrations in 2018, after the North Region (42.1%). The same trend was observed in 2019.

This situation has its origins not only in the closure of civil status services, but also in the corrupt practices observed in some courts. Some court clerks demand sums ranging from fifteen thousand (15,000) CFAF to twenty thousand (20,000) CFAF for a declaratory judgment for a birth certificate, which should officially cost only three thousand five hundred (3500) CFAF. Despite the denunciation of the South West regional office, this practice remains common. It can also be noted that internally displaced persons are sometimes forced to return to their place of birth to establish civil status documents, in violation of the provisions of Article 13(3) of the Kampala Convention on the Protection and Assistance to Internally Displaced Persons in Africa, which stipulates that: "States Parties shall facilitate the issuance of new documents or the replacement of documents lost or destroyed in the course of displacement, without imposing unreasonable conditions, such as requiring return to one's area of habitual residence in order to obtain these or other required documents. The failure to issue internally displaced persons with such documents shall not in any way impair the exercise or enjoyment of their human rights".

Thus, as long as this convention is not implemented and extortion and corruption continue in the courts, the rate of birth registration will continue to fall, the number of school-age children without birth certificates will increase, and the number of adult IDPs who will be arrested for not having a national identity card will increase, putting them at risk of statelessness.

However, the NCHRF, through its regional offices, will continue to accompany parents before the courts in order to obtain declaratory judgments or certificates of nationality at official rates, both in DO's offices and police stations for diplomas or national identity cards.

For a reliable and integrated civil status system, the Commission recommends the reorganisation of civil status services and centres, the continuation of jurisdictional reforms, the intensification of the fight against corruption among registrars, training and awareness-raising campaigns for all actors and, above all, the collective awareness of all citizens.

Paragraph 2. - The complexity of the procedures for establishing civil status documents

In Cameroon, the system of civil status records is that of declaration. As such, it is expected that actors, mainly the population, will approach the civil status centres to register births, marriages and deaths in their families. Another approach is to make the medical centre that provided the care responsible for declaring the event, whether it is a birth or a death.

Overall, there is a certain lack of interest among the population in making civil status declarations. This state of affairs is reflected in the school dropout rate at the end of the primary cycle, unmarried couples and the increase in the rate of undeclared births. In the latter case, a survey conducted by BUNEC in collaboration with the Ministry of Public Health in 2018 revealed a considerable discrepancy in live births in health centres between those declared and those registered. Thus, in the Far North region, for a total of 208,882 live births, 76,652 were declared and only 71,565 registered. In the Littoral, for 20,672 actual births, 4,824 were registered.

Furthermore, it appears that the legal provisions on the registration of civil status events are not sufficiently known by the general public. Indeed, a survey conducted by the Wissumate association, as part of a campaign to establish birth certificates for children in the locality of Bafia, revealed that 75% of parents (out of 355 interviewed) deliberately waited until their child was due to sit the CEP exam to have their birth certificate established; the far-fetched reason being that the child does not need this document before then.

Moreover, the complicity of civil registrars and secretaries in the establishment of civil status certificates beyond deadlines does not help to put an end to the problems in the sector, as evidenced by the appeal to them made by the Director General of BUNEC during his speech on 5 May 2017, at the launch of the operation to hand over work tools to civil status registrars. He then invited “forgers and adepts of documentary falsification to change their profession”. Indeed, sanctions are envisaged against those who try to extort money from the needy in order to give them false civil status certificates.

BUNEC has recognised this phenomenon and has undertaken a series of actions to ensure universal birth registration. These include:

- the contribution to the revision of the 1981 ordinance on the organisation of civil status and various provisions relating to the status of natural persons;
- the distribution of civil status registers to all civil status centres in the country;
- the conduct of control missions of the civil status centres as well as
- training and awareness-raising of actors involved in the civil status registration chain.

In addition, the NCHRF Littoral regional branch took part in the workshop organised by the Care Handip association, on the occasion of the 29th edition of the celebration of the Day of the African Child under the theme Humanitarian Action in Africa: Children’s Rights Above All. The workshop was attended by about forty participants, including representatives of ministerial departments, public institutions, civil society organisations and local populations. The theme of this workshop was Guaranteeing a birth certificate for every child and aimed to promote the child’s right to identity. On this occasion, the BUNEC representative sensitised participants on the procedures to establish civil status certificates, and officially handed over birth certificates to the children concerned. They were established thanks to the founder of the association that organised the meeting.

CHAPTER 2. - THE RIGHT TO SAFETY OF PERSONS AND PROPERTY

In Cameroon, the preamble to the Constitution enshrines the right to safety in the following terms: “freedom and security shall be guaranteed each individual, subject to respect for the rights of others and the higher interests of the State”. At the regional level, the African Charter on Human and Peoples’ Rights (ACHPR) states in Article 6 that “any individual shall have the right to liberty and to the security of his person”. Paragraph 1 of Article 23 of the same text provides that “all peoples shall have the right to national and international peace and security”. In the same vein, article 9 (1) of the International Covenant on Civil and Political Rights of 10 December 1966, ratified by Cameroon on 27 June 1984, recognises the right of every individual to “liberty and security of person”.

For Henri LECLERC, “security is a fundamental right, one of the conditions for the exercise of individual and collective freedoms”⁵. The situation of the right to security of person and property in 2019 will be presented taking into account aspects related to the right to life and physical and moral integrity (section 1) as well as the right to security of person and property (section 2).

SECTION 1. - VIOLATIONS OF PHYSICAL AND MORAL INTEGRITY AND THE RIGHT TO LIFE

The rights to life and to physical and moral integrity are enshrined in the preamble of the Constitution of Cameroon, which states that “every person has a right to life, to physical and moral integrity and to humane treatment in all circumstances”. These rights are also guaranteed at the national, regional and international levels. The relevant provisions require that no one should suffer prejudice from third parties resulting in attacks on their physical and moral integrity, let alone their life.

Article 6(1) of the International Covenant on Civil and Political Rights states that “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life”. This protection is given to all human beings, without distinction of any kind, including those suspected or convicted of even the most serious crimes.

It follows from this legal framework that the inviolability of the human body and physical or moral integrity are intangible rights enjoyed by all persons; hence the prohibition on causing bodily harm or mental suffering to others, even involuntarily.

During the year under review, numerous allegations of violations of life, physical and moral integrity were noted, involving both the State and private individuals. This section examines violations and infringements of the right to physical and moral integrity (paragraph 1), as well as violations and infringements of the right to life (paragraph 2).

Paragraph 1. - Violations and infringements of the right to physical and moral integrity

In 2019, the NCHRF recorded several cases of violations of these rights, the most recurrent of which are acts of torture (A), physical assault (B) and mob justice (C).

A. Acts of torture

According to paragraph 5 of Section 277-3 of the Penal Code:

“torture” means any act by which acute pain or suffering, either physical, mental or psychological, is intentionally inflicted to a person by a public servant, a traditional leader or any other person acting in the course of duties either at his own instigation or with his express or implied consent, in order to obtain information or confessions from that person or from another, to punish her for an act that she or any other person has committed, or is presumed to have committed, to intimidate or overawe her or any other person, or for any other motive based on any discrimination.

These provisions indicate that torture includes several factors, such as the status of the perpetrator acting in an official capacity, the intention to inflict pain and the purpose of the action, that is, to have a confession, intimidate, pressure or punish. Torture defined in this way may be physical, moral or mental.

In 2019, the use of torture continued during arrest, hearing or deprivation of liberty. Indeed, the cases of alleged torture referred to the Commission during the year under review represented 4.05% of the total number of petitions received. The highest number of cases was recorded in the North West Region (21 out of 271 cases, that is, 12% of the petitions handled by the office) and the Centre Region (18 out of 276 cases, that is, 11% of the petitions).

⁵LECLERC (Henri), « De la sûreté personnelle au droit à la sûreté », Journal du droit des jeunes, 2006/5, n° 255, p. 8.

The Commission also notes that regions experiencing socio-political unrest have an ever-increasing number of cases of torture, and the growing use of this procedure may reflect the desire of the actors involved to extract confessions and other information from people arrested in this context.

Case No. 1. - *GOBINA Fredrick EKO v. some policemen of the First District Police Station in Buea*

On 19 May 2019, the NCHRF South West regional office received a complaint from Mr. GOBINA Frederick EKO, stating that his son was allegedly beaten with a stone and a pistol when he was arrested by policemen of the First District Police Station in Buea the day before, following a violent argument with his neighbour, whose father reported him to the police. When the NCHRF/South West team visited the victim in his cell on the same day, they found that his handcuffs were so tight that they were causing injuries around his wrists. When asked about this, the commissioner said that the young man had attacked the arresting officers. The aim was to punish him by inflicting this act of torture. Thanks to the intervention of the branch, the victim was released a few hours later.

B. Physical assault

The prohibition of attacks on the physical integrity of the human person is clearly proclaimed by international conventions and domestic laws. Article 3 of the 1948 UDHR states that “everyone has the right to life, liberty and security of person”. At the national level, the Cameroonian Penal Code provides for sanctions against those who harm the life or physical and moral integrity of others. For intentional harm, the penalties include murder (section 275), capital murder (Section 276), grievous harm (Section 277), simple harm (Section 280), slight harm (Section 281), desertion of incapable (Section 282) and failure to assist (Section 283). With regard to unintentional offences, these include unintentional killing and harm (Section 289).

The following case illustrates a situation of violence in a marital home that was brought to the attention of the NCHRF.

Case No. 2- *Mrs Lady KUEMENE Cécile épouse FUNEGIE v. Mr FUNEGIE*

Lady KUEMENE Cécile épouse FUNEGIE filed a complaint with the NCHRF’s regional office for the Littoral on 1 June 2019, denouncing the acts of domestic violence, ill-treatment and attempted murder of which she was a victim.

In her complaint, she alleged that she and her husband had been married for more than 10 years and that they had five (5) children, but that over the years, the living conditions in her home had become unbearable, because her husband, having expelled her from the marital room, had beaten and insulted her, and threatened to divorce her or to kill her if she did not leave the marital home.

The complainant stated that she had filed a complaint with the Bonanjo Social Affairs Service in Douala and the Logbaba police station, where her husband had been summoned, but he did not appear. Despite all her efforts to restore peace and harmony in her home, her husband, on the contrary, had not stopped committing acts of violence, infidelity, and making threats to expel her from the marital home. In addition, her husband, employed in two local companies, with a total income estimated at six hundred thousand (CFAF 600,000) CFA francs, refused to provide for his wife and children. He also forced her to give up a job where she earned one hundred and seventy-five thousand (CFAF 175,000) CFA francs, under the false promise that he would offer her another job in his future company. She was unemployed, with no hope of surviving because she was still being beaten and threatened with death by him. Not knowing where to turn, she sought the intervention of the NCHRF’s Littoral branch.

The referral unit held several conciliation sessions with the couple and, thanks to the wife’s decision to stay away from her husband for a while to restore harmony, improvements were observed. Lady KUEMENE testified that the violence against her had stopped.

C. Mob justice

According to Philip Alston, UN Special Rapporteur on extrajudicial, summary and arbitrary executions from August 2004 to July 2010, mob justice or lynching are terms and “euphemisms” that should be classified as “vigilante killings”.

Mob justice refers to “a collective and summary act by which a group of people inflict physical violence with the aim of causing the death of a person suspected by the group of having committed a crime or offence, whether or not death results”. The main reason often given by this group of people is the inability of the State to maintain law and order, characterised by “failures of the police and judicial authorities to investigate, prosecute and punish felonies and misdemeanours”.

In doing so, perpetrators of mob justice commit offences that expose them to criminal sanctions. In any event, all suspects must benefit from the presumption of innocence “until their case has been heard by an independent and competent judge” who, after hearing all the parties involved in the perpetration of an offence, will decide whether or not the defendant is guilty.

In 2019, the General Delegation for National Security (DGSN) recorded one hundred and thirty-five (135) cases of mob justice compared to two hundred and eight (208) in 2018⁶. There has been a certain decrease in the phenomenon, which the institution is trying to curb through actions such as police patrols, lock ups and raids. A toll-free number exists to enable anyone who witnesses a case of mob justice to report it to police authorities; it is 117.

Despite this improvement in statistical data in 2019, following the efforts of the defence and security forces, cases of mob justice were recorded by the NCHRF, particularly in the Littoral and Far North Regions.

Case No. 3. - Four alleged assaulters victims of mob justice in the city of Douala

Ten (10) persons suspected of assaulting unidentified persons were arrested on 4 September 2019 in Douala by forces of law and order. Aged between 16 and 25 years, four (4) of them had suffered mob justice and had it not been for the energetic intervention of the forces of law and order, they would probably have died. Some of the injured suspects were admitted to a health centre, while the others were kept in the cells of the Central Police Station No. 1 in the Akwa neighbourhood of Douala, where an investigation was opened.

Other similar cases were recorded, including:

- On 20 July 2019 in Douala, two young people, who were accused of theft, were caught by a crowd at the “Total, Nouvelle route Bonaberi” site at around 10 a.m., and were molested to death and then burnt to death by the furious population;
- on 26 July 2019, a suspected member of the Boko Haram terrorist group was apprehended and killed by the population of the locality of Goldavi, in the Far North Region.

Paragraph 2. - Violations and infringements of the right to life

Article 6(1) of the International Covenant on Civil and Political Rights (ICCPR) states that “every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life”. The infringements of the right to life recorded during the year under review mainly concern cases of suspicious deaths and enforced disappearances (A) as well as cases of assault and accidental deaths (B).

A. Cases of suspicious deaths and enforced disappearances

In 2019, the NCHRF noted numerous cases of suspicious death and enforced disappearance, which were widely reported in the local press. These include assassinations or murders in the home or on the street. The table below shows the cases of suspicious death recorded by the Commission.

⁶Correspondence No. 687/DGSN/SG/DJ/CAAC A/S contribution to the preparation of the 2019 NCHRF annual report.

Table 10. - Summary of suspicious death cases handled by the NCHRF in 2019

N°	Date and place of occurrence	Summary of the case
1	Douala, 2 April 2019	The discovery of the bodies of four children in a vehicle led the NCHRF/Littoral branch to go to the field.
2	Dschang, 29 July 2019	The body of the former bursar of the Dschang district hospital, Siméon DJIENBOUEN, aged 54, was discovered in the Ngalée river.
3	Maroua, 3 October 2019	The lifeless body of the second grade constable OUMAROU SANDA was found by his comrade in arms at about 8:03 pm. The unfortunate man was killed on his way to the SDO's residence to take guard. The body was transferred to the Maroua Regional Hospital mortuary, on the instruction of the State Counsel.
4	Douala, 31 March 2019	Barr. BELLA SALLA Marie Yvonne, a lawyer, was found dead in her home located in Deido. She had been missing since 6 January 2019.
5	Between Zina and Doulo on 10 January 2019	The lifeless body of Aladji SALI ABBA MALLOUM was discovered on the Zina-Doulo road, in the Logone and Chari Division, Far North Region.

Source.- CNDHL

In some cases of suspicious death, the investigations opened have enabled the suspects to be arrested and brought to justice. As an illustration, we can cite the case of the assassination of Father Jean Marius Toussaint ZOUMALDE, a Central African Catholic priest, whose body was found during the night of 19 to 20 March 2019 in Ngaoundere.

According to information received by the NCHRF Adamawa branch, the prelate had arrived in Ngaoundere from the Central African Republic, where he had taken part in a training seminar. He spent the night in Ngaoundere, before going to Chad the next day. Upon his arrival, Father Jean Marius first went to the Catholic Sisters' guest house, where there were no more free rooms to accommodate him. He then went to the Procure, not far from the city's cathedral, where he left his belongings, before leaving with a motorbike driver to look for food. Unfortunately, it was during a police patrol, shortly before midnight, that his body was found lifeless, not far from the Mazonod College in Ngaoundere.

The investigation opened by the regional directorate of the Judicial Police established that it was probably murder. Informed of this situation, the NCHRF regional office for Adamawa approached the judicial authorities in the town of Ngaoundere to obtain further information on the subject. As a result of discussions with the said authorities, the alleged killers were apprehended and handed over to the courts.

With regard to enforced disappearances, the provisions of the International Convention for the Protection of All Persons from Enforced Disappearance of 20 December 2006, to which Cameroon is a party, state that enforced disappearance is;

the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization or support of the State, followed by the denial of acknowledgement of the deprivation of liberty or the concealment of the fate or whereabouts of the disappeared person from the protection of the law.

Enforced disappearance is thus considered to occur when a person is apprehended and detained in a secret location by a public authority, usually an agent of the defence and security forces.

The issue of suspicious deaths and enforced disappearances is a scourge suffered by the populations of this Region due to the prevailing situation. Given that this situation is still ongoing and given the internal displacement of populations and the large number of Cameroonian refugees abroad, it is difficult to establish exact statistics on the number of dead or missing persons.

The NCHRF recommends the creation of a commission of enquiry on this issue.

B. Manslaughter and accidental deaths

When death is not natural, it can result from a voluntary or involuntary act. In the Cameroonian context, cases of assaults perpetrated by violent criminals leading to the death of victims are frequent. It is therefore the duty of authorities to open an investigation to determine the exact circumstances surrounding the death and, if necessary, hold perpetrators accountable and apply the appropriate sanctions.

Cases of manslaughter may, depending on the circumstances of their occurrence, be classified as murder (Section 275 of the Penal Code), capital murder (Section 276) or assault occasioning death (Section 278).

In 2019, many cases of assault resulting in death were recorded. For instance, the case of NETOBO Mariame Kadjive, a four year old girl, who had her throat slit on 31 August in the Madagascar neighbourhood of Yaounde, by her father. Indeed, the victim's mother revealed that she had been quarrelling for more than a month with her partner, who has not been found since his murder. An investigation was opened at the Tsinga gendarmerie.

The following cases are included in the same register: ? which register

- a student stabbed to death by his classmate at their school, Deido Bilingual High School in Douala, in the Littoral Region, on 29 March 2019;
- the assault and murder of music producer Jean Pierre SA'A, on the night of 31 March 2019, at his home in Bonaberi, Douala, Littoral.

As for unintentional killing, it occurs when it is established that the perpetrator did not intend to kill the victim. Section 289 of the Penal Code punishes "anyone who, through clumsiness, negligence, imprudence or failure to observe regulations, causes the death" of another person. Whoever by lack of due skill, carelessness, rashness or disregard of regulation causes another's death.

This is what happened in Douala, for example, where a worker was found dead following the collapse of a building located in the Ngangue neighbourhood of Douala 2e, in the "Carrefour Roger Milla" area.

Accidental deaths result from circumstances that have no link with direct human action. In this register which register?, several gruesome events were recorded in the Far North Region where more than 20 cases of drowning and disappearance of bodies in water were recorded in Maroua on the 29th of August 2019 alone. In the same vein, three young men were rescued from the waters, while the lifeless body of a fourth was found on 30 August 2019 in Kongola neighbourhood. Long before this case, the body of a girl, Shyla Victory ACHALE, missing since 16 August 2019, was found on 29 August 2019 in the locality of Bogo, about forty kilometres from Maroua.

As for road accidents, there were 937 deaths in 2019, according to statistics revealed by the Minister of Transport, who specified, however, that this figure represents a 41% decrease in eight years, from 1588 deaths recorded in 2011⁷.

Accidental deaths also occur as a result of natural disasters, which are discussed in detail in Chapter 1 of Part 5 on Special Issues in this Report.

SECTION 2. - OTHER ATTACKS ON THE SECURITY OF PERSONS AND PROPERTY

There have been cases of unrest in certain localities (paragraph 1), kidnapping and hostage-taking (paragraph 2), fires in public buildings (paragraph 3) and insecurity due to natural disasters (paragraph 4).

Paragraph 1. - Cases of unrest in some localities

In the course of 2019, there have been more or less significant disturbances accompanied by tribal clashes. These are protests of people who take to the streets and sometimes resort to violence to express their discontent. This type of unrest, added to the terrorist attacks in the Far North Region and the security problems in the North West and South West Regions, required the intervention of the defence and security forces to defuse these sources of tension.

⁷ Interview granted to the daily Mutations in January 2020. Source : Agence Ecofin, in an article published at <https://www.agenceecofin.com/transports/2401-73142-au-cameroun-la-route-a-fait-937-morts-en-2019-en-baisse-de-41-en-8-ans> (consulted on 11/10/2021)

Two of these sources of tension were particularly high-profile in 2019. These were the Sangmelima riot and the tribal clashes in Obala.

Case No. 4. - Sangmelima riot in October 2019

In Sangmelima, two major incidents were recorded on 9 October 2019. Firstly, after the fatal assault of Assam Belinga Benjamin Junior, his personal belongings (telephone and slippers) were discovered in the hands of Mr. Wilfried MEFOUA, the alleged assassin. The victim and the suspect were both motorbike taxi riders. While this first line of enquiry was being explored, a certain Amidou DJOUTAMBOUI was arrested in flagrante delicto for stealing a motorbike at "Place An 2000" in the town of Sangmelima. Thanks to the prompt intervention of the Sangmelima Central Police Station, the individual concerned was barely saved from the fury of the population, which was determined to do away with this individual. A general riot, characterised by the targeted destruction of shops throughout the town, was then triggered, before gradually turning into a "tribal confrontation" between Bulus and Bamouns (the ethnic group from which the suspects arrested, as well as the owners of the vandalised shops, are descended), against the background of the settlement of scores by the population against these owners whom they suspected of regularly committing such atrocities with impunity.

A fact-finding visit conducted by the NCHRF South Region shed light on the causes of the unrest in this locality and on the actions taken by the authorities to resolve the problem and restore calm. During the visit, the NCHRF team met with the first deputy SDO of Dja and Lobo, the public prosecutor at the Sangmelima courts, the commander of the Sangmelima gendarmerie and the head of the Sangmelima police station. The comments of these authorities corroborated the information initially collected by the Commission.

However, further details were given on the intervention of defence forces, which focused on securing people and property and stopped the looting of property during these events. Incidentally, no additional loss of life was recorded in this incident. However, there was significant material damage to shops and the police station at the Sangmelima central market.

A commission for the inventory of ransacked or looted property was set up by the SDO of Dja and Lobo, while initial investigations led to the arrest of four (4) individuals suspected of contempt of public office, rebellion and lack of identity documents, among others.

Case No. 5. - Tribal Incident in OBALA: Etons v. Hausas

On 24 April 2019, Obala, a locality located 35 km from Yaounde, the political capital of Cameroon, was the scene of an inter-ethnic incident pitting Eton against Hausa. According to testimonies collected by the NCHRF regional office for the Centre, a love rivalry between two young men, one of whom is Eton and the other Hausa, all in love with the same woman, led the two to come to get into a fight and later, one of the two killed his opponent with a knife.

Informed of the death of one of their own, the young Hausas living in the town decided to avenge him. They began by ransacking the home of the girl's parents in the "Chauffeur" neighbourhood, and then attacked the entire Eton community in the town with clubs and knives. The natives responded immediately, and clashes between several groups of individuals ensued. The incident resulted in two deaths: a student from the Obala bilingual high school and an unidentified woman. The intervention of defence forces and the BIR put an end to the crisis.

To curb the phenomenon of tribal clashes, of which the Sangmelima and Obala riots are symptomatic, Cameroonian lawmakers have strengthened their legal mechanism to punish hate speech and tribalism. A bill was adopted on 29 November 2019, which amends and completes Section 241 of the Penal Code, which respectively punishes contempt for races and religions. This provision now more specifically punishes tribal hate speech.

Paragraph 2. - Kidnapping and hostage-taking

Kidnappings and hostage-taking have been particularly common in 2019. Indeed, as regards kidnappings, it was observed that more and more children are victims, mainly in the big cities. Thus, five cases of kidnapping were recorded between January and February 2019 in the Douala 4 subdivision, according to the Gendarmerie. One of the cases resulted in the death of the victim, Alex Lionel.

Hostage-taking is more recurrent in regions experiencing security challenges, such as the North West and South West regions, as well as in the northern regions, especially in the North and Adamawa regions.

For nearly six years, the Adamawa Region has been faced with insecurity, characterised by hostage-taking and ransom demands by certain armed individuals who benefit from local or even family complicity. It should be noted that this phenomenon affects herders mostly, reputed to be wealthy, and settled in rural areas and their family members. Thus, these herders or family members are very often abducted from their homes and taken to unknown destinations by kidnappers who then demand high ransoms for their release.

The virtual absence of a formal platform for collaboration between local populations, law enforcement agencies and local authorities has made it difficult to combat this phenomenon, which, all in all, is on the decline in these localities.

The fact is that authorities have weighed the magnitude of the phenomenon and strategies have been put in place to remedy it. To this end, the President of the Republic stated in his speech at the ceremony of the 36th graduating batch of the Combined Services Military Academy (EMIA), christened “Unity and Diversity” said that “the situation on our East border, especially in the Adamawa Region, also requires our attention, as our people, especially the herders, are victims of criminal groups specialising in kidnapping for ransom. I have given firm instructions to our law enforcement, defence and security forces to put an end to these reprehensible acts”.

Following this speech, important steps were taken, including:

- the deployment of 130 elements of the Groupement polyvalent d'intervention de la Gendarmerie nationale in some localities of the Adamawa, particularly in the Ngan-Ha subdivision (following the first two contingents of 50 elements that left from Kolofata in the Far North, in order to join the 50 others already present in the Region, particularly in the Belel subdivision) ;
- granting various types of support (motorbikes, money, sleeping equipment, etc.) to local vigilance committees involved in securing access to the villages;
- the distribution of copies of the Koran to Imams and other Muslim dignitaries for prayers and other religious activities aimed at preventing this phenomenon;
- conducting awareness-raising tours of administrative authorities, traditional rulers and local elites for their unfailing involvement in the fight against this phenomenon;
- raising the awareness of the public and the active population in order to obtain their support for the prescribed measures and their collaboration in the fight against this phenomenon;
- the handing over of various donations to internally displaced people who have fled from conflict zones to more secure localities.

It should be noted that these measures were implemented respectively by the ministries in charge of Defence (for the deployment of defence forces) and Territorial Administration (for the civil protection of victims).

In this regard, a mission to monitor the effectiveness of the said measures was carried out from 4 to 7 February 2019 in the Adamawa Region by the Minister of Territorial Administration who visited in turn the subdivisions of Ngaoundere 1, Belel, Djohong and Tignere (Vina, Mbere and Faro and Deo Divisions) for consultation meetings with the various stakeholders.

A team from the NCHRF's regional office for Adamawa followed this tour to assess the effectiveness of the measures and their impact on the population. This evaluation mission revealed that:

- Mobile Gendarmerie units go up and down the various rural roads of the Adamawa Region in armoured all-terrain vehicles, armed with state-of-the-art military equipment;
- administrative authorities in the areas affected by the insecurity carried out a census of displaced families and individuals in February 2019, through press releases and other notes addressed to quarter heads;
- movements within the defence forces (transfers, appointments, etc.) have led to a change in the leadership of certain command units in the region;
- the Head of State's gifts, intended for the displaced population, were handed over to the administrative authorities (DOs) of the localities concerned, who were responsible for distributing them when the time came;
- local vigilante committees are not sufficiently structured or trained and do not always have the necessary working equipment, including telephones to alert the security forces in the event of a problem.

Two traditional rulers were also abducted by armed men on 3 February 2019 in the locality of Tignère, Faro Deo Division, Adamawa Region, during MINAT's passage in the Region. The criminals demanded a ransom (CFAF 10 million) in exchange for the release of one of the captured leaders, Hamadiko NYAKO. Both were released in March 2019, in exchange for the payment of the ransoms demanded.

Regarding the impact of the measures taken, it should be noted that since the beginning of the reference year, the Adamawa Region has seen a significant drop in cases of kidnapping and ransom demands, with less than 10 cases recorded between March and July 2019. In addition, nearly 26 hostages previously held by criminals were released during the same period.

Paragraph 3. - Fires in buildings and public buildings

An analysis of the recorded cases of fire highlights the recurrence of these disasters, due to the incivility of the population and the non-respect of safety rules in the construction and maintenance of public buildings. The protection of individuals against fire disasters remains weakened by the above-mentioned factors, which are notably the causes of fire in public buildings and homes in overcrowded urban areas.

In 2019, the following were recorded:

- the burning and destruction of one hundred and sixteen (116) houses in the village of Manga, in the Kai-Kai subdivision, Far North Region, with nearly one hundred and fifty-eight (158) people left homeless and enormous material damage;
- fires in the Bafoussam and Douala markets, including one at the "Carrefour ideal" in Akwa on 19 July, resulted in one (1) death;
- a fire that occurred during the night of 1 to 2 October 2019 at the Mendong market in Yaoundé, with a provisional report of many destroyed goods, mainly foodstuffs, and fortunately no loss of human life.

CHAPTER 3 - THE RIGHT TO A FAIR TRIAL

The right to a fair trial encompasses a set of fundamental rights which, together, guarantee the proper administration of justice. Justice on its part represents a real instrument for development which guarantees peace, security and the protection of human rights in a State of law⁸. Respecting the right to a fair trial and the due process of law is therefore one of the hallmarks of a State of law.

Every litigant has the right to a fair and just procedure which includes the right to be presumed innocent, to respect the principle of contradiction, to an independent and impartial judge, to be assisted by counsel, to freedom of debate, to freedom and immunity of the defence, to be freely assisted by an interpreter if he or she does not understand or speak the language used during the hearing, to a reasoned judgment, to be judged within reasonable time, as well as the right to effective enforcement of judgements rendered.

The right to a fair trial entails the respect of procedures throughout the trial. Like many other legislators, the Cameroonian legislator affirmed his attachment to the rule of law and as a result, to the guarantees of a fair trial by stating in the preamble of the Constitution that “the law ensures to all men the right to be administered justice” by acknowledging it at the national level (CP, CPP Law No. 2014/028 on the repression of terrorism, etc.) and ratifying the relevant regional⁹ and international conventions¹⁰.

Yet, given the results of the review of complaints registered in the course of 2019, the NCHRF decries the recurrent violation of procedures relating to arrests, police custody and detention. Thus, arbitrary arrests, police custody and unlawful detentions are still registered (section 1) just as difficulties to access justice and the non-enforcement of court decisions (section 2).

SECTION 1 - ARBITRARY AND UNLAWFUL ARRESTS, POLICE CUSTODY AND DETENTIONS

The prohibition of arbitrary and unlawful arrests and detentions is clearly enshrined in Cameroon by the Constitution and the Law which entitle everyone with the right to contest the legality of their arrest or detention by courts. The preamble of the Constitution provides that “no person may be prosecuted, arrested or detained except in the cases and according to the manner determined by law” and that “the State shall guarantee all citizens of either sex the rights and freedoms set forth in the preamble of the Constitution”. Similarly, article 31 of Law No. 2005/007 of 27 July 2005 laying down the Criminal Procedure Code stipulates that “except in the case of a felony or misdemeanour committed flagrante delicto, the person effecting the arrest shall disclose his identity and inform the person to be arrested of the reason for the said arrest Query :not sure this is in the law”. The same text provides that any person arrested on a warrant must immediately appear before an examining magistrate or the president of the relevant court that issued the warrant and that the person must enjoy all the reasonable facilities to contact their family, get legal counsel and organise their defence.

The international instruments to which Cameroon has adhered also commit it to avoid any arbitrary or unlawful measure. Thus, article 9 of the UDHR stipulates that “No one shall be arbitrarily arrested, detained or exiled”. Article 9 of the International Covenant on Civil and Political Rights to which Cameroon is a party provides that “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of liberty except on such grounds and in accordance with such procedure as are established by law”. A careful reading of these legal provisions reveals that arrest and detention in themselves are not violations of people’s right to freedom so long as they are carried out by authorities legally authorised to do so and in strict compliance with procedures and deadlines provided by law. The infringement of people’s right to liberty therefore arises from failure to comply with procedures, deadlines and abuse by authorities.

Paragraph 1. - Allegations of arbitrary arrests and unlawful detentions

In the course of 2019, as in previous years, the NCHRF observed during its protection missions that practices in this field continue to deviate recurrently from legal provisions and procedural standards relating to the conduct of arrests and police custody or detention leading to the failure of the State to comply with its contractual commitments due to its agents. Cases presented below, which are drawn from complaints examined by the NCHRF during the reference year, present some facets of the phenomenon without claiming to be exhaustive.

⁸ Alide BOUANGUI, « Le droit à un procès équitable au Congo Brazzaville », in Jean Didier Boukongou, (dir.), Humanité et liberté en Afrique centrale, Tome 1, Yaoundé, Presses de l’Université catholique d’Afrique centrale (UCAC), 2009, pp. 79-92.

⁹ Article 7 of the CADHP.

¹⁰ Articles 10 and 11 of the Universal Declaration of Human Rights; article 14 of the PIDCP.

Case No. 6 - MOHAMADOU ELHADJ v. Mr. OUMAROU, the State Counsel to the Vina courts of instance and the Commander of the Ngaoundere Gendarmerie Company

On 21 January 2019, the Regional NCHRF Branch for Adamawa received a complaint filed by Mr. MOHAMADOU ELHADJ on behalf of Mr. IYA IBRAHIMA, who had been in police custody at the Ngaoundere Gendarmerie company since eight (8) days when the Branch was contacted. This complaint, to which was attached the victim's forensic certificate and a photocopy of the convocation signed by the state counsel, accused Mr. OUMAROU, the victim's uncle, the State Counsel to the Vina courts of instance and the commander of the Ngaoundere gendarmerie company.

According to the terms of the complaint, Mr. OUMAROU broke into Mr. IYA IBRAHIMA's room at night after a family dispute, beat him up and injured him. Following Mr. OUMAROU's complaint, the victim had been convoked by the State Counsel to the Vina Courts of instance a few days later. Having presented himself at the state counsel's office to comply with the said convocation, he was immediately taken to the cells of the gendarmerie company where he was placed in police custody. Following this complaint and after auditioning the applicant, the Regional Secretary of the Adamawa Branch contacted the Attorney General to the Adamawa Court of Appeal who immediately instructed the victim's outright release.

Mr. IYA IBRAHIMA was thus released on 21 January 2019, at around 7:30 pm. He was received at NCHRF's Regional Branch the day after his release, where he was given legal advice on the possibilities of seeking redress.

Case No. 7 - POKAM Samuel v. the State of Cameroon

This complaint was denouncing successive and unlawful police custodies of Mr. POKAM Samuel and for which the NCHRF Regional Branch for the South was contacted in the same vein. In actual fact, on 1 November 2019, the concerned addressed a complaint to the NCHRF Regional Branch for the South, accusing the State of Cameroon, represented by the commander and officers of the military security Branch (SEMIL) of the South, of arbitrary police custody he claims to have suffered at the Ministry of Defence, at the State Secretariat in charge of defence in Yaounde and at SEMIL in Ebolowa and during which he claims to have been deprived of food and beaten.

In his complaint, he claims to have been arrested in Yaounde, on 12 April 2019. That in his absence and without a warrant, his home and shop were searched and that his National Identity Card (NIC), land titles, electronic devices, receipts for these devices, goods and his vehicle were taken away. These belongings had reportedly not yet been returned to him on the date of the petition. He also claimed to have been transferred to Ebolowa in mid May 2019, since his case had been transferred to the gendarmerie legion for the South to resume investigations. This is how he learned that he was suspected of trafficking Tramadol and coins. The applicant specified that since then, and despite steps he has taken, no attention has been paid to this case.

In response, the NCHRF Branch for the South invited the applicant on 2 November 2019 for an audition and to deliver documents supporting his allegations. The Branch visited the gendarmerie legion for the South, where they were received by Lieutenant-Colonel Azew Londy, Commander of the Legion. He specified that the case was following its course at the gendarmerie legion of the South. Though this case is now being considered in accordance with the law, the NCHRF observed that the complainant remained under unlawful police custody for about a month, from 12 April to mid-May 2019. Thus, the Regional Branch suggested possible remedies to the applicant to obtain redress for irregularities committed while he was in police custody, his detention or during the search carried out in his home and shop in his absence.

Case No. 8 - KOM YEWO Gabin Arnold v. the Investigating Judge of the Yaounde Court of First Instance - Administrative Centre

The case filed by Mr. KOM YEWO Gabin Arnold also illustrates unlawful or arbitrary detention. In fact, on 18 December 2018, the latter, detained in the Yaounde Central Prison where he had been remanded in custody since 19 June 2014 for stealing maize, contacted the NCHRF to denounce the violation of his right to freedom of movement because of the non-renewal of his detention warrant and the failure to notify the prison registry of the court decision in his case. According to him, the case had been put under consideration before the Yaounde Court of First Instance - administrative centre by the end of 2014.

The NCHRF Regional Branch for the centre, after auditioning the concerned at the Yaounde Central Prison on 13 June 2019, met the registrar of the prison and the assistant to the head of the administrative and financial service of the prison. These steps enabled to discover that Mr. KOM YEWO Gabin Arnold's criminal file did not contain any hearing results despite the many requests he addressed to various state counsel at the Yaounde Court of First Instance - administrative centre during their routine visits at the prison. With this information, a team from the NCHRF Regional Branch for the Centre went to the registry of the aforementioned court of first instance for more information.

Based on information available at the prison's registry, the last hearing in Kom Yewo Gabin Arnold's case held on Friday, 17 October 2014. The NCHRF's visit also enabled to discover that the file for this case was nowhere to be found at the court's registry. Faced with this situation, the NCHRF's team approached one of the judges of the court, Magistrate EKEM Clement MAROT, on 26 June 2019, who suggested that the NCHRF's Regional Branch for the Centre refer the matter to the President of the relevant Court of First Instance for more information as well as to the President of the Mfoundi High Court by filing an application for Habeas Corpus, in accordance with the provisions of article 584 and according to the Criminal Procedure Code for the immediate release of the concerned, since his detention has become illegal.

The NCHRF's Centre Branch sent letters to the relevant judicial authorities but had not yet received a reply up to the time when this Report was written. This case once again raises the issue of dysfunctions in our judicial system about which the NCHRF has repeatedly recommended a profound reform.

It is however worth recalling that Law No. 2005/007 of 27 July 2005 on the Criminal Procedure Code paved the way for the possibility of compensation for the victims of unlawful or arbitrary custody on remand. Thus, article 236 (1) of this law provides that:

[Any person who has been 10- illegally detained may, when the proceedings end in a no case ruling or an acquittal which has become final, obtain compensation if he proves that he has actually suffered injury of a serious nature as result of such detention.

The Cameroonian Criminal Procedure Code which entered into force on 1 January 2007 had been applauded, among others, for its provisions on compensation for harm caused to persons unlawfully detained or held in police custody. . This has already been said above.

It is important to specify that the requested compensation must be justified. For redress not to be a pretext for unjust enrichment, the applicant must establish that the police custody or unlawful detention has caused him/her a current prejudice, i.e., one that is concomitant and contemporary with the detention or custody and that is particularly serious, such as the loss of a job, non-assistance of his/her beneficiaries or spouse because of his/her status as a detainee, the loss of income from an economic or agropastoral activity, etc.

In terms of Article 236, paragraph 3 of the Criminal Procedure Code, the payment of compensation decided by the Commission is the responsibility of the State, which may, however, exercise a right of recourse, after payment, against the official at fault (judicial police officer, State Counsel or investigating judge).

The members of the Compensation Commission were first appointed in August 2018; but this Commission, whose registry had forty-four (44) registered cases as of 31 December 2019, had not yet rendered a decision when this report was written.

The NCHRF regrets the fact that this Commission's work is slow to begin given that complaints alleging unlawful police custody or detention, whose ever-increasing number reveals the extent of the phenomenon.

Paragraph 2 - Allegations of torture and inhuman treatment in connection with illegal public demonstrations

The NCHRF conducted investigations into allegations of human rights violations in connection with illegal public demonstrations organised on 26 January, 1 June and 6 June 2019 by the Movement for the Renaissance of Cameroon (CRM).

➤ Investigations into allegations of torture and inhumane treatment of some CRM protesters

a. Illegal demonstrations of 26 January 2019

On 26 January, the Movement for the Renaissance of Cameroon organised illegal public demonstrations in Yaoundé in the Centre Region, Douala in the Littoral Region and Bafoussam in the West Region. These illegal demonstrations were an initiative of this political party, aimed at contesting, without providing proof, the results of the presidential election of 7 October 2018. Subsequently, videos denouncing the violation of the fundamental rights of some militants of this party and involving some forces of law and order were widely relayed on social networks.

In a self-referral process aimed at verifying these allegations, the NCHRF referred the matter to the commander of the Groupement Spécial d'Opération (G.S.O.) by letter No. 675/19/CNDHL/S-C N 1/ RP/ST/MMV of 15 April 2019, for additional information, as the leaders and some activists of the CRM, who were arrested during the illegal demonstrations of 26 January 2019, had been placed in the custody of this unit for investigation.

The G.S.O. commander reacted to this letter by note No. 000961/R/DSGN/CAB/GSO/S of 2 May 2019 addressed to the NCHRF, informing the institution of the conditions under which suspects were arrested and held in custody. This note informed us that sixty-four (64) persons had been arrested in Douala and Yaounde and taken to the G.S.O. Where they were placed in administrative custody. Among the 64 suspects arrested, a lawyer, who was taken into judicial custody, and two journalists were released on 28 January and 1 February 2019, respectively. The other suspects were brought before the Yaounde Military Court on 11 February 2019 and charged with insurrection, hostility against the fatherland, rebellion, degradation and destruction of public property, degradation and destruction of private property, assembly, contempt of the President of the Republic, and complicity in contempt of the President of the Republic. Furthermore, Barrister NDOKI Michèle (CRM activist) who was arrested later, on 26 February 2019, was brought before the same court on 7 March 2019.

With regard to the allegations of acts of torture on the arrested persons, the G.S.O. commander affirmed that the latter were placed in police custody in conditions that respected their human nature and that no act of torture or cruel, inhuman or degrading treatment was recorded during their custody.

The NCHRF further observed that 19 persons arrested during the illegal demonstrations of 26 January 2019 and detained at the main prison in Nkongsamba were released on 17 June 2019 and that 18 of them remained in judicial police custody.

As far as the West Region is concerned, the investigation conducted by the NCHRF regional office for this Region reported that thirty-seven (37) suspects were arrested in Bafoussam and transferred to Yaounde.

b. Alleged demonstrations of 1 and 8 June 2019

On 1 June 2019, the NCHRF followed a video posted on social media in which some CRM demonstrators, arrested during the illegal demonstrations organised that same day, stated that they had been subjected to physical abuse, inflicted by some men of the State Secretariat for Defence (SED), while in the custody of that service.

During an investigation into these allegations, conducted by the NCHRF on 6 June 2019 at this service, the Research Brigade Commander affirmed that the videos in question were "staged by the protesters of this political party with the aim of tarnishing the image of forces of law and order". He added that the 59 suspects arrested by the Gendarmerie on 1 June 2019, during these illegal demonstrations, were released on 3 June 2019 after a hearing.

On 7 June 2019, the Commission also visited the Yaounde Central Prison - Kondengui for a working session with the Registrar of the prison on the aforementioned allegations. During this meeting, the Registrar declared that all the suspects arrested during the illegal demonstrations of 1 June 2019 were subjected to medical control upon arrival at the prison under his charge, and that the doctor's report did not reveal any traces of torture on the suspects.

He also stated that none of these persons had informed him about alleged acts of torture against him. However, the Commission's team was not authorised to meet these detainees in order to find out if they showed any signs of torture and maltreatment or not. All in all, information obtained from the prison registry on the number of CRM demonstrators and their prison status as at 7 June 2019 showed that 203 demonstrators were detained with different prison status.

In Douala, the NCHRF Regional Branch for the Littoral conducted an investigation into allegations of torture of CRM activists during the demonstrations of 1 June 2020 in the city of Douala. This investigation established that out of twenty-eight (28) suspects arrested, seventeen (17) were placed in the custody of the Judicial Police and eleven (11) incarcerated at the New-Bell Central Prison under a 15-day administrative custody ordered by the Divisional officer of Wouri. Some of them complained to the NCHRF team that they were subjected to violence at the time of their arrest.

On its part, the investigation conducted by the NCHRF Regional Branch Office for the West enable to establish that thirteen (13) persons were arrested in Mbouda and eleven (11) in Bagangte. Four (4) of them were released on 2 June 2019.

With regard to illegal demonstrations organised by the CRM on 8 June 2019, the NCHRF was unable to obtain information from certain authorities on the exact number of people arrested.

In fact, statistical data from the Centre, Littoral and West Regions collected by the NCHRF showed that a total of two hundred and thirty-one (231) CRM demonstrators were in detention, two hundred and three (203) of whom were in the Yaounde Central Prison, following the illegal demonstrations of 26 January and 1 and 8 June 2019, eleven (11) other persons in the Douala Central Prison and seventeen (17) in the Douala Judicial Police Prison, solely for the illegal march of 1 June 2019.

Legal proceedings were also initiated against some suspects who were brought before the Yaounde military tribunal on 13 and 14 February 2019. They were charged with insurrection, hostility against the fatherland, rebellion, damage and destruction of public property and private property, assembly, contempt of the President of the Republic and complicity in contempt of the President of the Republic.

Another group of demonstrators made up of forty (40) CRM activists including Barrister Michèle NDOKI, a CRM activist, was sentenced by the Douala-Bonanjo Court of First Instance on 9 August 2019 to 6 months imprisonment for participating in these prohibited demonstrations. Similarly, the first hearing for the forty-seven (47) suspects arrested in Nkongsamba, Mounjo Division, on 1 and 8 June 2019 took place on 9 August 2019 at the Court of First Instance of that locality. They were prosecuted for rebellion and appeared free¹¹.

Numerous investigations helped the NCHRF to observe that, during the illegal demonstrations of the CRM, some of the party's militants had indeed suffered blows and injuries caused by forces of law and order. They included Mr. Célestin NJAMEN and Mrs. NDOKI Michèle, each of them received a projectile on the thigh.

Following the arrests of CRM activists during the illegal demonstrations of 26 January 2019, the NCHRF, on its part, issued a press release on 27 February 2019 pointing out that these public meetings and demonstrations "held in violation of prohibition measures [led] to the use of force and/or judicial proceedings to severely repress them". In the same press release, the NCHRF decried "difficulties to access persons arrested during the [illegal] public demonstrations organised in certain towns in Cameroon on 26 January 2019 by the CRM".

While legal proceedings against these suspects were underway before the various competent courts, the President of the Republic, by decree of 5 October 2019, ordered the cessation of legal proceedings against 333 suspects arrested in connection with the riots in the North-West and South-West regions, as well as against some CRM militants. Thus, out of just over three hundred CRM suspects arrested, one hundred and three (103) were released.

In a communiqué issued on 30 October 2019, the NCHRF welcomed the "high level decision of the Head of State to suspend the prosecution of some CRM leaders and activists, prosecuted in connection with their protest movements".

¹¹ Proceedings were suspended due to the numerous objections raised in limine litis by the defendants' lawyers, notably the request for recusal of the judge initially seized, parliamentary immunity invoked by one of the protesters, etc.

c. Authorities' position

The 18th dash of the preamble to the Constitution of 18 January 1996, as amended on 14 April 2008, provides that "freedom of communication, of expression, of the press, of assembly [...] as well as the right to strike shall be guaranteed under the conditions fixed by law".

The Minister of Territorial Administration (MINAT) organised a press conference on 26 October 2018, after the proclamation of the results of the presidential election of 7 October 2018, during which he reminded that public demonstrations must take place in accordance with the provisions of the law.

In this regard, Article 8 of Law No. 90-055 of 19 December 1990 on the regime of public meetings and demonstrations provides that "the district authority or the divisional officer who receives the declaration shall immediately issue a receipt thereof". Paragraph 2 of the same article provides that "if, however, he considers that the planned demonstration is likely to cause serious disturbance to public order, he shall, where appropriate:

- assign another venue or route to it;
- prohibit the event by order, which he shall immediately notify to the signatory of the declaration at the elected domicile".

Furthermore, any person who participates in undeclared public meetings and demonstrations is liable to the penalties provided for by Law No. 2016/007 of 12 July 2016 on the Criminal Code, in its articles 10, 74 paragraph 2, 97, 102, 116, 152, 153, 157, 187, 231, 232, 234, 312, as well as by Law No. 2017/012 of 12 July 2017 on the Military Justice Code in its article 10.

SECTION 2. - ENFORCEMENT OF COURT DECISIONS

The enforcement of court decisions is one of the pillars of the right of access to justice. Indeed, rights only have value when they are enforced, which makes the legal prerogatives recognised to their holders effective. Such enforcement enables beneficiaries to enjoy the benefits of court rulings passed in their favour. The enforcement of legal decisions thus encompasses the requirement of legal certainty. However, the non-enforcement of court decisions does not always constitute a violation or infringement of fundamental rights. The normative framework governing the enforcement of court decisions in Cameroon also provides for situations where the non-enforcement of court decisions is organised.

But what drew the NCHRF's attention in 2019, as in previous years, were cases of non-enforcement or refusal to enforce court decisions that have become final or have acquired the authority of *res judicata*. However, the Cameroonian legislator has clearly taken a stand against the refusal to enforce court decisions of this nature. In fact, it considers it as a specific offence in section 181-1 of Law No. 2016/007 of 12 July 2016 on the Criminal Code, amended on 26 December 2019.

Paragraph 1 - The legal framework for the enforcement of court decisions

The enforcement of court decisions refers to the effective implementation of the provisions of these decisions. In this regard, the enforcement of court decisions is the principle, enshrined in domestic law (preamble to the revised Constitution of 18 January 1996) and in international conventions on human rights (see art. 2 (3) of the International Covenant on Civil and Political Rights), and non-enforcement is the exception, particularly in the event of an appeal against a decision passed by a court of first instance.

Law No. 92/008 of 14 August 1992, amended and supplemented by Law No. 97/018 of 7 August 1997 laying down certain provisions relating to the enforcement of court decisions, however, listed the cases where provisional enforcement of a decision may be ordered notwithstanding the appeal:

Article 3 - (new) (I) By way of derogation from the provisions of Article 2 (1) above, the court seized shall, in the event of a decision which is or is deemed to be contradictory, order provisional enforcement, notwithstanding appeal, in the following cases:

- a) Matters of maintenance claims, contractual claims due, eviction based on a land title conferring uncontested rights or on a written lease with a resolatory clause, the conditions of which are met;
- b) Matters of compensation for damage resulting from an injury to the physical integrity of a person, justified

costs and expenses required for emergency care and limited exclusively to transport or transfer costs, pharmaceutical, medical and hospitalisation costs; and

(c) In Respect of undisputed wages.

(2) The provisions of paragraph (1) above are applicable to civil awards pronounced by a criminal court.

However, the law has also provided a framework for the non-enforcement of court decisions in the interests of equity, to maintain quasi-equality between the debtor of the obligations and the creditor, i.e., the one who has won the case by the said decision. Under this prism, the enforcement of court decisions can be delayed or suspended. Delay occurs when appeals such as opposition are exercised, which happens when the court decision has been rendered by default.

It is also worth noting cases of non-enforcement related to the stay of execution of decisions rendered by the administrative judge. Indeed, in administrative litigation, the appeal of a decision rendered at first instance does not suspend the execution of the said decision, as is the case in civil matters. It is up to the judge in charge of urgent matters, in this case, to pronounce a stay of execution of the decision, without which the decision will be duly executed.

We should also mention decisions with provisional enforcement pronounced outside the cases listed in the aforementioned Law No. 92/008 of 14 August 1992, for which non-enforcement takes the form of application to stay the execution. Here, the Court of Appeal, seized at the request of the appellant, may, considering the facts of the case, order the stay of execution of the decision rendered in court. If the application for a stay is rejected, the decision will be enforced.

There are also cases of non-execution related to grace periods. In this case, the civil judge may order a postponement of the debt or instalmental payments provided for in the court decision, to take into account the situation of the judgment debtor's obligations arising from the court decision. Without such an intervention by the judge, the said decision will be executed.

Professor Guillaume DRAGO qualifies these legal possibilities of non-enforcement of court decisions as "positive obstacles to the effectiveness of sanctions".

Paragraph 2 - Obstacles to the right to enforcement of court decisions

For the NCHRF, "positive obstacles" are of little interest, insofar as the court in these cases guarantees the respect for the fundamental rights of the parties. On the contrary, in 2019, the NCHRF's attention was drawn to cases of non-enforcement or refusal to enforce court decisions that have become final, behaviour sanctioned by the provisions of Law No. 2016/007 of 12 July 2016 on the Penal Code, updated on 26 December 2019.

Indeed, according to Article 181-1 of this law:

(1) Whoever refuses to enforce a court judgment that has become final shall be punished with imprisonment for from 1 (one) to 5 (five) years.

(2) Whoever obstructs the enforcement of a court judgment that has become final without referring to the judge in charge of enforcing court judgments shall be punished as provided for in Subsection (1) above.

Where the offender is a public servant as defined by Section 131 of this Code, criminal prosecution shall not bar disciplinary proceedings.

(3) Where the offender is a corporate body, as defined in Section 74-1 of this Code, the penalty shall be a fine of from CFAF 200 000 (two hundred thousand) to CFAF 10 000 000 (ten million).

Mr ANGOULA Sylvain's case below is a striking illustration of such offences, which also constitute abuses of a dominant position that violates the victims' right to a fair trial.

Case No. 9 - ANGOULA Sylvain v. CNPS

On 29 May 2019, the NCHRF was copied a complaint from Mr. Sylvain ANGOULA, addressed to the Minister Delegate at the Presidency of the Republic in charge of the Superior State Audit, denouncing the violation of his right

to a fair trial, due to the non-enforcement by the CNPS, of the court decision rendered in his favour by the Court of Appeal of the East in the case opposing him to this company, following his unlawful dismissal.

The dismissal in question occurred in 2011, when the applicant was accused of complicity in a case of attempted embezzlement of the family benefits of his Centre Manager, Mr. FONGAING Raymond. Considering himself as a victim of unlawful dismissal, the applicant referred the matter to the Boumba and Ngoko High Court, which, ruling on social matters, rendered judgement No. 02/ADD/SOC of 13 August 2012 declaring his dismissal unlawful, ordering CNPS to pay the applicant the sum of CFA fourteen million nine hundred and thirty-four thousand eight hundred and thirty francs (14 934 830) in respect of various rights related to his unfair dismissal.

Challenging the trial judge's decision, CNPS referred the matter to the East Court of Appeal which, ruling in labour matters, rendered judgement No. 24 confirming the decision of the trial judge and declaring the dismissal null and void. On that occasion, the court ordered the reinstatement of the applicant to his position and sentenced CNPS to pay him all his accrued salaries, i.e., the amount of CFA thirty-four million five hundred and eighty-three thousand and eighty (34 583 080) francs, because of his status as a staff representative, which had not been taken into account by the trial judge.

. In the absence of an appeal to the Supreme Court, the decision of the Court of Appeal became *res judicata* but had since not been executed by CNPS : the victim had not been reinstated in his position and his rights had not been paid

On 16 August and 5 July 2017, the applicant had addressed, without success, two complaints to the Director General of the CNPS. The object was the request for the execution of the decision of the Court of Appeal. The bailiff at the 8th charge of the Court of Appeal of the East and the Courts of Bertoua issued two summons to pay to the CNPS, dated 6 September 2017 and 4 May 2018, in vain. The president of the NCHRF, who had previously been seized of the case, had sent a letter to the Director General of the CNPS inviting the latter to comply with the court's decision.

In his letter of 9 December 2019 responding to NCHRF's President, the Director General of the CNPS indicated that there was no obstacle to the enforcement of the disputed decision, but that he wished to broker a downward revision of the amount decided by the appeal judge, as part of an agreement with the applicant. The claimant was not in favour of this proposal, believing that the CNPS was trying to evade the judge's decision, hence his request to the NCHRF.

The audience that the NCHRF granted to Mr. Sylvain ANGOULA, revealed that in response to his multiple complaints, the Director General of the CNPS finally granted him an audience during which the parties engaged negotiations. The Director General offered Mr ANGOULA an alternative, the first was to reinstate him immediately, on the condition of reducing the compensation amount to CFA sixteen million (16 000 000) francs, and the second was to pay him the full amount due in exchange for his resignation.

The applicant then chose the first proposal, namely his immediate reinstatement with a compensation of CFA sixteen million (16 000 000) francs.

He thus resumed his duties at his position on 14 October 2019

In this case, the NCHRF notes that the refusal to enforce the decision of the East Court of Appeal lasted five years; five years during which the CNPS was in flagrant violation of the provisions of Article 181-1 of the above-mentioned Law No. 2016/007 of 12 July 2016 and could have been sentenced to the additional payment of a fine, if the victim had referred the matter to the judge. The NCHRF recalls that the refusal to enforce a court decision that has become final constitutes a violation of the victims' right to a fair trial and of the rule of law. It therefore encourages litigants to refer more often to the relevant provisions of the above-mentioned law to ensure that their right to justice is respected.

CHAPITRE 4 - FUNDAMENTAL FREEDOMS

Public freedoms presuppose that the State recognises the right of individuals to carry out a certain number of specific activities free from all external pressures¹². Clearly, public freedoms only exist through their recognition in positive law by the standards in force¹³.

The preamble to the Constitution of Cameroon stipulates the attachment of the Cameroonian people “to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations, the African Charter on Human and Peoples’ Rights and all duly ratified International Conventions relating thereto”. It stipulates several fundamental freedoms, including: freedom of worship and the free exercise of its practice, freedom of communication, freedom of expression, freedom of the press, freedom of assembly, freedom of association, freedom of trade unions and the right to strike. It should be noted that this enumeration is very close to that made by the Human Rights Council in its Resolution 2002/46 of 23 April 2002 on new measures for the promotion and consolidation of democracy.

This chapter outlines the status of the right to participate in the conduct of public affairs (section 1), the situation of freedom of assembly and public demonstration (section 2) and the situation of freedom of expression, press and communication (section 3) in Cameroon in 2019.

SECTION 1 - THE RIGHT TO PARTICIPATE IN THE CONDUCT OF PUBLIC AFFAIRS

In 2019, the NCHRF noted Decree No. 2019/30 of 18 January 2019 on the organisation of MINAT, the draft law on regional elections scrutinised by the National Assembly during the April 2019 session, Law No. 2019/005 of 25 April 2019 amending and supplementing certain provisions of Law No. 2012/001 of 19 April 2012 on the Electoral Code, and Law No. 2019/006 of 25 April 2019 establishing the number, proportion by category and the system of allowances for regional councillors.

At this juncture, we will dwell on the electoral roll (paragraph 1) and on the causes of low citizen participation in the electoral process (paragraph 2).

Paragraph 1 - Registration on the electoral roll

Launched on 2 January 2019, registration on the electoral roll was closed on 31 August 2019. These operations were also the subject of a press briefing granted by the Director General of Elections on 18 September 2019, at the ELECAM headquarters, located in the administrative quarter in Yaounde. Mr Erik ESSOUSSE officially announced a total figure of 433 873 new voters for the 2019 revision period, of which 56.65% were men, that is, 270 593, against 40.35% women, that is 163 280. During this press briefing, the Director General of ELECAM also noted the high participation of young people in this electoral roll revision process, notably with a rate of 69.23% or a total of 300 375 newly registered young people.

According to information provided by the Director General of Elections during a press conference, Cameroon’s electoral roll contained 7 116 314 voters, subject to the cleaning-up of the register, i.e., after removing deceased persons or those who have been deprived of their civic rights.

Paragraph 2.- The causes of the low political participation of citizens

As a prelude to the dual legislative and municipal elections of Sunday, 9 February 2020, the President of the Republic convened the electoral body on 10 November 2019. While the stakes were high for political players, many citizens were not that concerned.

In actual fact, there has often been low citizen participation in various electoral processes in Cameroon. For example, the turnout for the presidential election of 7 October 2018 was 53.85%, or 3 590 681 voters out of 6 667 754 registered on the electoral roll. In an attempt to remedy this situation, authorities generally tend to increase incentives to encourage massive participation by citizens of voting age during the pre-electoral phase, since the turnout rate is one of the key indicators of good electoral performance¹⁴.

¹² Jean MORANGE, *Les libertés publiques*, coll. « Que sais-je ? », Paris, Presses universitaires de France, 1979, 125 pp.

¹³ Mouminou MONKOUOP, *Le policier et les libertés publiques*, Guide simplifié et adapté au recyclage des fonctionnaires du maintien de l’ordre, 164 pp.

¹⁴ Letter No. 005/N/ELECAM/CE/PCE/CAB of 12 March 2019 relating to ELECAM’s contribution in drafting NCHRF’s 2018 Annual Report

Generally, several reasons could account for the low level of voter registration including: the lack of logistical means by political parties, the non-compulsory nature of voting, the lack of birth certificates and subsequent difficulties in obtaining a national identity card, the lack of automatic registration in urban areas, the progression of certain religious convictions prohibiting participation in the vote, the tendency of Cameroonians to register at the last minute, inertia of elected officials who distance themselves from their electorate and only return to mobilise them when elections approach (some of them consider that, for a five-year term, the first three years belong to the elected official who must restore his financial balance before the elections campaign and shore-up before the new deadline) and the lack of trust in institutions responsible for organising and controlling electoral operations, or even the priority given to the issues of daily survival. These factors certainly come into play both separately and jointly, in various or infinite combinations.

The most important thing, it seems, is to distinguish between what cannot be influenced and what can be influenced. In this millennium, it would not be feasible to institute compulsory voting subject to fines or imprisonment in Cameroon. However, measures are systematically taken to neutralise the three main factors slowing down the registration process.

Thus, appropriate decisions have been taken to make it easier for everyone to obtain the computerised national identity card. Awareness raising campaigns to encourage citizens to register before the electoral body is convened, which is synonymous with the closure of the electoral roll, are regularly organised. Finally, the determination of the authorities in charge of the electoral process to exercise the powers conferred on them by the law seems likely to strengthen trust in the entire electoral process and encourage the achievement of a credible registration threshold.

We note, moreover, political parties have increased awareness levels among their militants. This is however unfortunately annihilated by multiple calls to boycott elections by some opposition political parties, federalists and secessionists.

Paragraph 3 - The post-election situation in Cameroon

The NCHRF closely monitored the presidential election of 7 October 2018, during the pre-election and election phases. During the electoral phase, it deployed 180 observers on the ground and subsequently issued a press release on 15 October 2018, expressing its general satisfaction with the overall process, despite some minor irregularities observed.

As from January 2019, the Commission monitored this election's post-election, whose major stages include: electoral disputes, proclamation of results and the swearing-in of the President of the Republic. During this phase, the NCHRF also observed that demonstrations prohibited by the Government were nevertheless organised by the CRM on 26 January and 1 and 8 June 2019, both in and out of Cameroon, to contest the results of the said election without evidence.

During these illegal demonstrations, many people were arrested in the major cities such as Yaounde, Douala, Nkongsamba, Bafoussam, Mbouda, etc. Allegations of police violence and degrading treatment of suspects by security forces and prison authorities were brought to the attention of the Commission. The Commission initiated investigative missions to verify the allegations at the sites where the illegal demonstrations took place, as well as at places of detention where arrested suspects were held or detained; however, it was denied access to some of these places of detention.

In the wake of these events, the Commission issued press releases condemning the frequent banning of public meetings and demonstrations by some State authorities, as well as the use of violence by security forces, stressing that this practice, which is increasingly rampant is contrary to Law No. 90/55 of 19 December 1990 regulating public meetings and demonstrations, and Law No. 90/54 of 19 December 1990 on the maintenance of public order (see point two of paragraph three of the press release of 1 February 2019, as well as point two of the press release of 27 February 2019 on the exercise of public freedoms in Cameroon).

The NCHRF also condemned the acts of vandalism perpetrated by CRM activists and sympathisers in Cameroon's embassies in France and Germany, decrying the fact that adequate security measures were not taken by host countries in accordance with Article 22 of the Vienna Convention on Diplomatic Relations' 1961 (see point 1 of paragraph 3 of the press release of 1 February 2019) It also called on political parties and the Cameroonian population to refrain from promoting hate speech in the media.

While new allegations of cruel, inhuman and/or degrading treatment of suspects arrested during these illegal demonstrations were brought to the attention of the Commission during the 2nd, 3rd and 4th quarters of the year,

the members of the Commission, pursuant to Section 2 of Law No. 2004/016 of 22 July 2004 laying down the creation, organisation and functioning the NCHRF, and despite obstructions recorded in some places of detention, visited some of these suspects to verify the above allegations. A press release was issued by the institution in this regard (see point two of the 27 February 2019 press release on the exercise of public freedoms in Cameroon, as well as the press release of 29 May 2019, relating to the illegal and unjustified refusal of certain State authorities to grant the NCHRF access to certain places of detention).

In this light, the NCHRF observed the following human rights violations during its visits:

- Violations of physical integrity, as many people were injured during these arrests;
- The banning by some State authorities of most declared public meetings and demonstrations on grounds of disruption to public order;
- Destruction of public buildings and some State property by CRM supporters, etc.

In order to ease the tense political atmosphere, on 3 October 2019, the President of the Republic ordered that the proceedings against 333 suspects arrested in connection with the above-mentioned illegal demonstrations as well as the security disturbances in the North-West and South-West be discontinued. Most proceedings against these suspects were pending before military courts.

The NCHRF welcomed this measure as a step towards restoring peace among Cameroonians. It issued a press release on 30 October 2019 to this effect. It however continues to monitor the situation of persons still in detention, arrested during this period.

The Commission recommends that courts accelerates the determination of the judicial proceedings concerning suspects arrested in connection with the said demonstrations and still in detention.

SECTION 2 - THE SITUATION OF FREEDOM OF ASSEMBLY AND PUBLIC DEMONSTRATIONS

The framework for the exercise of the freedoms of assembly and public demonstration (paragraph 1) is clearly defined by national¹⁵ laws and in conformity with regional and international standards binding on the State of Cameroon. However, the NCHRF continues to observe restrictions on the exercise of freedom of assembly and public demonstration (paragraph 2).

Paragraph 1 - The legal framework for the exercise of freedom of assembly and public demonstration

Under Cameroonian law, the exercise of the freedoms of assembly and public demonstration is governed by the provisions of Law No. 90/055 of 19 December 1990 to establish the regime of assembly and public demonstrations. At the international level, the regime of these freedoms is contained in article 20, paragraph 1, of the UDHR, which states that “everyone shall have the right to freedom of peaceful assembly and association”, and in article 21 of the ICCPR, which stipulates that:

“The right to peaceful assembly is recognised”. The exercise of this right shall be subject only to such restrictions as are imposed in accordance with the law and are necessary in a democratic society in the interests of national security, public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

At the regional level, see Article 11 of the African Charter on Human and Peoples’ Rights. In Cameroon, the right to demonstrate on the public highway is subject to prior declaration¹⁶. However, there is an exception to this rule with regard to street demonstrations in accordance with local religious traditions and customs. The declaration is filed at the council of the place where the event is scheduled to hold, at least seven days before the date of the planned event. It shall specify the surnames, first names and addresses of the organisers, the purpose of the event, the place, date and time of the gathering and, if applicable, the route chosen. The declaration shall be signed by one of the organisers, who shall be a resident of the chief town of the sub-division or division.

Paragraph 2 - Restrictions on the free exercise of freedom of assembly and public demonstration

Law No. 90/055 of 19 December 1990 on the regime of assembly and public demonstrations provides for measures restricting the free exercise of the freedom of assembly and demonstration, which are applicable in the

¹⁵ Law No. 90/53 19 December 1990 on freedom of association, amended and supplemented by Law No. 99/011 of 20 July 1999, Law No. 99/011 of 19 December 1990 on the regime of public meetings and demonstrations.

¹⁶ Article 6, 7 and 8 of the law on assembly and public demonstrations.

event of non-compliance with legal provisions, threat of disruption of public order and/or harm to persons and property.

With regard to public assembly, paragraph 1 of Article 5 provides that the organisers shall appoint a committee of at least three persons responsible for maintaining order, preventing any infringement of the law, prohibiting any speech contrary to public order and morality or likely to incite the commission of acts qualified as crimes or offences. Thus, the initiative to suspend or stop not-proscribed public assembly, including in the event of overflow, falls within the exclusive competence of the constituted bureau. Inversely, when the authority receiving the declaration of a public demonstration considers that it is likely to seriously disrupt public order, the latter may, if necessary, assign another place or route to the demonstration or prohibit it by an order immediately forwarded to the signatory of the declaration.

The NCHRF observes that the prohibition of public demonstrations, organised by certain players, by the administrative authorities has become almost systematic, particularly with regard to those initiated by opposition political parties and associations close to the opposition, involved in the political race. To justify their position, these authorities usually invoke the argument of the threat of disrupting public order, an elastic notion that includes public security, tranquillity and health. It is common for the authority to prohibit assemblies and public demonstrations without specifying the threat to public order.

However, it is important to note that remedies have been provided. Paragraph 3 of article 8 of the above-mentioned Law No. 90/055 states that “if the event is prohibited, the organiser shall, by simple request, refer the matter to the president of the relevant court of first instance who shall pass a ruling within 8 days of the referral, the parties being heard in chambers”. Paragraph 4 of the same article states that “this order may be appealed pursuant to the provisions of ordinary law”.

However, the NCHRF is surprised to note that the persons concerned rarely make use of these available means of appeal.

SECTION 3 - THE SITUATION OF FREEDOM OF EXPRESSION, PRESS AND COMMUNICATION

Freedom of expression, press and communication is guaranteed at the regional level by Article 9 of the AChHPR and at the international level by Article 19 of the UDHR and the ICCPR. At the national level, freedom of expression, press and communication is enshrined in the 1996 Constitution and is exercised within the framework of the provisions of Law No. 90/52 of 19 December 1990 on the freedom of social communication, amended by Law No. 96/04 of 4 January 1996 and by Law No. 2010/013 of 21 December 2010, amended and supplemented by Law No. 2015/006 of 20 April 2015 governing electronic communications in Cameroon. The exercise of the right to information covers two inseparable rights: The exercise of the right to inform (paragraph 1) and the right of the public to information (paragraph 2).

Paragraph 1 - Exercising the right to inform

The right to inform is a fundamental right, just like freedom of expression and opinion. It should not be granted exclusively to the public and private media, which claim to reserve the right to use it because they exercise monopoly in the field.

The right to inform:

- Belongs to everyone and is not the preserve of professional journalists or the media that employ them - no matter how irreplaceable their role may be in a democracy, let alone when their activities are aimed at making profit;
- Is only guaranteed to the extent that citizens have adequate means to produce their own information;
- Is a citizens' right which, if we keep to the main principles, cannot divide its beneficiaries between, “passive citizens” for whom the information is intended on the one hand and, on the other, “active citizens” producing it.

However, in principle, the media play a very important role in society because they must inform and shape public opinion. Law No. 90/052 of 19 December 1990 states that a press trial shall be initiated pursuant to the preliminary inquiry procedure or by way of a direct summons. When used wrongly, the preliminary inquiry appears to be a means of pressure, or even additional repression, aimed at intimidating the journalist and/or extracting confessions from him or her, particularly regarding the identity of his or her sources.

Paragraph 2 - The right to information

Efforts have been made to improve public access to information (A). In this respect, access to information through social media deserves special attention (B).

A. Improving public access to information

Improving the public's right to information has been characterised by a slight increase in people's access to the Internet, which was relatively low a few years ago. The National Agency for Information and Communication Technologies (ANTIC) notes that in 2018, the population's access to the Internet in urban areas, which was 34% compared to only 7% in rural areas¹⁷, rose to over 35% in 2019. It should be recalled that the Internet penetration rate in Cameroon was 4.3% in 2010.

Given this observation, the Ministry of Posts and Telecommunications (MINPOSTEL) has intensified the promotion and protection of the population's access to the Internet by strengthening its infrastructure, by:

- "Extending the national broadband optic fibre backbone over a distance of 1400 km, serving all the divisions";
- "Diversifying international connectivity [sic] with a capacity of nearly 3 Terabits with four submarine cable landing points built and operational".

There has also been an improvement in the legal and regulatory framework relating to access to information, through the continued drafting of texts, in order to:

- Strengthen the prerogatives of ANTIC in terms of monitoring electronic communication networks;
- Define specific offences relating to the use of social media;
- Strengthen "dissuasive repression of actions perpetrated online that constitute incitement to or disruption of public order, social peace or the fundamental values of the Republic"¹⁸;
- Sanitise the electronic communications sector;
- Control the quality of services provided by electronic communications operators.

Organising security surveillance in the cyberspace has finally led to:

- Recording several cases of identity theft on social media and the deletion of several of these accounts by ANTIC; and
- Setting up teaching units dedicated to cybercrime in certain universities.

B. The state of play of access to information via social media

According to the provisions of point 15 of Article 5 of Law No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, electronic communications refer to any "emission, transmission or reception of signs, signals, writings, images or sounds, by electromagnetic means". With the development of information and communication technologies (ICTs), there has been a breakthrough in electronic communication platforms, the most widely used in Cameroon being Facebook, WhatsApp, Twitter, Instagram, Snapchat, YouTube, etc.

These social media, which are accessible free of charge to any smartphone user, have the merit of fostering instantaneous information sharing to the greatest number. However, disseminating information to the public presupposes that it is processed in compliance with laws and regulations in force, public order and a sense of responsibility. Yet, the dissemination of information through social media does not generally comply with these processing requirements, hence the many abuses observed.

In fact, the right to information did not register any major restrictions during the year under review. Surprisingly, Cameroon ranked 131st in the world press freedom index established by the NGO Reporters Without Borders.

However, the NCHRF notes that public access to information has increased, media stakeholders have continued to operate hitch free, and there has been an increase in the rate of access to the Internet, which has sometimes led to excesses on social media, including the emergence of hate speech.

¹⁷ Letter No. 00001111/MPT/SG/DAJ/CER/CEA2 of 21 March 2019 relating to MINPOSTEL's contribution to the preparation of the 2018 Annual Report of the National Commission on Human Rights and Freedoms.

¹⁸ Idem.

Therefore, the NCHRF recommends:

- Government to continue with the security measures implemented in the cyberspace;
- Permanent awareness raising among the public and players on the legal framework governing this sector, and finally
- Protection of consumers' rights against possible abuses by operators of communication companies.

PART 3. SITUATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Economic, social and cultural rights are rights which seek to secure basic means for everyone to live in dignity (work, housing, food, health...), on a fair and non-discriminatory basis. Cameroon ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) on 27 June 1984. By reaffirming in the preamble of the Constitution its pledge to the aforementioned human rights enshrined in the Universal Declaration of Human Rights and other international and regional instruments, Cameroon has committed to consolidate the well-being of the citizens through the respect of all those fundamental rights.

The presentation of the situation of economic, social and cultural rights during 2019 focuses on the rights to education, work, health and an adequate standard of living.



CHAPTER 1 - THE RIGHT TO EDUCATION

The right of everyone to education is enshrined in a number of international human rights instruments, including the Universal Declaration of Human Rights (Article 26) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Articles 2, 13 and 14). Recognising that quality education ensures the full fulfilment of the individual in society and the development of the country, the law of 14 April 1998 to lay down guidelines for education makes it a “major national priority”, with the aim of training children for their intellectual growth and integration into society. To this end, actions are carried out to promote academic excellence, to adapt programmes to the needs of the public and private socio-professional sector, as well as to improve infrastructure and reinforce the human resources.

SECTION 1 - MEASURES TO PROMOTE ACADEMIC EXCELLENCE AND ADAPT PROGRAMMES TO THE NEEDS OF THE SOCIO-PROFESSIONAL SECTOR

It behoves each state to guarantee the right of its citizens to education. The state must therefore step up its efforts to make primary education compulsory and free, while secondary and university education must be efficient and accessible to all.

The promotion of academic excellence (paragraph 1) has therefore sometimes prompted the adoption of measures to adapt training programmes to the needs of public and private socio-professional sectors (paragraph 2).

Paragraph 1 - Promoting academic excellence

Measures to promote academic excellence and ethical values refer to actions aimed at recognising and encouraging self-improvement in the school and university environment, as well as respect for the practices and principles of the education sector by those involved in the education chain.

Actions undertaken by the Cameroonian government to promote the right to education have sometimes involved initiatives to promote academic excellence and ethical values, through well-developed programmes that take into account the country's specific socio-economic context.

Thus, to promote academic excellence, the Ministry of Secondary Education, in partnership with the Société Anonyme des Brasseries du Cameroun (SABC) Group, awarded scholarships to the best students of the ten (10) Regions of Cameroon on October 10, 2019 (including young girls who excelled in scientific and technical fields).

Paragraph 2 - Measures to adapt educational programmes to the needs of the public and private socio-professional sectors

For the past decade, Cameroon has been implementing a pedagogical renewal policy with a view to making educational action more relevant. These reforms pertain to curricula, learning and teaching methods, the assessment tools, the fields of specialisation of schools, the training of trainers,.....

At the first World Education Forum held in Dakar from 26 to 28 April 2000, it was recognised that one of the main goals of education is to “ensure that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes”¹⁹. These goals comply with the spirit of law No. 98/004 of 14 April 1998 to lay down guidelines for education in Cameroon, which recommends, inter alia: “The training of citizens to be rooted in their culture, but open to the world and respectful of the general and common interest, the development of creativity, a sense of initiative and an entrepreneurial spirit”.

Thus, at the end of his/her school experience, the citizen should become a well-rounded personality through the acquisition of skills and attitudes that will enable him/her to adapt to and change his/her environment.

At primary education level, the adaptation of curricula mainly refers to the introduction of local or heritage languages into the curricula, with the aim of enhancing Cameroon's cultural heritage. To this end, since 2013, the Ministry of Basic Education has set up a Flagship Programme to introduce local languages in primary schools. These local languages are Ewondo in the Central Region, Bassa and Douala in the Littoral Region, Ffuldé in the Far North Region and Ghomala in the West Region. The implementation of this Flagship Programme is effective in 43 experimental multilingual schools.

¹⁹ <https://www.cairn.info/revue-carrefours-de-l-education-2004-2-page-176.htm#>, accessed on 25 November 2020.

At secondary education level, the main innovation has been the strengthening of technical and vocational education, with the transformation of the rural handcraft section/household section (SAR/SM) colleges into technical high schools and the intensification of vocational education from the second cycle of high school.

This professionalization has continued at the level of higher education, with emphasis on tailoring training to employment / training to self-employment through increasingly close collaboration between the socio-professional milieu and the academic world. These adjustments aim to:

- identify the skills/occupational needs of companies and administrations and the subsequent adaptation of the training offer;
- elaborate and implement academic and professional guide , training and research activities;
- share information and documentation;
- develop work-based learning and
- communicate on jobs, entrepreneurship and employment in the socio-professional environment.

SECTION 2- AVAILABILITY AND QUALITY OF INFRASTRUCTURE, AND MATERIALS, AND HUMAN RESOURCES

Challenges to the full enjoyment of the right to education in 2019 was generally characterised by inadequate infrastructure, insufficient material, financial and human resources and their uneven distribution across the country. As a result, educational resources are unavailable and inaccessible, both physically (remote schools, especially in rural areas) and financially (high cost of schooling, and therefore difficult to access, especially for the vulnerable population).

Indeed, the growing number of students in schools, as a result of internal population movements, does not allow students to benefit from an environment that guarantees quality education in optimal learning conditions.

For example, during the start of the 2019-2020 school year, schools in urban areas as well as those in the Regions bordering the North-West and South-West Regions faced an increase in applications for admission, most of which came from internally displaced persons (IDPs) from these conflict-stricken Regions.

To address this new phenomenon, authorities in charge of the educational system have prescribed the systematic admission of all students from conflict-ridden areas. This approach is, however, contrary to previous policies in this area, notably that of limiting the number of students in classrooms, which has made it difficult to implement government's instruction. At the Ebolowa Bilingual High School, the intervention of the National Commission on Human Rights and Freedoms (NCHRF) enabled the enrolment of some students from the North West and South West Regions as evidenced by the case below.

Case 10 - Students of the Ebolowa Bilingual High School v. State of Cameroon (school authorities)

On 3 December 2019, the NCHRF South Regional Branch received Mr. BOOH Abraham Olivier, a parent who came to denounce the expulsion of some students from the Ebolowa Bilingual High School by the Principal. These students who are, internally displaced as a result of the prevailing insecurity in the North-West and South-West Regions, had been expelled from the school on 2 December 2019, for non-payment of school fees. Some of the school's discipline masters were also accused of stripping the victims of their clothes and shoes, which constitutes a violation of their rights to dignity. The visit to the school on the same day enabled the Commission to gather the following information from the school's Principal, Mr. BIKONO.

The Ebolowa Bilingual High School has about 230 internally displaced students from the North-West and South-West Regions. A total of 120 students were excluded, including those who were not duly enrolled in the school because their names were not on the lists, and recalcitrant students who had made a habit of threatening teachers.

Mr. BIKONO also explained that his school, which does not have enough teachers, employs a good number of part-time teachers and supervisors to obviate this difficulty, and admitted that the fact that the discipline masters undressed the students was a violation of their rights..

During the Commission's visit to the school, the Principal undertook to sanction the disciplinary masters involved and to take measures for the internally displaced students to resume school upon clarification of their situation.

During a follow-up visit by its competent Branch the following week, the NCHRF ascertained that those students

had been reinstated on the basis of their status as internally displaced persons (IDPs), indigent and/or disabled children provided by the Social Action Service of the regional delegation of MINAS. However, those whose alleged IDP status was not so demonstrated had to pay the required fees to be readmitted.

The Commission recommends, with a view to promoting access to education for children of vulnerable families, the popularisation of the missions of the Minas' Social Action Service, so that the maximum number of families eligible can benefit from its support and that none be deprived of it out of ignorance.

Infrastructural challenges are also evidenced by lack of infrastructure needed for the conduct of post- and extra-curricular activities, such as laboratories, libraries, sickbays, playgrounds, toilet facilities etc. This is particularly the case in some private schools in the Littoral Region.

Against this backdrop, the NCHRF has consistently made recommendations to improve learning conditions throughout the country. Some of these recommendations are already bearing fruits such as Na: the prohibition of any business operation (take-away sales, drinks outlets, games rooms, etc.) causing multiple forms of disturbance in the vicinity of schools - echoed by the Minister of Secondary Education since 2012 to the regional and divisional delegates of Secondary Education, as well as to the heads of secondary schools, by circular letter No. 612/12/LC/MINESEC/CAB of 20 March 2012, in which the Minister emphasizes the relevant provisions of law No. 98/004 of 14 April 1998 to lay down guidelines for education in Cameroon - then the widespread opening of school sickbays in schools, though the equipment and essential medicines supply are yet to be improved.



CHAPTER 2 - THE RIGHT TO WORK AND THE RIGHTS TO DECENT WORKING CONDITIONS AND SOCIAL PROTECTION

The right to work is enshrined in the preamble of the Constitution of Cameroon of 18 January 1996, which states that “every person shall have the right and the obligation to work”. Article 26(2) of this fundamental law stipulates that the fundamental rights of workers include the right to work, trade union freedom, the right to strike and the right to social protection.

These constitutional standards are supplemented by Law No. 92/007 of 14 August 1992 on the Labour Code and by several international legal instruments²⁰ ratified by Cameroon.

Sustainable Development Goal 8 is one of the priority SDGs for Cameroon, according to the country situation paper prepared by MINEPAT. Should this SDG be achieved, it will enable the state to “promote sustained, shared and sustainable economic growth, full and productive employment and decent work for all”.

In addition to these basic provisions, the International Labour Organisation (ILO) recommends the creation of decent working conditions for all. The right to decent working conditions thus refers to acceptable working conditions, “the right to form trade unions and the right to freely choose and accept work” .

In Cameroon, pursuant to decree No. 2012/644 of 26 November 2012, the Ministry of Employment and Vocational Training (MINEFOP) is responsible for the development and implementation of government policy on employment, vocational training and professional integration.

SECTION 1- THE RIGHT TO WORK

Article 6 of the ICESCR recognises the right of everyone to the opportunity to earn a livelihood by work freely chosen or accepted. This recognition is embodied in a strong commitment of States, through the implementation of public policies to enhance access to work and promote decent work. During the period under review, albeit the lingering insecurity in the Far North, North West and South West Regions, the development of vocational training and the promotion of decent jobs continued.

Paragraph 1 - Development of vocational training

In 2019, government's actions to facilitate citizens' access to employment mainly focused on improving access to vocational training, the supply of quantitative and qualitative vocational training, as well as strengthening the vocational information and guidance system.

With regard to improving access to vocational training, the year under review was marked by:

- the award of twenty (20) Algerian national scholarships, thirty (30) Moroccan scholarships and two hundred and twenty-five (225) national vocational training scholarships to young people;
- continued territorial meshing of public and private vocational training centres with the support of several technical and financial partners. For the 2018-2019 academic year, Cameroon had one thousand eight hundred and twenty-two (1822) training centres and institutes, including two hundred and eighty-eight (288) SAR/SM, fifteen (15) sector-based centres of excellence and trade training centres, nineteen (19) schools under public administrations and one thousand five hundred (1500) private training centres and institutes²¹

Concerning the improvement in qualitative and quantitative vocational training, the following actions can be highlighted:

- the supervising of thirty-five thousand (35 000) students in one thousand two hundred and fifteen (1 215) public and private vocational training institutes
- the completion of the construction of the National Institution for vocational Trainers and Programme Development in Yaounde

²⁰ These include Article 15 (right to work) and Article 29(6) (duty to work) of the ACHPR, Articles 23 and 24 of the UDHR, Article 17 of the UN Declaration on the Rights of Indigenous Peoples, Articles 8 and 22 of the ICCPR, Articles 6, 7, 8 and 9 of the ICESCR. Cameroon, a member of the International Labour Organisation (ILO), has ratified 49 international labour conventions.

²¹ Yearbook of vocational training statistics 2016-2017, 2017-2018, 2018-2019, Minefop, 2021 edition

- the continuation of construction work of the school, university and vocational counselling pilot centre (COSUP) in Ngaoundere and Maroua, and the launch of construction works of COSUP in Bamenda
- the procurement of the construction of the Bandjoun, Ebebda, Maroua and Ndop vocational training centres under the Debt Reduction-Development Contract (C2D), as well as the Nanga-Eboko centre, funded by a loan from the Raffeissen Bank of the Republic of Austria;
- the increase in the number of candidates for the vocational qualification diploma (DQP) in the two hundred and fifty-three (253) approved fields;
- the development of six competence-based vocational training (CBT) frameworks in innovative fields
- the continuation of studies in an effort to develop skills and build institutional capacity with the World Bank, the African Development Bank and the Agence Française de Développement
- the improvement of the certification process and the category-based and vocational ranking of vocational qualification diplomas by field or branch.

As for the strengthening of the vocational information and guidance system, the implementation of the vocational guidance strategy continued through:

- reception and guidance of young job seekers by the Yaounde and Douala COSUPs;
- the organisation of the vocational training pedagogical day in all vocational training and guidance centres, in accordance with law No. 2018/010 of 11 July 2018 governing vocational training in Cameroon.

Paragraph 2 - Promoting decent jobs

To assess the effectiveness of decent work in a given country, the following mix of measures are recommended:

- access to productive and adequately paid work
- security in the workplace and social protection for families
- prospects for personal development and social inclusion
- freedom to express claims and to participate in making decisions that affect life in the workplace and
- equal opportunities for all.

As part of the implementation of the Decent Work Country Programme, in partnership with the International Labour Office (ILO), four hundred and sixty-one thousand one hundred and forty (461,140) jobs have been created in the formal sector of the economy as of 31 October 2019.

The promotion of self-employment consisted of:

- the continuation, by the Integrated Support Project for Informal Sector Actors (PIAASI), of the training of informal sector actors and the funding of their income-generating and employment-creating micro-projects, as well as the technical capacity building of several promoters in various sectors;
- the strengthening by the National Employment Fund (NEF), of its intermediation, placement and self-employment promotion activities through its various programmes;
- the creation of municipal employment offices (MEOs) and
- the promotion of entrepreneurship among young people (15-35 years) in general and women in particular, through the funding of projects by the Youth Integration Fund (Fonij) and under the Three-Year Special Youth Plan (TYSYP) launched by the President of the Republic since 2016 and whose balance sheet for the period 2017-2019 reveals that 5,372 projects were financed, for an overall budget of 10,428,351,665 CFA francs, in the ten (10) Regions, according to Minjec.

As for professional integration in paid employment, the NCHRF noted:

- the establishment and dissemination of a legal framework governing the use of labour-intensive approaches (HIMO)

- the monitoring of compliance with government directives on the adoption of national labour quotas by category applicable to foreign investors as contained in circular letter No. 005/PM of 13 June 2012 relating to the general provisions applicable to foreign investors
- the granting of authorizations to fifty-one (51) temporary staffing agencies and private employment agencies
- the organisation of job fairs and employment exchanges in the ten (10) regions.

Also, the NCHRF contributed to drafting the report on the reference situation of the decent work-related SDG indicators in Cameroon, validated and published in February 2019 by the ILO and the Ministry of Labour and Social Security (MINTSS).

This report highlights the following information:

- 6673 complaints about working conditions reported to the judicial authorities between 2018 and 2019 (SDG 16.3.1) with several cases of unfair dismissal and death threats against trade unionists
- 330 alleged violations of workers' rights were reported to trade unions and human rights organisations between 2018 and 2019 (SDG 16.10.1)
- 26% of women had access to management positions, 17% held the most strategic positions, while 25.2% of women held management positions in the various institutions in Cameroon
- 82.3% of equal pay for men and women in equal positions (SDG 8.5.1)
- about 800 cases of work-related accidents reported between 2017 and 2019 (SDG 8.8.1); however, the report underscores that this figure at the labour inspectorate and the NSIF is not comprehensive, as inspection visits are not systematic and the National Social Insurance Fund (NSIF) does not take into account all reported cases.

SECTION 2 - WORKERS' RIGHTS TO DECENT WORKING CONDITIONS AND SOCIAL PROTECTION

In 2019, it was observed that working conditions have not significantly improved compared to the situation described by the Commission in its previous reports. The actual working conditions (paragraph 1) and job insecurity (paragraph 2) were particularly bemoaned.

Paragraph 1 - The actual working conditions

In Cameroon, the working population experiences difficult working conditions, mainly marked by generally low wages and a precarious working environment.

Concerning the general level of salaries, it should be noted that the inter professional guaranteed minimum wage (SMIG) is set at thirty-six thousand two hundred and seventy (36,270) CFA francs, which is equivalent to a daily salary of nine hundred and forty (940) CFA francs. Yet, the poverty line in Cameroon is fixed at nine hundred and thirty-one (931) CFA francs per day and per capita, which means that a person is considered poor when his/her daily consumption is below this line.

It is rather unfortunate that this wage, which is already insufficient, is not always paid on time and is sometimes cut by the employer. However, Article 7 of the International Covenant on Economic, Social and Cultural Rights recognises the right of everyone to fair and equal salary for work of equal value.

The following case illustrates such violations by some employers.

Case 11 - Mrs NGO TANG ALVINE Désirée v. Boulangerie pâtisserie Helou Ghassan

Dame NGO TANG Alvine Désirée lodged a complaint with the NCHRF Adamaoua regional branch on 28 January 2019 to denounce, among other things, the non-payment of her salary arrears and the non-payment of her NSIF contribution by her former employer, the Helou Ghassan Bakery.

The complainant allegedly worked as a salesperson in this bakery from 12 July 2012 until 2 October 2018, when she was fired. Before being fired, she was allegedly accused of selling cakes illegally and then harassed by her line supervisor who forced her to sign a statement admitting to the facts. This document was then allegedly used as

evidence in the complaint for theft filed against her at the police station of the bus station in Ngaoundere.

She reportedly sought the services of a bailiff on 19 June 2018 for the drafting of "letters of innocence" and subsequently referred the matter to the Labour Inspectorate on 6 September 2018 to request the payment of her salary arrears. The referral resulted in a "conciliation" which the applicant considered unsatisfactory because the amount proposed fell far short of what she was entitled to receive.

Since she was fired in the wake of this "conciliation", the complainant referred the matter to the regional branch of the NCHRF for an increase in the amount of her severance pay and full payment of her salary arrears.

The Commission informed the complainant of the remedies available to her, particularly concerning the non-payment of NSIF contributions by her former employer and the damage suffered as a result of her unfair dismissal. Furthermore, as this case had already been brought before the competent Labour Inspectorate, it was recommended that the case be referred again to this conciliation body, which had previously been contacted by the NCHRF, for further negotiations.

A few days later, the complainant informed the NCHRF that she had finally reached a satisfactory final agreement with her former employer before the labour inspector.

It should be noted that many Cameroonians suffer from precarious working conditions: this relates both to job security and to health and hygiene in the working environment.

ILO standards on occupational safety and health obliges all States to take steps to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment. (Article 4 of the Occupational Safety and Health Convention, No. 155). Similarly, working conditions refer to requirements concerning night work, working hours, weekly rest and paid holidays.

Article 3 of ILO Convention 187 on the Promotional Framework for Occupational Safety and Health states that "every State shall promote at all levels the right of workers to a safe and healthy working environment". The same Convention stresses the need to provide occupational health services (Article 4, paragraph 3 (d)).

Finally, job insecurity is a reality in Cameroon insofar as 90% of the population works in the informal sector, which provides no guarantee of a career or constant pay for the worker. According to a study conducted by the International Research and Documentation Centre, published on 24 July 2019, 70% of Cameroonians face job insecurity.

In 2019, the NCHRF received 123 cases of alleged violations of workers' rights and the right to work, which sufficiently illustrates the importance of these issues in Cameroon. In the case of MVOGO MELENDE Edmond vs. State of Cameroon below, the applicant complains of pressure that jeopardises his job security.

Case 12 - MVOGO MELENDE Edmond v. Mbam and Inoubou S.D.O and the Principal of Yangben High School

On 5 March 2019, the NCHRF received a complaint from Mr MVOGO MELENDE Edmond, a contractual administrator and Vice Principal of Yangben High School in Mbam and Inoubou, who denounced the violation of his right to remuneration (arbitrary suspension of his salary), abuse of authority and influence peddling, involving the S.D.O of the Mbam and Inoubou Division and the Principal of Yangben High School. From the discussion between the complainant and the Commission's staff, it emerged that the complainant felt he was being harassed by the defendants, despite his regular attendance at work - except for absences due to medical appointments for his chronic cardiovascular problems, which were known to the Ministry of Secondary Education's (Minesec) occupational physician.

The NCHRF has referred the matter to various authorities for conciliation. However, faced with the silence of these officials, namely the divisional delegate of MINESEC for Mbam and Inoubou and the regional delegate of MINESEC for the Centre, who reportedly informed the applicant that a disciplinary procedure was underway against him. The NCHRF recommended that the complainant should file an administrative appeal ("recours gracieux préalable") with S.D.O of the Mbam and Inoubou Division. He eventually did so. The matter was still pending at the time of finalising this Report.

Many cases of unfair and irregular dismissals also illustrate the reality of job insecurity.

Case 13 *ELA Yannick v. AC Nielsen*

On 15 January 2019, the Adamaoua regional branch of the NCHRF received a complaint from Mr. ELA Yannick Steve, against AC NIELSEN Cameroon SARL, a subsidiary of the American multinational THE NIELSEN COMPANY for wrongful dismissal.

The complainant stated that he worked for this company from July 2014 until January 2019, when he was dismissed by a WhatsApp message from his employer. Mr ELA also claimed that he has never signed an employment contract with his employer. Before referring the case to the NCHRF, the complainant had referred to the relevant labour inspectorate to obtain his entitlement, and negotiations had been initiated to no avail.

The NCHRF branch took the matter to the relevant labour inspectorate to facilitate the complainant's efforts to have his rights restored. It also informed him of the legal remedies available to him in the event of an inconclusive outcome with the labour inspectorate.

A few weeks after this hearing, the complainant came to inform the regional office that an out-of-court settlement had been reached between the respondent company and him, before the labour inspector.

Paragraph 2 - Social protection

In terms of security, the ILO Convention 102 has set minimum standards for the nine social risks, namely: medical care, health benefits, old age, unemployment, employment injury, maternity, disability, survivors and family allowances.

In Cameroon, the scope of social security remains restrictive. Indeed, the Cameroonian scheme covers only six of the nine risks provided for: old age, disability and death pensions, family benefits, occupational diseases and occupational accidents. The other limitation is the proportion of the working population covered by social security scheme. Indeed, under the general social security scheme, only workers in the formal sector, i.e. about 10%, are insured by the National Social Insurance Fund (NSIF). This proportion does not, of course, take into account the status of civil servants, who represent a significant share of the working population in Cameroon - in July 2019 the number of civil servants and state officials was estimated at 260 000²².

To remedy this state of affairs, the Government had, by Decree No. 2014/2377/PM of 13 August 2014, prescribed the extension of social coverage to persons not covered by the general social security scheme through the voluntary insurance mechanism.

However, at the end of 2019, it is clear that the voluntary insurance is struggling to become reality in the lives of Cameroonians. Conversely, there is a certain degree of mistrust from workers, characterised by the lack of enthusiasm for registration and the irregular payment of contributions for those who have already subscribed. The overall amount of contributions collected by the NSIF fell by 15.62% between 2016 and 2017²³.

Moreover, for a better protection of workers' rights, the NCHRF reiterates its recommendations to the Government:

- continued implementation of the national employment policy through the promotion of vocational training and self-employment
- effective implementation of government guidelines on the labour-intensive approach (HIMO)
- the effective protection of workers against employers' abuses, in particular by setting up and strengthening supervisory institutions
- strengthening the human and material resources of the labour inspectorate for the efficient and effective resolution of work-related conflicts
- extension of voluntary insurance and taking of all relevant incentive measures.

²² <https://www.cameroon-tribune.cm/article.html/26922/fr.html/fonction-publique-5411-postes>, accessed one 19/10/2021

²³ Ecomatin.net accessed on 27/11/2020.



CHAPTER 3 - THE RIGHT TO HEALTH PROTECTION

The right to health protection is universally recognised and enshrined in Article 12 of the International Covenant on Economic, Social and Cultural Rights, enshrined in the preamble of the Constitution of Cameroon and implemented in government policies and programs on public health. Notwithstanding the efforts made by public authorities, respect for the right to health in Cameroon remains a matter of concern. The state budget for health has increased over the last ten years.

However, the humanitarian situations facing the country, notably as a result of secessionist attacks in the North-West and South-West regions and those of the Boko Haram terrorist group in the Far-North Region, have hampered the work of health teams.

In addition, the 2001-2015 Health Sector Strategy (HSS), a policy framework for government action on health that expired in 2015, has had its content and implementation assessed. This has led to the development of a new HSS covering the period 2016-2027. While in 2018, the Annual Report on Human Rights Situation focused on the situation of right to health regarding the control and prevention of health emergencies, the 2019 edition of this Report focuses on the provision of health services and care through the lens of infrastructure, access and working conditions of health personnel (section 1) and the quality of health services (section 2).

SECTION 1 - ACCESS TO INFRASTRUCTURE, HEALTH PERSONNEL AND WORKING CONDITIONS OF HEALTH PERSONNEL

Access to health infrastructure and health personnel refers to the existence of health facilities close to people's homes, with adequate skilled personnel to provide quality health care.

Paragraph 1 - The mitigated improvement of infrastructure supply

Geographical coverage refers mainly to the spatial distribution of health facilities and then to the number of inhabitants covered by an operational health structure. During the year under review, the NCHRF noted the State's strong commitment to increasing the health infrastructure through the construction of local health facilities and, especially, referral hospitals in all regions.

However, health coverage remains a concern, as it is unevenly distributed throughout the country. In absolute terms, the number of health facilities at the operational level is satisfactory, but their geographical distribution in the country is uneven. The uncontrolled proliferation of private health facilities has been observed in the urban councils of some regions. Several of these health facilities have not been approved by the Ministry of Public Health and are therefore and there they operate illegally. This poor control over the health map has resulted in an overuse of health care and health services in major cities. There is also an infrastructural gap between regions, as well as between health districts, where there are still populations living more than 500 km from a health facility, as well as health districts with one doctor per 500,000 inhabitants or one nurse per 140,000 inhabitants. The international standards recommend one doctor for per 10,000 inhabitants and one nurse per 5,000 inhabitants. This gap jeopardizes the operational efficiency of the sector.

This situation is exacerbated by the lack of qualitative and quantitative technical facilities, which limits the usefulness and use of these health facilities. In addition, some facilities are not operational due to the lack of rehabilitation/construction work on the one hand, and insufficient equipment on the other hand.

In 2019, the health situation in prisons has been a source of concern, particularly due to overcrowding. There were more than 30,000 prisoners with an overall prison capacity of about 18,000. Risk factors in this environment include overcrowding, poor sanitation and inadequate ventilation of cells, which create a breeding ground for the spread of infectious diseases. According to the Ministry of Public Health, the most common diseases by order of prevalence in this environment are: malaria, skin diseases, diarrhoea, HIV/AIDS and tuberculosis.

Figures from the Health Sector Strategy 2016-2027 indicate that regarding human resources dedicated to health, the prison administration network has 23 doctors; 36 state-qualified nurses, 113 health care assistants and 34 medical-health technical officials. Compared to the number of detainees, these figures clearly show an inadequate provision of health care in prisons, which often leads to ineffective care in terms of quantity and quality, observed by the Commission or denounced by the detainees, as in the case below.

Case 14. NTI BENGALA Jonathan v. State of Cameroon (MINJUSTICE)

Similarly, the case of Mr. NTI BENGALA Jonathan, who referred to the NCHRF on 12 June 2019 to denounce an infringement of his right to health protection. In this case, the administration of the Yaounde Central Prison refused to issue an authorisation for him to meet his doctor.

The complainant, a pastor of the New Jerusalem Church and tenant of a building in Yaoundé, had had problems with his landlord who, having sold the building, had asked him to move out and he refused. Following the landlord's complaint, Mr. NTI suffered violence from police officers of the Yaounde I Gendarmerie, before being remanded in custody on 30 April 2019.

His health condition having been affected by the police violence, he requested by mail addressed to the Public Prosecutor at the Yaounde Court of First Instance - Administrative Centre and filed with the Registrar of this Prison, an authorisation to meet his doctor, which was delayed in being granted, whence his complaint.

The NCHRF's visit to the Yaounde Central Prison on 13 June 2019 facilitated the issuance of an authorization to allow the complainant go out for medical consultation on 14 June 2019.

Paragraph 2 - Challenging working environment for health workers

The output of human resources for health (HRH) improved during the reference period, thanks to the burgeoning of a wide network of training institutes and the subsidy granted by the State to private health facilities and to private institutions for the training of health personnel. However, there were several cases where medical personnel were understaffed. In some health districts, there is one doctor per 500,000 inhabitants or one nurse per 140,000 inhabitants, whereas international standards recommend one doctor per 10,000 inhabitants and one nurse per 5,000 inhabitants. Shortage of staff weighs on health workers as a result of excessive workload. Likewise, the geographical location of health facilities is affected by poor road networks, especially in rural areas, which makes it difficult for people and health workers to access health facilities with ease.

SECTION 2 - THE QUALITY OF HEALTH SERVICES

The Sustainable Development Goals (SDGs) reaffirm the international commitment to achieving universal health coverage (UHC) by 2030. Indeed, the CSU (full name) is a priority on the SDG agenda in Goal 3, Target 8, which commits states to “achieve universal health coverage (UHC), including financial risk protection, access to quality essential health care services, and access to safe, effective, quality, and affordable essential medicines and vaccines for all”. Cameroon, for its part, has taken the strategic option of gearing its health system towards UHC. In his speech to the Nation on 31 December 2017, President Paul Biya had indeed declared:

“We will continue our efforts to provide quality and universal health care to our population. In this regard, I have instructed the Government to finalize discussions on ways to progressively establish a universal health coverage system”.

The high-level advocacy started since then continues for the strengthening of the health system towards the CSU. In this regard, Cameroon has undertaken a series of health system reforms aimed at ensuring equitable access to quality health care for the population. During the reference period, the NCHRF noted emerging high-potential actions to improve the quality of health services, hampered, however, by the persistence of significant constraints.

Paragraph 1 - High-potential fledgling actions

In its ambitious process to implement the UHC tailored with local realities, the Government, through the National Technical Group and all stakeholders, has undertaken several targeted priority interventions. Studies and surveys have been carried out and several strategic or normative documents developed.

With regard to studies and surveys, the NCHRF noted that a situational analysis was done and the results were presented to understand the trends around the UHC in the country. This was followed by recommendations and proposals relating to the WHO technical support to help the country fast-track its progress towards UHC.

Furthermore, in order to understand what is happening in health facilities as places of frontline service delivery and as a basis for relevant analysis in determining the weaknesses in the relationship between public expenditure and the performance of the health system in general, a study was conducted to determine service delivery indicators (SDI). These would help to assess and compare health service outcomes and help to strengthen the active monitoring

of service delivery with a view to increasing government accountability and good governance so as to enhance the quality of services.

As for the strategic or normative documents, the Government of Cameroon, through the Ministry of Health, developed two strategy papers during the year under review, with the contribution of the National Technical Group in charge of setting up the UHC and all stakeholders, including WHO which are:

- strategy for developing universal health coverage and
- health financing strategy.

Paragraph 2 - The existence of significant burdens

The quality of health services depends on several factors. The NCHRF limited itself to examining only certain material and human aspects.

The analysis of the material in health facilities indicates the presence of some basic equipment in almost all health facilities (FOSA). These include stethoscopes, adult scales, blood pressure monitors, thermometers, baby scales and upper airway clearance device. Less common in all facilities are oxygen concentrators and balloon masks for neonatal resuscitation. The Commission mostly noted that medical imaging and health research services are insufficient.

At the human resources level, it was observed that the health personnel working in health structures have a fairly varied academic and professional profile. The majority of them have a BEPC level (G.C.E Ordinary Level) + 3 years (60%). They are followed by holders of the Baccalaureate (G.C.E Advanced Level) + 3 years, representing 19% of the health care personnel in health facilities. Followed by general practitioners (8.6%) and specialised doctors (2.4%). Data reveal that a significant proportion of the health personnel found in the health facilities were trained on the job (3.2%). In addition, less than half of these facilities record information on staff absences and attendance. According to the profile, the absenteeism rate is higher among doctors and specialised doctors (57.1%), than among general health care staff (47.1%) and laboratory and pharmacy staff (48.3%). This rate is somewhat lower among students and others (31.3%) and among staff providing obstetric care (43.4%).

The NCHRF notes that all these factors, which are far from being exhaustive, significantly affect the quality and efficiency of health services. It therefore encourages the Government to actively pursue its efforts towards establishing of the UHC.



CHAPTER 4 - THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

The right to an adequate standard of living is crystallised in Article 11 of the International Covenant on Economic, Social and Cultural Rights, which states that “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”. The right to an adequate standard of living establishes a minimum necessary standard of food, housing and all social amenities for personal development and well-being.

Two decades earlier, Article 25 of the Universal Declaration of Human Rights “UDHR” had already recognised “the right of everyone to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services”.

In 2019, the Commission laid particular emphasis on two indicators relating to the level of the realisation of the right to an adequate standard of living: the right to land and housing (section 1) and access to safe drinking water and electricity (section 2).

SECTION 1 - THE RIGHT TO LAND AND THE RIGHT TO HOUSING

Under the terms of Article 1 of Ordinance No. 74/1 of 6 July 1974 to establish rules governing land tenure, “the State guarantees to all natural or legal persons owning land the right to enjoy and dispose of it freely”.

It appears from the analysis of this provision that the right to own land relates to the access, conservation, enjoyment and free disposal of one's land property, free from any interference.

In spite of the legal and institutional framework to ensure access to land, there are a number of obstacles to the implementation of property rights.

Paragraph 1 - The right to land

Access to land property is governed in Cameroon by Ordinance No. 74/1 of 6 July 1974 and by Decree No. 2005/481 of 16 December 2005 amending and supplementing certain provisions of Decree No. 76/165 of 27 April 1976 to establish conditions for obtaining a land certificates.

Article 1 of the above-mentioned ordinance states that “the State shall be the guardian of all lands. It may in this capacity intervene to ensure rational use of land or in the imperative interest of defence or the economic policies of the Nation”.

In 2019, allegations of violation and infringement of land ownership recorded by the NCHRF were still, as in previous years, among the most recurrent. Indeed, of the 1,235 alleged violation that were reported, 259 concerned the right to property, i.e. 20.97%.

Damage to property can result from state action. This is generally the case for irregularities observed under expropriation procedures, particularly in the management of flagship projects. Thus, the South Region, which is home to several large-scale projects such as the Memve'ele hydroelectric dam, the Mekin hydroelectric dam, the Kribi Port Authority as well as numerous road projects such as the Mengong-Sangmelima, Sangmelima-Ouessou, Kribi-Edéa, Kribi-Campo, Nyabizan-Ma'an roads, has recorded many cases of alleged violation of property rights. Several cases of expropriation without full compensation have been reported under such infrastructure projects. This issue has therefore been of particular interest to the Commission during the year of reference, and is therefore specially addressed in this report under Chapter 4 of Part 5 on Special Issues.

In addition, several cases of land conflicts between individuals stem from the lack of control over registration procedures or corruption-driven irregularities.

Case 15 - *AWOUMOU Jean v. ONDOUA Jean Claude*

On 1 August 2018, the NCHRF received from Mr. AWOUMOU Jean, a complaint alleging the violation of his right to land property, against a certain ONDOUA Jean Claude. After the death of his father in 1951, to whom he was the only son, and given his tender age at the time (12 years), the management of the deceased's property was entrusted to the late ONDOUA Laurent, father of the defendant. At the latter's request, a judgment of inheritance was issued, excluding the applicant from his deceased father's estate and depriving him of the property intended for him, which included a five thousand foot cocoa plantation, a Broning rifle and a big furnished family home.

The applicant, who had brought the matter to the attention of the traditional and administrative authorities (D.O.), as well as the law enforcement agencies (GSO, Police, Gendarmerie), finally received an undertaking from the respondent on 20 November 2012, before the chief of the Ebogo village, to vacate his home and his property.

Interviewed at the NCHRF on 3 January 2019 for the follow-up of his case, the applicant produced judgment No. 284/TPD of 14 August 2018 issued by a court of first instance, a supplementary judgment for his father's death certificate, a copy of which was issued on 17 December 2018, his late father's death certificate (No. 2018/CE4201/D/187) issued at the Mbalmayo civil status centre on 28 December 2018, following a final judgment.

Based on these documents, Mr AWOUMOU Jean was recommended to file a request for a judgement of inheritance before the High Court of Nyong and So'o, prior to the procedure for claiming his share of the movable and immovable assets bequeathed by his late father.

SECTION 2- THE RIGHT TO DRINKING WATER AND ELECTRICITY

To ensure the realisation of the rights of its populations to water and electricity, Cameroon has endowed itself with a certain number of instruments and institutional bodies responsible for the elaboration and implementation of national policies in this field. These policies are in line with the Sustainable Development Goals set out in the 2030 Agenda, specifically SDGs 6 and 7, which recommend “ensuring access to water and sanitation for all and sustainable management of water resources” and “ensuring access to reliable, sustainable and modern energy services at affordable cost for all”.

To assess the situation of the rights to water and electricity in Cameroon, it is necessary to analyse the legal and institutional framework (paragraph 1) and the factors to access these resources (paragraph 2).

Paragraph 1 - The legal and institutional framework governing the water and electricity sectors

The national legal and institutional framework for water and energy is quite comprehensive.

At the legal level, and with regard to access to drinking water, Law No. 98/005 of 14 April 1998 to lay down regulations governing water resources in Cameroon states that “water shall be a common national resource protected and managed by the State, which shall facilitate access to it by all citizens”. Furthermore, paragraphs 2 and 3 of Article 2 of the above-mentioned law provide that “(2) [1] The State may transfer all or part of its prerogatives to regions and councils. (3) Furthermore, water management may be transferred or leased according to conditions laid down by a decree to implement this law”.

With regard to the right to electricity, the provisions of Article 3 of law No. 2011/022 of 14 December 2011 governing the electricity sector in Cameroon state that “the storage of water for the generation of electricity, transmission, distribution, importation and exportation of electricity with a view to selling energy to the public shall constitute a public utility service”.

To enforce the law on water regime, a series of decrees were signed in May 2001 on: the attributions, organization and functioning of the National Water Committee, the modalities for appointing sworn agents to monitor and control water quality, the protection area around the catchment, processing and storage points of drinking water, the modalities and conditions for removing surface water or groundwater for industrial or commercial purposes, the modalities for protecting surface water and groundwater against pollution. The application for approval to discharge industrial wastewater is also governed by the provisions of aforementioned decree.

In 2019, the major innovation in this sector was the value added tax “VAT” exemption provided for by the 2019 Finance Law for households with monthly water consumption of less than 20 m² (Section 128 (9) of the Finance Law. The VAT waiver provided for in Article 128 of the Finance Law also applied to households consuming less than 220Kwh of electricity per month.

At the institutional level, the Ministry of Water and Energy oversees the sector and works closely with the Ministry of Urban Development and Housing (MINDUH), which is responsible for the development of urban infrastructure, including sanitation networks. Operational wise, the main stakeholders are: Cameroon Water Utilities (CAMWATER) and Camerounaise des Eaux (CDE), created by decrees No. 2005/493 and No. 2005/494 of 31 December 2005 respectively.

The electricity sector is governed by numerous laws dealing with a plethora of important aspects such as competition, investment, partnership agreements and the general scheme of the sector. In 2019, the most recent instrument in this area was law No. 2011/022 of 14 December 2011 governing the electricity sector in Cameroon.

Under the supervision of the Ministry of Water and Energy, this sector has institutions and bodies responsible for ensuring compliance with these instruments. These include the Electricity Sector Regulatory Agency (ARSEL), the Energy of Cameroon (ENEO), the Rural Electrification Agency (AER) and the Electricity Development Corporation (EDC).

The existence of an extensive legal and institutional framework does not guarantee that the needs and expectations of water and electricity consumers will be met. Nevertheless, access to water and energy, and the quality of these public facilities is less to be desired.

Paragraph 2 - Issues relating to access to water and electricity

According to Article 3 of the Rules Governing the Leased Drinking Water Supply Utility in Urban and Sub-Urban areas in Cameroon, “[t]he operator shall supply water to any applicant for a subscription, settled in a locality with a public water distribution network, who meets the conditions defined by these service regulations”. This refers to the distribution of water in urban and sub-urban areas. The Ministry of Water and Energy is responsible for the supply of drinking water and energy in rural areas, and its powers are gradually being devolved to the local authorities.

In Cameroon, with nearly 250,000 urban water subscribers, the access rate through individual or shared connections in 2019 was 26%, compared to 78% in Senegal and 62% in Côte d'Ivoire in 2013. As a result, many households are compelled to fetch water from individual boreholes and dug wells for the better-off, and from paid standpipes or water vendors, from local rivers or unimproved wells, or by collecting rainwater for all domestic purposes, including drinking, for the less well-off.

One of the solutions proposed by CAMWATER to address one-off supply disruptions is the distribution of water through tankers in the major urban centres of Yaounde and Douala and, to a lesser extent, in the other regional capitals.

Nevertheless, the state is making efforts to meet the ever increasing demand for water. Thus, on 31 October 2019 in Yaounde, the Minister of Water and Energy announced the launch, as of 2020, of works to develop water points in 60 villages in Cameroon. This activity is part of the Rural Water Supply and Sanitation Project (Paea-Mru).

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* *

The picture is equally bleak for electricity supply. Six of the country's ten regions (Adamaoua, East, Far North, North, South West, and North West) have an urban coverage rate of below or equal to 47%, compared with 88% in the other regions. However, for the past two decades, in response to the growing demand for energy and to support the country's industrialization project as defined in the full appellation “GESP”, the Cameroonian government has taken measures to strengthen electricity supply. This extensive programme included the construction and commissioning of high capacity hydroelectric dams such as Lom Pangar, Mekin, Nachtigal and Memve'ele, as well as the development of alternative energy sources such as solar energy.

However, even after the announcement of the commissioning of these dams, electricity consumers are still facing voltage drops and load shedding, while many localities are still waiting to be connected to the distribution network.

The electricity distribution company points out that the situation is worsened by the incivility of users, characterised by anarchic connections and the theft of electricity, which leads to the overloading of lines and the explosion of transformers. This diagnosis is proof of the company's inability to control its facilities and prevent energy theft and other skulduggery. It is also worth highlighting the repeatedly denounced dilapidated state of the distribution network. ENEO continues, however, to promise a better future to its customers at the end of the operations, still “in progress”, to replace old and overloaded infrastructure and to acquire new transformers.

There is also hope in rural areas with the Rural Electrification and Energy Access Project (Parece), led by the Rural Electrification Agency, which aims to electrify 417 new localities in the Far North, East, North West and South

West Regions, through a World Bank funding. According to forecasts, 1,040,952 new people could have access to electricity by 2023.²⁴

SECTION 3 - THE RIGHT TO FOOD

The second Sustainable Development Goal (SDG 2) of the 2030 Agenda is to end hunger and malnutrition by ensuring access to safe, nutritious and sufficient food for all. It calls for the development of sustainable and resilient food production systems and agricultural practices.

Several international instruments recognise the fundamental right of all people to be free from hunger. Accordingly, they place an obligation on each state to meet the basic needs of the population for safe and sufficient food.

Thus, Article 11 of the ICESCR provides that “the States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”. The right to food is also enshrined in Article 11 (2) of the ICESCR, Article 12 (2) of the Convention on the Elimination of All Forms of Discrimination against Women, Article 24 (2) (c) of the Convention on the Rights of the Child and Article 28 of the Convention on the Rights of Persons with Disabilities.

In Cameroon, the national food policy is based on three major axes, namely, the development of agri-food production in order to increase food supply, protect consumer and protect the environment.

To ensure regular, permanent and free access to mass consumption products, the government is investing in strengthening agricultural production and controlling imports of mass consumption products.

With regard to strengthening agricultural production, support to agricultural production benefits both small farms (as in the case of the programme to support the settlement of young people in rural areas) and industrial farms through the identification and development of agro-pastoral areas by the ministry in charge of land tenure and the adoption of tax and customs measures to guarantee the availability of agricultural inputs and equipment. Opening up production areas is also a priority, in order to facilitate the sale of products and ensure food security and self-sufficiency.

Unfortunately, despite these measures, food insecurity is persistent. In fact, due to a population growth rate (3.4%) higher than the growth rate of food production (2.8%), there is a shortage of food products leading to food insecurity. This is evidenced by rising prices and the scarcity of some products on the market.

Insufficient national food production also results in a high dependence on imported food products. In fact, according to the Minister of Trade during the Council of Ministers on 31 January 2019, between 2015 and 2017, rice and fish imports cost CFAF 1000 billion.

The case below illustrates the responsibility of individuals, including that of a spouse, to fulfil the right to food of the other spouse.

Case 16 – Mrs *EMBINEMBE Eloge Virginie v. ATOUMBEKE Jean*

In a complaint dated 31 May 2019, Ms *EMBINEMBE Eloge Virginie* brought a case before the North regional branch office of the NCHRF to denounce the violation of her right to food, against Mr *ATOUMBEKE Jean*, her partner.

The complainant claimed to have been in a relationship with Mr *ATOUMBEKE Jean* since 2004 and to have given birth to 5 children from their relationship. Mr *ATOUMBEKE* reportedly retired in 2015. Dame *EMBINEMBE Eloge* then stopped all intimacy with him. In return, the respondent is reported to have stopped providing for his partner without abandoning his children. He reportedly continued to pay for their tuition and food. This situation would have fuelled conflicts within the couple.

After several months of reconciliation attempts by the applicant, the respondent allegedly continued to deprive the mother of his children of food.

From 3 to 6 June 2019, conciliation sessions were held at the NCHRF's North regional branch to find a solution to this problem. The conciliation was successful and Mr. *ATOUMBEKE* even committed to marrying his partner.

²⁴ <https://ecomatin.net/cameroun-plus-de-10-500-localites-a-electrifier>.

CHAPTER 5 - BUSINESS AND HUMAN RIGHTS

Businesses play an important role in the realisation of several rights, most notably the right to work, the right to development and the right to an adequate standard of living. While their positive role in the realisation of human rights is recognised, the activities of these entities can have a negative impact on human rights. These negative impacts require preventive and remedial measures.

The general observation made at national and international levels is that the responsibility of business companies with regard to human rights is little known and little understood. However, the balance of power between companies and people remains asymmetrical, due to the growing influence of certain companies on States, and the increasingly extensive advantages granted to companies to the detriment of the obligations that should be imposed on them.

Examples abound of the impact of corporate activities on health, housing, food, water, social security, working conditions, trade union rights, the environment, consumer rights, the rights of indigenous peoples and other local communities, and children's rights.

As a reminder, it was in 2011 that an Action Plan on Business and Human Rights was adopted at the first regional workshop on the subject organised by the NCHRF, in collaboration with the Network of African Human Rights Institutions (NANHRI).

Such efforts to standardise the corporate human rights protection framework are deployed both internationally and nationally (Section 1), while the NCHRF, for its part, organised several activities during the reference year to monitor and address corporate-related human rights violations (Section 2)²⁵.

SECTION 1: EFFORTS TO NORMALISE THE CORPORATE HUMAN RIGHTS FRAMEWORK

Because of the impact of the activities of transnational, national, state-owned or private companies on human rights and, more specifically, on economic, social and cultural rights, it is incumbent on States to establish standards requiring companies to refrain from violating human rights or to put in place mechanisms to prevent such violations, drawing on national contexts and international standards in this regard. This section presents developments in efforts to normalise the international (paragraph 1) and national (paragraph 2) legal frameworks for the protection of human rights and business activities.

Paragraph 1 - The international legal framework for the protection of human rights in business activities

At the international level, there are standards and practices concerning business and human rights. These are found in the International Labour Organisation (ILO) Standards and Conventions²⁶ as well as in all general and core human rights instruments, such as the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the UN Declaration on the Right to Development, etc.

It is important to recognise that the rationale for protecting human rights in business at the international level has always been non-conventional. Thus, a reference framework called the "United Nations Guiding Principles on Business and Human Rights" (A) was adopted in 2011, prior to the start of negotiations for the adoption of a legally binding instrument to regulate the activities of transnational corporations and other business enterprises under the international human rights law (C) in 2014. The 2030 Sustainable Development Agenda has also served to advocate respect for human rights in business activities (B) since 2015.

A.- The UN Guiding Principles on Business and Human Rights

The Human Rights Council approved a non-binding instrument entirely dedicated to the issue of business and human rights in 2011, also known as the Ruggie²⁷ Framework, after the author of the Guiding Principles on Business and Human Rights. These Principles are currently the common reference point for States and companies wishing to address the adverse effects of business activities on human rights. They outline the respective roles and responsibilities of States and companies in preventing and addressing the impact of business on a range of human

²⁵ It should be noted, as concerns human rights violations in relation to activities of companies working alongside the State to implement infrastructure projects, that the Commission has addressed the issue as part of the Special Issues in Part 5 (Chapter 4) of this Report.

²⁶ These include the International Labour Organisation's Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, originally adopted in 1977 and last revised in 2017. It encourages companies to make a positive social contribution to promote respect for the principles underlying international labour standards.

²⁷ Protect, Respect and Remedy Framework, adopted in 2011 by the Human Rights Council, https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_fr.pdf

rights. One of the three main pillars of the Principles is effective access to remedy for victims of business activities.

Companies must take steps to integrate human rights into their business models and respect them, while States must ensure that companies operating in their territory respect human rights. Both categories of actors should make available to victims mechanisms to mitigate and remedy negative human rights externalities of business activities.

However, a recent assessment²⁸ of state implementation of the Guidelines shows that the majority of companies' practices do not comply with the obligations set out in the Guidelines, particularly with regard to how they manage risks of workers and communities.

In Africa in particular, there is little evidence of developments related to the implementation of the Guidelines, despite the fact that there are several cases of corporate-related human rights abuses and disastrous consequences of extractive industries activities.

However, regional cooperation between African National Human Rights Institutions "NHRIs", made possible on the initiative of the Network of African National Human Rights Institutions (NANHRI), led to the adoption in 2011 of the Yaoundé Plan of Action on Businesses and Human Rights, at the end of the regional workshop on "Business and Human Rights: the Role of African National Human Rights Institutions", which took place from 29 September to 1er October 2011 in the Cameroonian capital. This Action Plan included a study on the state of challenges of the respect for human rights by companies in each sub-region, which was carried out in 2013²⁹.

Some economic actors in Cameroon were sensitised to the content of these United Nations Guiding Principles on Business and Human Rights, including the staff of the Public Contracts Regulatory Agency (ARMP), as part of an initiative of L'Organisation Internationale de la Francophonie. This workshop was an opportunity to enrich their draft Ethical Charter and Statement of compliance with social and environmental clauses to integrate principles such as equality, non-discrimination, as well as references to the main relevant international instruments.

B.- The Sustainable Development Goals at the service of the respect for human rights in business activities

The intrinsic link between human rights and the SDGs has been sufficiently demonstrated, notably in the tools provided by the Office of the High Commissioner for Human Rights and the Danish Institute for Human Rights. These tools provide a human rights perspective of the roles of the key actors.

Business activities were initially aimed exclusively at economic competitiveness and wealth generation. Due to some global disasters which have resulted in the loss of many lives – including among others, workers, indigenous peoples and local communities – and have taken a serious toll on the environment, this logic has been revised to give primacy to the protection of persons, environment and the biodiversity. In this vein, the Guiding Principles and the 2030 Agenda provide favourable frameworks for reconciling respect for human rights with economic growth.

The 2030 Sustainable Development Agenda, with its 17 goals and 169 targets, considers businesses as one of the nine (9) key actors in achieving these goals. Businesses are clearly targeted in the 2030 Agenda in the following terms: "Private business activity, investment and innovation are major drivers of productivity, inclusive economic growth and job creation [...] We call on all businesses to apply their creativity and innovation to solving sustainable development challenges"³⁰. These challenges to solve certainly include the protection of the Rights to Work, to a Healthy Environment and to Health, as well as Workers' Rights. Companies can also use it as a performance tool, mapping the impact of the entire value chain on human rights, defining performance indicators and identifying priorities for the company.

To contribute to achieving the Sustainable Development Goals, companies need to identify the Goals that are relevant to their business, set targets, prepare and make public commitments, integrate them into their sustainability strategy, and report on their actions.

In a fairly straightforward manner, companies can take ownership of a number of the SDGs and make a significant contribution to their achievement, such as

- SDG 1 on poverty reduction;
- SDG 8 on decent work and economic growth;
- SDG 9 on industry, innovation and infrastructure;
- SDG 10 on reducing inequalities;

²⁸ <https://www.worldbenchmarkingalliance.org/publication/chrp/> / SDG COMPASS, Guide to help companies contribute to the new 2030 Agenda.

²⁹ <https://www.nanhri.org/fr/our-work/thematic-areas/les-entreprises-et-droits-de-lhomme/>

³⁰ Paragraph 67 of the 2030 Agenda.

- SDG 12 on responsible consumption and production;
- SDG 16 on peace, justice and sustainable institutions;
- SDG 17 on partnerships.

In its next voluntary national report on the implementation of the SDGs, Cameroon would benefit from including businesses contribution to the achievement of the SDGs.

C.- Negotiations for the adoption of a legally binding instrument to regulate the activities of transnational corporations and other business enterprises under international human rights law

In order to break with the non-conventional logic of the existing international framework for the protection of human rights against certain harmful corporate activities, the Human Rights Council adopted on 26 June 2014 Resolution 26/9 to establish an Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights. This Working Group had a mission to develop an international legally binding instrument to regulate the activities of transnational corporations and other business enterprises under the international human rights law.

The sessions of this Working Group (see chart below) have emphasised the following specific objectives:

- improve the protection of human rights in the context of business activities
- strengthen the principle of state and corporate responsibility
- improve access to effective remedies for those affected by business activities.

The drafts submitted for negotiation in 2019 reiterate the human rights hazards associated with activities in which companies may be involved. Particular attention is paid to child labour, forced labour, discrimination against women, minorities, migrants and others in the workplace and society, lack of minimum wages, non-participation of affected workers, members of society and indigenous peoples, displacement of people or lack of access to remedies.

The draft legally binding instrument builds on the progress made in the implementation of the Guidelines and various initiatives to facilitate access to remedy for victims of corporate activities.

The Working Group met in its 5th session to amend the first draft of the binding instrument on businesses and human rights from 14 to 18 October 2019. States, NHRIs, civil society organisations, trade unions and employers' organisations are allowed to take part in the negotiations for the adoption of this instrument.

It should be noted, however, that the five sessions organised from 2015 to 2019 did not see the participation of the State of Cameroon.

Figure 17: Sessions of the Intergovernmental Working Group until 2019



Paragraph 2 - The national legal framework for the protection of human rights in business activities

In all areas where business activities affect human rights, the normative power of African States is often limited. In Cameroon, efforts to normalise the framework for the protection of human rights in business are reflected in a legal framework regulating the obligations of companies to protect the rights to a healthy environment and to property (A). However, it is recognised that such normalisation effort needs to be complemented by a due diligence law (B) which would allow for protection of a wider range of rights at risk in the context of corporate activities.

A. The national legal framework regulating the obligations of companies to protect the Rights to a Healthy Environment and the Rights of Indigenous and Local Populations

The normative framework regulating the activities of companies with regard to human rights consists of various norms and standards that are imposed on companies in the field of mining, industry, water, land, environment, etc., as shown in the table below.

Table 11: The national legal framework for the protection of human rights applicable to companies

N°	TEXTS
1	Law No. 96/06 of 18 January 1996 to amend the Constitution of 2 June 1972, amended and supplemented by Law No. 2008/01 of 14 April 2008, which guarantees in its Preamble the right of all citizens to a healthy environment.
2	Law No. 94/01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations, which guarantees in Article 37, paragraph 4, the right to a healthy environment for village communities.
3	Law No. 96/12 of 5 August 1996 relating to environmental management, which guarantees the protection of the right to a healthy environment.
4	Decree No. 2005/0577/PM of 23 February 2005 to lay out the procedures for performing environmental impact assessments, which guarantees the protection of the right to a healthy environment.
5	Law No. 98/005 of 14 April 1998 to lay down regulations governing water resources. This law governs water resources and sets out the list of harmful substances whose disposal, dumping and discharge in water are prohibited, as well as all the procedures for carrying out impact assessments on surface and groundwater.
6	Law No. 98/015 of 14 July 1998 relating to establishments classified as dangerous, unhealthy or obnoxious, which guarantees the protection of the right to a healthy environment.
7	Law No. 2013/004 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon, which guarantees the right to development.
8	Law No. 2016-17 of 14 December 2016 on the Mining Code, which guarantees the protection of the right to a healthy environment in the context of mining activities.
9	Law No. 2019/008 of 25 April 2019 to institute the Petroleum Code, which guarantees the right to development, the protection of the right to a healthy environment, as well as the rights of indigenous and surrounding populations in the context of oil projects.
10	Decree No. 84/311 of 22 May 1984 on implementation modalities of law No. 80/22 of 14 July 1980 to repress infringements on landed property and state lands.
11	Decree No. 74/412 of 24 April 1974 to delimit the national agro-pastoral development zones and to define the status of such lands.
12	Decree No. 78/263 of 3 September 1978 establishing the modalities for the settlement of agro-pastoral disputes.
13	Order No. 0070/MINEP of 8 March 2005 setting the various categories of operations which are covered by environmental impact assessments.
14	Order No. 00001/MINEP of 3 February 2007 to specify the terms of reference of environmental impact assessments (EIA).
16	Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure.

In 2019, progress in the national normative framework as concerns business and human rights consisted in the promulgation of Law No. 2019/008 of 25 April 2019 to institute the Petroleum Code. This Code provides, in its Sections 91 to 92, the conditions of environmental protection to be enforced by companies. Section 130 on offences and penalties and provides for a list of infringements that constitute offences. Two of them concern human rights, namely

- non-compliance with the provisions of Law No. 96/12 of 5 August 1996 relating to environmental management and its implementing regulation
- failure to comply with technical, safety and health regulations relating to hydrocarbon exploration and exploitation operations.

A reading of this framework law reveals that the concerns of local communities and potential victims of oil sector activities, the issues of vulnerable groups, trade union activities and other concerns touching in particular to the management of allegations of human rights violations are only taken into account in a very residual way.

B.- The need for a law on due diligence in Cameroon

The direct and horizontal responsibility of companies for human rights abuses does not alter the obligation of States to protect when third parties, including companies, undermine human rights in or around the company. It is therefore useful to take appropriate measures to prevent, investigate and punish such abuses and to provide reparation to the victims.

It is the State's responsibility to commit companies operating in its territory to respect human rights and, from the outset, to provide clear guidance to them in this regard by using its uncontested power to regulate in the public interest. To give effect to this responsibility, some States have adopted laws or action plans on corporate due diligence. In the field of human rights, the concept of due diligence refers to a set of procedures to be put in place by companies to identify, prevent and mitigate potential and actual risk impacts on human rights caused by their direct or indirect activities.

Allegations of violations of labour and wage rights, as well as complaints from local communities, brought to the attention of the NCHRF during the year under review; 164 in all, 13.28% of the total number of allegations may reflect the low level of awareness and understanding of corporate responsibility to respect human rights by both small and large companies, despite their commitment to the Sustainable Development Goals.

As evidence of this lack of knowledge or understanding of the concept, an examination of the practices of companies, including those claiming to be responsible companies, reveals:

- a truncated perception of risk, whereby they are more concerned with the risk to the company than with the risk to stakeholders, such as workers, communities and consumers
- a biased assessment of the greatest hazards that are most likely to affect the people involved in the company's activities and business relationships. Example are: companies pay more attention to cultural diversity issues than to the working conditions of employees
- low engagement and reactive attitudes towards stakeholders, including vulnerable groups and civil society organisations.

In the absence of a legal framework underpinning corporate due diligence, the corporate movement known as the Groupement inter-patronal du Cameroun (GICAM) adopted a Charter of Ethics in 2004 that takes into account certain human rights principles, as illustrated by Article 4 of that text which reads

[Article 4 - Respect for the fundamental rights of individuals

a. Businesses shall respect the principles of the Human Rights Declaration, including the fundamental rights of individuals, non-discrimination on the basis of gender, race, ethnicity or any other social, linguistic, trade union, political or religious consideration.

b. Companies shall promote the development, safety and well-being of their staff.]

SECTION 2 - THE NCHRF AND THE ISSUE OF CORPORATE COMPLIANCE WITH HUMAN RIGHTS

On its own initiative, the NCHRF has committed to monitor the consideration of human rights in the implementation of companies' terms of reference. Such commitment is in line with its mandate to promote and protect human rights. It stems from discussions with its peers within NANHRI and other human rights networks, and from recommendations made by human rights monitoring mechanisms in the area of businesses and human rights, all of which have led to the development of the NCHRF action plan on businesses and human rights (paragraph 1). The Commission's commitment on this issue equally stems from the processing of complaints received or self-referrals of worrying cases, which generally lead to field investigations on the sites of the respondent companies (paragraph 2).

Paragraph 1 - The development of a business and human rights action plan by the Commission

The development of an action plan on businesses and human rights by the NCHRF is first of all a capitalisation by the NHRI of the achievements of the regional workshop on "Business and Human Rights: the role of African National Human Rights Institutions", which the Commission hosted from 29 September to 1 October 2011 and at the end of which the Yaoundé Action Plan was adopted, as a compass for continental action on this issue.

Secondly, Cameroon has been questioned on several occasions on the issue of businesses and human rights in its interactions with the United Nations treaty bodies. In this regard, in its Concluding Observation No. 18 of 25 March 2019³¹, the Committee on Economic, Social and Cultural Rights invited Cameroon to refer to its General Observation No. 24 adopted in 2017 to inform its preparation of a national framework that provides for the consideration of economic, social and cultural rights in the context of business activities.

The NCHRF also noted that the issue of business and human rights is one of concern to the State of Cameroon as it was included in the National Action Plan for the Promotion and Protection of Human Rights 2015-2019, whose implementation was unfortunately hampered by some challenges. It's nonetheless remained the duty of the Cameroon NHRI to accompany the State to develop a national action plan for the business and human rights.

Finally, several training sessions were organised by the Commission with the support of UN Centre for Human Rights and Democracy in central Africa (UNCHRD-CA) and Organization Internationale de la Francophonie (OIF) in Bertoua, Mbalmayo, Ebolowa and Douala to popularise the fundamental human rights principles in the working environment, the UN Guiding Principles and human rights that can be affected by the activities of companies, in order to fine-tune the development of an action plan by the NHRI.

Such action plan is the Business and Human Rights Action Plan in the Extractive Industries Sector, specifically applied to the Cement Sector.

The NCHRF Business and Human Rights Action Plan in the Cement Sector, validated during the workshop held from 8 to 11 October 2019 in Ebolowa, aims to accompany companies in the cement sector towards a better consideration of human rights and a reduction of social and environmental hazards of the activities of companies in that sector. On this occasion, the capacities of the Commission's head office and branch offices staff were also strengthened for the handling of complaints relating to human rights violations by companies.

The choice of the cement sector was motivated by the fact that it is particularly developing in Cameroon, with an increase from three to five operators, each setting up industrial plants in various regions of the country (Centre, Littoral, North). Moreover, cement production is a highly polluting activity that uses natural resources and exposes the country and local communities to several hazards that should be mitigated by adopting the necessary preventive measures. A study published in December 2017 by the Association internationale de techniciens, experts et chercheurs (AITEC) on the discrepancies between the full meaning of CSR measures adopted by CIMENCAM and the rights of workers and neighbouring populations is quite illustrative of the need to support companies in this sector. It also highlights the need to draw the State's attention to the standards to be imposed on companies operating on its territory.

The delimitation to a single extractive industries sector was in view of the need to be realistic in all exploratory activities, taking into account the organisational and financial capacity of the NCHRF. The aim was that the successful completion of that plan would lead to advocacy for the adoption of a government-initiated national action plan on business and human rights.

The NCHRF Business and Human Rights Action Plan in the Cement Sector focuses on three strategic areas of intervention with clearly defined objectives, actions and activities to achieve them. The table below is a summary of the areas, objectives and actions contained in the roadmap of the Plan.

³¹ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fCMR%2fCO%2f4&Lang=fr

Table 12: Summary of the NCHRF Action Plan on Business and Human Rights in the Cement Sector

Strategic areas	Objectives	Actions
1. Education and awareness raising	1.1 Build the capacity of the NCHRF Regional Branches and CSOs in the relevant regions	1.1.1 Trainers' training on business and human rights
		1.1.2 Awareness raising of people living near cement plant sites
	1.2 Enhance business knowledge and capacity on the UN Guiding Principles Framework: Protect, Respect and Achieve	1.2.1 Target mapping (companies and value chains)
		1.2.2 Assessing training needs of targets
		1.2.3 Building business capacity on human rights
		1.2.4 Producing an inventory of human rights hazards for cement companies
2. Monitoring, reporting and advocacy	Strengthen the corporate human rights abuse reporting system and produce related reports	2.1.1 Developing and adopting a data collection plan
		2.1.2 data collection and analysis
		2.1.3 Reporting
		2.1.4 Advocacy with government and other stakeholders to ensure that the Guidelines are reflected in public policy and national legislation
3. Monitoring human rights violations and support to victims	Encourage companies and the State to provide redress for victims and access to remedies	3.1.1 Designating and training human rights focal points in companies
		3.1.2 Developing, validating and disseminating a procedures manual on risk prevention and monitoring of human rights violations within companies.
		3.1.3 Advocacy for the establishment or strengthening of an internal complaints collection and monitoring mechanism within companies
		3.1.4 Advocacy for the creation of a fund dedicated to the compensation of victims in cement companies

Paragraph 2 - The handling of allegations of human rights violations by companies: the case of Socapalm

As part of its human rights protection mandate, the NCHRF deals with allegations of human rights violations it receives through complaints or by self-referring cases, including those involving companies.

In 2019, 102 of the 1069 respondents identified by the Commission were companies, a proportion of 9.54%. This includes 61 private companies and 41 public companies. The allegations of violations attributed to them relate to the rights to decent working conditions, to fair remuneration, to social security, to freedom of association, to health care for staff and their families, to safety at work, and the right of local populations – whether indigenous or not – to a healthy environment.

Such recriminations are well illustrated in the following case, which led to a field investigation by the Commission on the company's site.

Case 17 - *The Socapalm case*

On 19 April 2018, the associations of Socapalm farm residents and the oil palm workers' and planters' unions sent the sixth issue of the quarterly information and liaison magazine *Trait d'Union*, February-March-April 2018 edition, to the NCHRF. Upon reading the articles in this issue, allegations of violations of workers' rights and the right to a healthy environment were noted. Preliminary investigations by the NCHRF with the editor of the magazine, the secretary general of the association "Les Riverains" of Edéa, as well as with some staff and staff representatives, led to identify violations such as:

- the absence of employment contracts
- the lack of adequate safety measures at work
- unfair dismissals
- the mismatch between the recording of hours worked and the salary received
- discrimination in wage payment
- the lack of decent housing in the various workers' camps
- pollution via wastewater discharged into the surrounding rivers which also serve for domestic use
- as well as noise and odour nuisance.

A team from the NCHRF carried out a field investigation in the various Socapalm plantations from 5 February to 10 March 2019 in the Centre, Littoral and South Regions, in order to assess the general working conditions of the workers, to identify cases of workers' rights and local populations' rights violations, in order to inform Socapalm's management and to sensitise them and the employees on the legal instruments for the promotion and protection of human rights in general, and those of workers in particular.

As part of these investigations, the NCHRF held working sessions with Socapalm staff representatives, company officials, traditional authorities and the populations of some villages bordering the company's plantations, notably Nkende (Dibombari), Apouh (Edéa), Mbimbe (Dizangue), Mpongo and Lindé (Kienke), and Ndjassock (Eséka). The following general observations and action points emerged from these interviews:

- Advancement and reclassification were automatic, all workers in this company had an employment contract and were registered with the National Social Insurance Fund (NSIF) where contributions were regularly paid. Maternity leave and family allowances were fully paid by the NSIF while annual leave and overtime allowances were provided by Socapalm. However, the employer undertook to transform the letters of employment, given by the Cameroonian administration before the privatisation of the company to workers recruited under that former regime, into employment contracts
- employees received a housing allowance. However, this bonus was not granted to those workers who occupied housing on the plantations. Socapalm committed to a six-year plan to rebuild ageing housing, which is currently being implemented
- Personal protective equipment (PPE), including face masks, ear plugs, boots, helmets, goggles, smocks and gloves, was available to workers at each level of production
- Medical centres, built by Socapalm in each of the plantations, were accessible to all workers and the local population. The workers and their dependants were covered by the company for 80% of their medical expenses, while the employees were covered at 100%. However, the workers wanted the transport costs

in the event of a worker travelling to an external health facility (a flat rate depending on the distance) to be increased. They also deplored the absence of a laboratory equipped for in-depth check-ups

- the local populations felt that their expropriation of that land around 1972 for public utility reasons had not been fair, as they no longer had adequate living space, as the cultivable lands were found at least 15 km from their homes. The delimitation of Socapalm's concession remained an unresolved problem, despite Decision No. 000948/MINDCAF/SG/D2/I300/I320 of 20 June 2017 on the setting up, organisation and functioning of a working group responsible for auditing the land and property situation of Socapalm
- Socapalm had put in place mechanisms to reduce or eliminate the impact of its activities on the environment (atmospheric pollution, noise pollution, etc.). Similarly, waste classified as hazardous (electronic equipment, medical waste, expired chemicals, etc.) was handed over to approved companies for collection, transport and treatment. Non-hazardous waste (scrap metal, car tyres, plastics, etc.) was systematically stored in waste collection centres for recycling or sale. However, the local population was unanimous on the fact that the company's activities continuously polluted the surrounding soil and streams, and complained about noise pollution from the palm oil production and waste processing plants.

As an outcome of these investigations, a report with specific recommendations was sent, on 10 December 2019, to the General Manager of Socapalm, to the Working Group (MINDCAF) in charge of auditing the land and property situation of this company, to the Minister of Labour and Social Security, to the Minister of Forestry and Wildlife and to the representatives of the local residents.

PART 4.-THE STATE OF THE RIGHTS OF SPECIAL CATEGORIES

Special categories refer to societal groups that are vulnerable and need a special protective framework owing to their sex, age, handicap or special background. This part assesses the level of realisation of the Rights of these groups during the reference year. These rights refer particularly to the Rights of Persons Deprived of their Liberty (chapter 1), Rights of Refugees and Internally -Displaced Persons (chapter 2) Rights of Minorities and Indigenous Peoples (chapter 3), Rights of Women and Children (chapter 4), as well as the Rights of the Physically-Challenged and the Elderly (chapter 5).



CHAPTER 1.- RIGHTS OF PERSONS DEPRIVED OF THEIR LIBERTY

Freedom of movement, also known as right to security of person, is a fundamental and inalienable human right. This right is recognised by relevant provisions of the Constitution of 18 January 1996 and regional as well as international instruments to promote and protect Human Rights; and has been duly ratified by Cameroon.

Consequently, the eighth point in the preamble of the Constitution stipulates that, “freedom and security shall be guaranteed each individual, subject to respect for the rights of others and the higher interests of the State.” Freedom of movement is also protected by article 6 of the African Charter on Human and Peoples’ Rights and by article 9 of the International Covenant on Civil and Political Rights.

However, in several instances, a public official may deprive an individual of their freedom of movement, subject to conditions provided by law. In fact, numerous texts provide for this kind of restrictions. They may refer to custody measures, custodial sentences handed down by a judge, or even warrants issued by magistrates (such as arrest warrant, remand warrant etc.).

Pursuant to the provisions of article 2 of Law No. 2004/016 of 22 July 2004 to Set up the NCHRF, the institution, since its creation, strives to regularly visit places of deprivation of liberty and monitor detention conditions in many prisons as well as police or gendarmerie cells in Cameroon.

In 2019, within the framework of its general control mission, the NCHRF focused particularly on detention conditions (see section 1) and incidents that occurred in the Yaoundé and Buea central prisons, which underscore the urgent need for authorities to heed to recommendations put forth by the Commission to improve on detention conditions in the country (see section 2).

SECTION 1.- DETENTION CONDITIONS

Detainees awaiting trial and persons under a custodial sentence from a competent court, same as people in custody, still enjoy almost all of their fundamental rights, including those that protect their physical integrity, dignity and those that guarantee them a fair trial. Thus, the UDHR and specific texts such as United Nations Standard Minimum Rules for the Treatment of Prisoners, – known as “Nelson Mandela Rules,” adopted by the maiden UN Congress on the Prevention of Crime and the Treatment of Offenders held in Geneva in 1955, and approved by the UN Economic and Social Council in its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977 – spell out rules that can help prison staff to better respect the Rights of Detainees.³² These rules apply to, among others, the prison population and the separation of the various categories of detainees (paragraph 1), hygiene and sanitation as well as food and health³³ (paragraph 2).

Paragraph 1.- Prison Population and the Separation of the Various Categories of Detainees

In Cameroon, prison overcrowding is still a worrying phenomenon, despite the slight improvement witnessed during the reference year. Furthermore, the provisions of Standard Minimum Rules for the Treatment of Prisoners relating to the separation between the various categories of detainees (article 8), are not strictly respected, or are respected partially.

A. Prison Population

According to the Report from the Ministry of Justice on Human Rights in Cameroon in 2019, the situation of the prison population improved slightly during the reference year, given that a slight drop was witnessed, from 31, 815 detainees in 2018 to 30, 606 as of 31 December 2019. Furthermore, the hosting capacity has increased, from 17, 915 places in 2018 to 19, 155 in 2019. This increase results from extension and rehabilitation works carried out in some prisons, including the Maroua, Bamenda and Ebolowa central prisons³⁴. However, prison facilities are still generally overcrowded as attested to by the occupancy rate, which increased from 177 % in 2018 to 159 % in 2019 (**revise phrase because 159% is less than 177%).

This overcrowding can notably be blamed on lengthy court proceedings. In fact, there is on one hand, the Police and the Gendarmerie that perform numerous arrests and, on the other hand, the Courts that prosecute at a relatively slow pace. This creates numerous excessively-long pre-trial detentions. The ratio of pre-trial detainees to the total

³² The various categories of detainees have to be held in separate establishments or quarters, based on their sex, age, criminal record, legal reason for their detention and the necessities of their treatment.

³³ Each detention facility should have a medical unit sufficiently staffed and with qualified medical personnel, adequate technical equipment and enough medication to treat diseases.

³⁴ Report from the Ministry of Justice on Human Rights in Cameroon in 2019, p.254

number of detainees illustrates this fact given that, ending 2019, there were 16, 718 (against 18, 435 in 2018) pre-trial detainees while there were 13, 888 (against 13, 384 in 2018) convicts.

However, it seems the slight drop noticed in the prison population is mainly due to the drop in the number of pre-trial detainees when compared to the previous year. This is a small effort that should nevertheless be encouraged, given that speeding up and sustaining this trend would clearly unclog prisons in our country.

During the reference period and pursuant to its statutory missions, the Commission undertook formal visits to 54 places of deprivation of liberty, including 11 prisons and 43 places of custody³⁵.

The table below recapitulates statistics on the prison population in eleven prisons visited.

Table 13.- Prison population in prisons visited by the Commission in 2019

Regions	Prisons Visited	Dates of visits	Hosting capacities (places)	Prison population (number of detainees)	Occupancy rate
Far-North	Mora Main Prison	13 to 15 January 2019	150	227	151,33%
	Meri Secondary Prison	13 to 15 January 2019	120	56	46,67%
Adamawa	Banyo Main Prison	18 to 22 February 2019	70	140	200,00%
	Tibati Main Prison	18 to 22 February 2019	80	185	231,25%
	Ngaoundere Central Prison	18 to 22 February 2019	600	1526	254,33%
	TignereMain Prison	18 to 22 February 2019	55	74	134,55%
Centre	Sa'aMain Prison	18 December 2019	150	133	88,67%
	EsekaMain Prison	20 December 2019	150	230	153,33%
North-West	Mbengwi Main Prison	4 to 05 June 2019	200		0,00%
	WumMain Prison	4 to 05 June 2019	350		0,00%
North	Garoua Central Prison	06 November 2019	500	2102	420,40%

This table shows for example that in 2019, the Garoua Central Prison held 2102 detainees although its capacity is 500 places, representing an occupancy rate of 420.40 %. On its part, the Ngaoundere Central Prison held 1526 detainees, including 721 pre-trial detainees, although its capacity is 600 places, representing an occupancy rate of 254.33%. It is however worth noting that detainees are not evenly distributed in each prison. This accounts for why there are overcrowded prisons – like the Meri Secondary Prison, which had an occupancy rate less than 50 % of its capacity, representing 46.67% – and that contrasts with highly overcrowded prisons.

In this respect, and as stated in previous reports, the Commission recommends, on one hand, frequent use of release on bail or without bail and, on the other hand, the use of alternative sentencing.

B. Separation of the various categories of detainees

According to rule 11 of Standard Minimum Rules for the Treatment of Prisoners,

[L] the different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Consequently, a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate; b) Untried prisoners shall be kept separate from convicted prisoners[...] d) Young prisoners shall be kept separate from adults

In Cameroon, article 553 (1) of Law No. 2005/007 of 27 July 2005 on the Criminal Procedure Code stipulates that “ [I] Accused persons on remand shall be confined in special quarters separated from those of persons already convicted and shall, as far as possible, be kept in individual cells. They shall if they so desire be engaged in maintenance work at the prison.”

³⁵ Four other prisons were briefly visited during field investigations or follow-up missions on some allegations of Human Rights violations. These prisons have not been included here.

Furthermore, article 29 (1) of the Penal Code provides that “[I] An offender under the age of 18 (eighteen) shall serve his sentence in a special establishment,...” Paragraph 2 adds: “or, failing such establishment shall be separated from offenders over that age.”

According to the Report from the Ministry of Justice on Human Rights in Cameroon in 2019, “726 women were detained in 31 December 2019, including 439 pre-trial detainees and 287 already convicted”³⁶, while 886 minors were detained including 705 pre-trial detainees and 181 convicts³⁷. These statistics add to those already provided on pre-trial detainees.

On the field, the Commission noticed that the separation of these various categories of detainees were not a reality in the eleven prisons visited in 2019, especially with respect to the distinction between pre-trial detainees and convicts as well as the distinction between the various types of convicts. However, depending on the case, some specificity is considered, while in other case, it is not. Nonetheless, the following field observations were made:

- minors were not separated from adults at the Banyo Main Prison in Mayo Banyo Division, at the Tignere Main Prison in Faro-and-Deo Division, and at the Tibati Main Prison in Djerem Division, in the Adamawa Region ;
- there were no separate quarters for women at the Eseka Main Prison, in Nyong-and-Kelle Division, Centre Region, although pre-trial detainees were in fact separated from convicts. As such, it is standard in this prison to let female detainees spend all day outside the prison and only return in the evening around 6pm. This practice, which seems quite common in many prisons found in rural areas, was also noticed at the Tibati Main Prison. However, it raises the issue of the security of residents in the relevant localities;
- the separation of men from women and adults from minors was respected at the Mora Main Prison in Mayo Sava Division, Meri Secondary Prison in Diamare Division, in the Far North Region, as well as at the Mbengwi Main Prison in Momo division, and at the Wum Main Prison - Menchum Division, in the North- West Region.

Paragraph 2.- Hygiene, Sanitation, Food and Health in Places of Deprivation of Liberty

Hygiene, sanitation, food and health in places of deprivation of liberty were once again issues of concern throughout the reference year, true of most prisons and places of custody visited by the CNDHL.

A. Hygiene and Sanitation

As concerns hygiene and sanitation, rule 13 of the Nelson Mandela Rules states that “[I] all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation. ”

Most unfortunately, these hygiene and sanitation standards were not respected in many places of deprivation of liberty in Cameroon. In fact, most prisons were built before independence and so are obsolete; majority of the infrastructures are dilapidated and run-down as can be seen from outside; the inside is narrow, untidy rustic with crumbling and sometimes cracked walls not forgetting the horrible stench; these indicators make known that the hygiene and sanitary situation is far below the minimum requirements.

The following observations were made during the Commission’s field visits to places of deprivation of liberty:

- high promiscuity (* *the sense of the word promiscuity is wrongly used): detainees are jam packed, sleeping next to one another and shirtless; this context and congestion no doubt favour the proliferation of skin and respiratory diseases ;
- the low amount and poor circulation of air in the cells combined with very poor ventilations causes sweltering heat at night;
- insufficient and poor state of sleeping material, sometimes made up of mats placed on the floor or makeshift gear made by detainees themselves;
- insufficient and dirty toilets that are not regularly drained, accounting for the presence of sewage and foul odours.

This last observation stood out quite distinctly at the Garoua Central Prison, visited on 6 November 2019 by the Commission’s North Region branch following a report from the National Anti-corruption Commission (CONAC) on the state of this prison’s cells, which stench unbearably and strongly from a distance. Consequently, this situation

³⁶ Report from the Ministry of Justice on Human Rights in Cameroon in 2019, p. 254

³⁷ Ibid., p. 255

caught the attention of some CONAC officials during a campaign to sensitise and paste anti-corruption posters on the façades of administrative buildings on 29 November 2018.

In the wake of recommendations made by the Commission's North Region branch following its visit to this prison, competent authorities took steps to drain and close septic tanks, as well as treat and dispose of sewage.

B. Feeding and Health

Rule 22 (1) of the Standard Minimum Rules for the Treatment of Prisoners, on food, states that "Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served." Paragraph 2 of this same rule adds, "[D]rinking water shall be available to every prisoner whenever he or she needs it.

As concerns healthcare, rule 24 of the same document states that "(1) The provision of health care for prisoners is a State responsibility.

Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status. (2) Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care, including for HIV, tuberculosis and other infectious diseases, as well as for drug dependence."

In 2019, there was a drop in the budget allocated to detainee feeding, which stood at CFAF4, 470, 000, 000, representing a daily ration of CFAF371 per detainee, against CFAF408 in 2018, according to the aforementioned Report of the Ministry of Justice³⁸. This same report however shows that strategies were adopted to try and "meet practical challenges relating notably to the quality and quantity, as well as the cooking, of food." In fact, the Commission observed these best practices, which entailed "joint buying and preference for local foodstuff owing to their variety,"³⁹ at the Sa'aMain Prison, where the meals of detainees were balanced (fufu corn, rice, soya, beans, and sometimes sweet potatoes) despite a daily average ration of CFAF 115 per detainee.

A significant increase in the budget for health coverage in prisons is also worth mentioning, given that this budget has increased almost tenfold in two years, from CFAF 150,640,000 in 2017⁴⁰ to CFAF 1,1,050, 000, 000 in 2019, representing CFAF 31, 818 for each detainee every year⁴¹. Paradoxically, the number of health workers in prison medical facilities has dropped over the same period, from 273 workers in 2017⁴² to 251 in 2019⁴³, with a worker- to-detainee ratio of 1:112, representing 23 doctors, 66 State nurses, 148 nursing assistants, 01 psychopathologist and 36 medico-sanitary technicians⁴⁴.

During visits to detention facilities, the Commission, generally, found that there were difficulties providing detainees with nutritive and sufficient food as well as appropriate health care. For illustrative purposes, the Commission's branch office for the Centre Region noticed, during its visit to the Sa'a Main Prison and the Eseka Main Prison on 18 and 20 December 2019 that these prisons did not have infirmaries. For the specific case of the latter prison, officials explained that they used a former detainee as a traditional medicine consultant, notably to treat mystical diseases such as "MSONG," which is quite widespread in the area. In these two prisons, the most serious cases were referred to the district hospitals in the relevant areas.

It was also noted that there was practically no food ration for those held in custody in the police and gendarmerie units visited. This situation means that the feeding of suspects is the responsibility of families or sometimes, the officers into whose custody suspects have been placed.

Owing to these observations, the Commission put forth the following recommendation to the Government:

- improve on the quantity and quality of daily food rations of detainees;
- effectively and adequately feed those held in custody;
- build or rehabilitate infirmaries, and equip as well as stock them with essential medicines;
- take any preventive measures that could curb the spread of contagious diseases such as scabies, notably

³⁸ Ibid. p. 261

³⁹ Ibid. pp. 261-262

⁴⁰ Report from the Ministry of Justice on Human Rights in Cameroon in 2017, p. 284

⁴¹ Report from the Ministry of Justice on Human Rights in Cameroon in 2019, p. 262

⁴² Report from the Ministry of Justice on Human Rights in Cameroon in 2017, p. 284

⁴³ Report from the Ministry of Justice on Human Rights in Cameroon in 2019, p. 262

⁴⁴ Ibid. p. 259

by providing detainees with antiseptic soap as well as compliance with the hygiene and sanitation rules stated above.

SECTION 2.- INCIDENTS THAT OCCURRED AT THE YAOUNDE AND BUEA CENTRAL PRISONS : RECOMMENDATIONS FROM THE COMMISSION

During the reference year, the Commission observed uprisings by detainees in some prisons in Cameroon, notably at the Yaoundé Central Prison on 23 April 2019 and 22 July 2019 as well as at the Buea Central Prison on 23 July 2019. These uprisings were in fact organised by some detainees for political reasons and by others to protest against their detention conditions. The Commission referred these situations to itself and visited the sites of the events, and echo recommendations which the Commission has repeatedly made to relevant authorities.

Paragraph 1.- Uprisings in the Yaoundé and Buea Central Prisons

Owing to the above mentioned three incidents, the competent entities of the Commission conducted field investigation/ visits, as reported in the following boxes.

Case No. 18.-The Brawl that Took Place on 23 April 2019 at the Yaoundé Central Prison

When it discovered on social media that skirmishes had occurred at the Yaoundé Central Prison, on 23 April 2019, and arrests had been made, the Commission conducted a field investigation/visit, on 24 and 25 April 2019, to the base of the Groupement spécial d'opérations (GSO) in Mvan - Yaoundé, where twenty-seven (27) detainees extracted from this prison had been held, and at the Yaoundé Central Prison, the event site, which it visited again on 26 April. Against this backdrop, the Commission was able to discuss with the officer in charge (known as commissaire chargé de la Permanence et des Opérations) at GSO, the superintendent of this prison and the 27 detainees, members of the Cameroon Renaissance Movement (MRC) party.

These investigations enabled the Commission to cross-check facts stating that members of the MRC, held in this prison, had showed up in the yard of this prison, for transportation to the court for their hearings, wearing t-shirts with the inscription "CAN 2019." They were thus demanding that an investigation should be opened on the management of the budget allocated to prepare for the organisation of the 2019 edition of the African Nations Cup (known by its French acronym "CAN"), the leading continental event that, initially awarded to Cameroon, was finally withdrawn from it on 30 November 2018 due to uncompleted construction, on the due date, of the main infrastructure that had to host the event.

Sent back to their cells to change these t-shirts, as instructed by the prison superintendent, an argument reportedly broke out between one of those involved and another detainee who did the provoking. Other detainees reportedly joined in and the situation reportedly turned into an all-out brawl. Those involved told the Commission's team that were regularly targeted by other detainees, with the complicity, it seems, of prison officials. Thus, this incident reportedly stirred up a hornet's nest. The situation was however quickly put under control by warders and 27 detainees, identified as the leaders of this mutiny, were extracted from this prison by GSO officers and taken to their premises for their own security and to calm tensions inside the prison.

During their detention at the GSO, detainees wounded during skirmishes at the prison received medical care at the General Delegation for National Security, where a team was present when the Commission visited. The Commission hailed this action to defend detainees' rights to protection of health and physical integrity.

However, the 27 detainees complained that they had been denied access to their legal counsels and family members, and had had to struggle all by themselves to feed, given that they could not receive the food their families had brought. They also denounced the fact that they were all held in a poorly-aerated room.

Not allowed to enter the relevant prison during its first visit on 24 April, the Commission's team was finally received there by the prison superintendent on 26 April 2019, who said that the relevant detainees would return to the prison that same day.

Case No. 19.-The Mutiny that Took Place on 22 July 2019 at the Yaoundé Central Prison

Through media channels, the Commission learnt that an uprising had occurred at the Yaoundé Central Prison on 22 July 2021, caused by detainees held in relation to the ongoing security situation in the North-West and South-West Region. Consequently, it conducted a field investigation/visit on 22, 23 and 25 July 2019, to the Centre des urgences de Yaoundé (CURY), the State Secretariat for Defence (known as SED), and the Direction de la Police Judiciaire (known as DPJ), respectively.

During these visits, the Commission was able to discuss with the Senior Divisional Officer for Mfoundi, who was present during this mutiny, plus the Divisional Officer for Yaoundé IV, the Commander of the Centre Gendarmerie Legion and some Warders, despite the fact that it was difficult to get information from the superintendent of this prison and from the doctor adviser of the director general of the Yaoundé Central Hospital where some detainees who were wounded during the mutiny had been admitted for treatment.

As such, the Commission observed that the demands of detainees held in relation to the security situation in the North-West and South-West Regions had to do with better detention conditions, speeding up legal proceedings initiated against them; or failing this, their release plain and simple. The same demands were made by the members of the Cameroon Renaissance Movement (MRC) and later, by other detainees, leading to the uprising that led to acts of violence against some detainees and the destruction of administrative buildings inside the prison, justifying as such the intervention of law enforcement. During this intervention, warning shots with blanks were used, with the aim of discouraging prisoners and facilitating the entrance of law enforcement as well as fire-fighters.

People were wounded and property was damaged. Prominent among the wounded were Mr. Olanguena Awono Urbain and Mr. Inoni Ephraïm. Furthermore, the library and some administrative buildings were burnt while some cells in the so-called “VIP” wing of the prison were looted.

As concerns the specific cases of the wounded, it was noted that some, like the two aforementioned detainees, were wounded by the brutality of their co-detainees while others, such as Mamadou MOTA (whose arm was fractured during his arrest in his cell) and MANCHO Bibixy, were victims of brutality from prison warders and law enforcement officers. However, the Commission was unable to verify these allegations.

In the wake of this incident, one hundred and seventy-seven (177) detainees, identified as ringleaders of this mutiny, were extracted from the prison and handed over to the Police and Gendarmerie in Yaoundé for investigation. Furthermore, those wounded were received at SED to be treated in the reference health facilities of the latter entity.

Faced with this situation, the Commission issued a press release appealing to the Government, as it often does, to improve on detention conditions by reducing the prison population and by judging, within reasonable time limits, pre-trial detainees and normal accused persons (see third paragraph of the press release of 19 August 2019).

The Commission also attended, at the Court of First Instance in Yaoundé – Ekounou, the hearings of detainees prosecuted for having ordered the said mutinies. On this occasion, it was able to discuss with some of the detainees on the circumstances that led to these uprisings.

Case No. 20.-The Mutiny That Took Place on 23 July 2019 at the Buea Central Prison

After the mutiny of 22 July 2019 at the Yaoundé Central Prison, another mutiny broke out at the Buea Central Prison on 23 July 2019. According to investigations the Commission carried out, through its competent regional branch, and which led to a visit to the prison, this uprising was started by detainees detained within the framework of the security situation in the North-West and South-West Region, and whose cases were pending before the Buea Military Tribunal.

Their demands (not known to the Commission) were reported to the Governor of the South-West Region, who visited the site to calm them. Given that their demands were not met, these detainees subsequently blocked the various exits from prison wings, making access in this prison difficult. The intervention of the forces of law and order made it possible to calm the situation.

The Commission deplored the fact that administrative, judicial and prison officials did not give the information requested with respect to the number of victims in this mutiny, talk less of access to the prison itself.

Recommendations made following various visits to the mentioned prisons were forwarded to the Minister of Justice for appropriate action.

In the following paragraph, the Commission analyses implementation of its previous recommendations and makes new ones – or repeat old ones – to the various stakeholders with respect to detention conditions.

Paragraph 2. - the Recommendations of the Commission on Detention Conditions in Cameroon

The Commission satisfactorily noted that some recommendations made in its previous reports were in fact implemented. Generally speaking, the Commission is pleased with the fact that the situation of detained persons had somewhat improved thanks to the following measures, taken by competent authorities:

- increase in the budget allocated to detainee feeding;
- build the capacity of prison medical staff ;
- increase the number of and recruit younger staff in gendarmerie brigades, police stations and prisons;
- provide means of transportation (4X4 pick-up vehicles and bikes) to some gendarmerie brigades found in remote areas, to facilitate the transportation of persons sent before the courts;
- build new gendarmerie brigades and police stations as well as staff on-duty accommodation for some forces of law and order ;
- relatively speed up proceedings in some cases ;
- provide medical care to HIV/AIDS patients, with support from several bilateral and multilateral partners of Cameroon including the Government of the United States.

However, given the observations made during visits undertaken to detention places in 2019, the following recommendations may once again be made to various actors.

To prison officials

The Commission is specifically drawing the attention of the prison administration to the observation that the process for forwarding court decisions to prisons is often corrupt. Relevant detainees are often asked to pay a sum of money before court decisions concerning them are forwarded. It has also observed that inside these prisons it is common practice for warders to demand bribes in exchange for services, including meetings with the prison official which detainees wish to meet.

In this respect and others, the Commission recommends the following:

- that all prisons should computerise files relating to the legal situation of detainees ;
- create a system to report and punish corruption and bribery for services inside prisons ;
- extend vaccination programmes to the most common diseases in prisons;
- foster collaboration between MINAS, child protection organizations and prison administrations so that the newborns of mother detainees can access health care and food ;
- promote the social rehabilitation of detainees through the generalisation of vocational training programmes in agriculture, animal breeding, carpentry, bricklaying, tailoring etc, in collaboration with competent administrations.

To heads of places of custody

- allocate funds, for treating and feeding persons in custody, to places of custody, as required by the Criminal Procedure Code;
- build and equip new places of custody in compliance with standards and most especially taking into account the separation between detainees based on categories;
- equip these places sufficiently and recruit more staff.

To local councils

Participate more in improving general detention conditions through implementation of various projects inside prisons, notably providing food aid and supporting health services, hygiene and sanitation (disinfect prisons, drain septic tanks, etc.), as well as programmes to supply water and generators to provide backup electricity.

To the Ministry of Justice

- Improve on detention conditions through the construction of new prisons and the extension of existing prisons, when possible, to notably enable effective separation between the various categories of detainees ;
- speed up court proceedings to reduce the number of pre-trial detainees and unclog prisons ;
- make sure alternative sentencing provided for by law is indeed implemented;
- ensure compliance with relevant provisions of the Criminal Procedure Code stating that minors should be detained only exceptionally ;
- provide the legal departments of jurisdictions of instance with means of transportation, to facilitate control visits to detention places ;
- provide prisons with vehicles to transport detainees and appropriate bedding ;
- build or modernise and equip the administrative blocks of prisons.

To the Ministry of Defence

- speed up proceedings before military tribunals.

CHAPTER 2.- RIGHTS OF REFUGEES AND DISPLACED PERSONS

The Rights of Refugees are recognised by the provisions of umbrella African and international texts on Human Rights, notably the African Charter on Human and Peoples' Rights of 27 June 1981, ratified by Cameroon on 20 June 1989, which clearly provides in its article 12 that "every individual shall have the right, when persecuted, to seek and obtain asylum in other countries in accordance with the law of those countries and international conventions," and the Universal Declaration of Human Rights of 1948, which states in its article 14 that "Everyone has the right to seek and to enjoy in other countries asylum from persecution." In addition to these specific instruments, there are notably the United Nations Convention of 28 July 1951, which Cameroon acceded to on 23 October 1961, amended by the Protocol of 31 January 1967 and ratified by the country on 19 September 1967, which in its article 1 defines a refugee as a person who

[...] owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

The Convention of the Organisation of African Unity (OAU) of 1969 governing specific aspects of refugee problems in Africa, ratified by Cameroon on 7 September 1985, extends this definition of refugee, in its article 1(2), to

[...] every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality."

The year 2019 in Cameroon was marked by some changes regarding the situation of this category of vulnerable persons (section 1).

As concerns displaced persons, they are defined by the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) to which Cameroon adhered on 24 May 2017, as

persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border⁴⁵.

The number of people who fit this definition increased in Cameroon in 2019 (section 2), due notably to deadly incursions from Boko Haram in the Far North Region, security unrest in the North - West and South-West Regions, as well as natural disasters in the northern Regions and in the West Region.

SECTION 1.- RIGHTS OF REFUGEES

Cameroon has been witnessing an influx of refugees into its territory for the past decade due to security challenges in several of its neighbouring countries, including Nigeria, battling attacks from the terrorist group Boko Haram, and the Central African Republic (CAR). Furthermore, the political and security climate since 2013 in the latter country has pushed many of its citizens to go on exile.

Consequently, at the end of the reference year, Cameroon recorded 406, 277 refugees of various nationalities on its territory when compared to 417, 374 in 2018⁴⁶. These refugees lived in camps in the East, Adamawa, North and Far North Regions as well as among local communities in the cities of Douala and Yaoundé.

On the other hand, since the security situation in the North-West and South-West Regions in Cameroon worsened in 2017, Cameroon too has now seen a certain number of its citizens become refugees in other countries, especially in Nigeria where 32, 000 Cameroonians had already taken refuge, ending 2018⁴⁷.

During the reference year, Cameroon further strengthened its legal and institutional mechanism to guarantee the Rights of Refugees on its territory, by notably swearing in members of the Refugee Status Eligibility Commission &

⁴⁵ Article 1 (k) of the Kampala Convention

⁴⁶ Report from the Ministry of Justice on Human Rights in Cameroon in 2019, p. 303

⁴⁷ Cameroon: North-West and South-West Crisis Situation. Report No. 2, published on 18 January 2019 by the Office for the Coordination of Humanitarian Affairs on reliefweb.int visited on 6 April 2021

Appeals Board (paragraph 1). Furthermore, with the progressive stabilisation noticed since the 2016 presidential election in CAR, the year 2019 was also marked by the return of Central African refugees (paragraph 2).

Paragraph 1.- Changes in the Legal and Institutional Framework relating to the Rights of Refugees

Law No. 2005/006 of 27 July 2005 relating to the Status of Refugees in Cameroon and the implementing decree No. 2011/389 of 28 November 2011 on the Organisation and Functioning of Refugee Management Organs in Cameroon have been added to national legal and institutional framework on the Rights of Refugees. These organs refer to the Refugee Status Eligibility Commission & Appeals Board

On 24 October 2019, the members of these two Commissions, as stated in Order No. 0521/ DIPL/CAB of 7 August 2019 from the Ministry of External Relations, were sworn in at the Mfoundi High Court for a three year term of office, pursuant to article 5 of the above-mentioned implementing decree. Two workers from the Commission are members of this entity, appointed as representatives of the institution in the Refugee Status Eligibility Commission, under article 2 of the decree of 2011.

Although this is commendable progress, it is deplorable that until when this Report was being drafted, these refugee status management organs had still not met, due to the lack of the corresponding budget.

The Commission is therefore recommending that the State should take the necessary measures for these Commissions to function, so that terms of office granted to its members should be used effectively.

Paragraph 2.- Voluntary Return of Some Central African Refugees

In 2019, another major story concerning refugees in Cameroon came up relating to the voluntary repatriation of the latter, with risks, often raised, that these repatriations were not willing, or final, in as much as some of those repatriated strive to return to their host country a few months after the “voluntary repatriations.”

November 13, 2019 marked the start of the voluntary and willing repatriation of some Central African refugees residing in Cameroon, within the framework of a Tripartite Agreement signed on 29 June 2019 between Cameroon, the Central African Republic and the High Commission for Refugees (HCR). This agreement set the conditions, procedures and terms for the voluntary return and re-integration of refugees in their country of origin.

The Commission observed how this operation was carried out in the Adamawa Region, notably with respect to refugees in the Borgop and Ngam refugee camps, found in Mbere Division, which hosts approximately 20, 000 Central African refugees. That 13 November, the first contingent of two hundred and nine (209) refugees left these two camps.

The departure of this first contingent took place in the presence of the Governor of the Adamawa Region, Central African authorities and HCR officials who counted and signed the corresponding report, to take due note of the final voluntary return of 209 refugees from the Adamawa Region.

The Report from the Ministry of Justice on Human Rights in Cameroon in 2019 states that “as of 19 December 2019, a total of 3, 309 Central African refugees were assisted within the framework of voluntary repatriation, out of an initial target of 4, 000 for the reference year⁴⁸ .”

SECTION 2.- RIGHTS OF DISPLACED PERSONS

Although the Kampala Convention, whose 10th anniversary was commemorated in 2019, is legally binding on Cameroon, it has not yet been fully implemented whereas it caters mainly to protection and assistance, sustainable solutions as well as the right to reparation for those affected by displacements, due to the Human Rights violations to which they are exposed, notably the rights to housing, food, health services, education, employment and adequate living conditions.

The Commission was able to observe the recurrent nature of these internal displacements nationwide in 2019, be it the large-scale displacements relating to the security unrest in the North-West and South-West Regions as well as the Far North Region (paragraph 1), or smaller scale displacements caused by natural disasters (paragraph 2). The population of internally-displaced persons (IDP) was estimated at 679, 393 at the start of the reference year⁴⁹.

⁴⁸ Report from the Justice on Human Rights in Cameroon in 2019, p. 305

⁴⁹ Overview of humanitarian needs - Cameroon, on https://reliefweb.int/sites/reliefweb.int/files/resources/cmr_hno_2019_vf_light.pdf (consulted on 28 October 2021)

Paragraph 1.- Persons Internally Displaced by Armed Conflict

Cameroon started grappling with the phenomenon of persons internally displaced by armed conflict following recurrent deadly attacks from terrorist group Boko Haram since 2014. According to the Displacement Tracking Matrix (DTM) of the International Organisation for Migration (OIM) published in November 2018, the displaced population in the Far North Region of Cameroon was 244, 347. These statistics also showed that 100, 925 had returned to the places of origin⁵⁰. In 2019, 25, 145 new people found themselves unwillingly displaced in this Region, taking the total number of IDPs to 270, 870 people⁵¹.

The degradation of the security situation in the North-West and South-West Regions internally displaced 162, 000 people as of 31 December 2019, against 158, 000 in 2018. These people were displaced within the relevant Regions, i.e. around the Littoral, West and Centre⁵² Regions (even if it seems difficult to accurately estimate the number of IDPs in these troubled Regions where a good number of people, hiding in the bush, are hard to reach).

Similarly, in the Adamawa Region, which shares a long boundary with the North - West Region, there are hundreds of internally displaced persons, men, women and children, settled mostly in Mayo-Banyo Division, precisely in Bankim, Atta, Songkolong, Mape and Djae. In fact, the divisional branch of MBOSCUDA (an association) identified about 710 IDPs from the North-West in Mayo-Banyo in the course of 2019.

Upon arriving in the host localities, the IDPs move in with host families or approach traditional authorities for their settlement. Some are also temporarily hosted in military camps or other protected facilities.

In the other Regions of Cameroon, notably the South and Littoral, demographic pressure is such that incidents in schools were reported to the Commission, with accusations of discriminatory treatment meted on pupils from insecurity-prone Regions, who have notably been exempted by government from paying fees in government secondary schools. This exemption is however not systematically implement, as attested to by case No. 12 titled Case of Students at Government Bilingual High School- Ebolowa v. State of Cameroon (authorities of this school), presented in chapter 1 of part 3 of this Report.

Paragraph 2.- Persons Internally Displaced by Natural Disasters

According to the definition provided in article 1 (k) of the Kampala Convention, people are also internally displaced by natural disasters, a topic thoroughly discussed in chapter 1 of part V of this Report.

It can however be worth pointing out here that the recurrent phenomenon of rainy-season floods in the northern Regions is the cause of the frequent displacements of residents. Consequently, in the Far North Region and in the Mayo-Danay Division, the localities of Achille, Bolda and Didadi in Gobo Sub-division have witnessed intense floods in October 2019, which caused a great number of internally displaced persons. In fact, 11, 459 IDPs were recorded in this division⁵³. In Kai-Kai Sub-Division for example, 153 affected families identified by the divisional officer received assistance.

It is therefore advisable that comprehensive assistance to IDPs should be systematic.

⁵⁰ https://reliefweb.int/sites/reliefweb.int/files/resources/2019_strategie_nfi_et_abri_extreme_nord_cameroon.pdf (accessed on 28 October 2021)

⁵¹ Report from the Justice on Human Rights in Cameroon in 2019, p. 310

⁵² Ibid., p. 312

⁵³ Ibid., p. 310



CHAPTER 3.- THE RIGHTS OF MINORITIES AND INDIGENOUS PEOPLES

The Constitution of 18 January 1996 of Cameroon uses both terms indigenes and minorities, but without clearly stating the groups to which they apply⁵⁴. Associating the concepts of minorities and indigenous peoples in the constitution should not however create confusion about them. The core characteristic that distinguishes indigenous peoples (still referred to using the expressing indigenous populations or local populations) from minorities is the ancestral, pre-colonial tie to the territory⁵⁵. Furthermore, it is worth keeping in mind that indigenous peoples are quite often minorities, but that minorities are not always indigenous peoples. For this reason, the United Nations General Assembly, in its Resolution 217 (III) C, 10 December 1948, which also contains the Universal Declaration of Human Rights, choose not to discuss Minority Rights: “it is difficult to adopt a uniform solution to this complex and delicate question, [protection of minorities], which has special aspects in each State in which it arises⁵⁶.”

This chapters thoroughly explores this albeit controversial issue, by analysing successively the state of the Rights of Minority (section 1) and that of the Rights of Indigenous Rights (section 2) in Cameroon.

SECTION 1.- THE RIGHTS OF ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

Immediately Cameroon attained international sovereignty, the country was faced with a daily challenge: build a nation and a State in which the spirit of togetherness prevails and enables every resident considered a citizen to see themselves. This challenge is all the more real given that the country is home to over 230 ethnic groups. Owing to this human diversity, Cameroon is often labelled “Africa in miniature” or even the “summary of Africa.” Amid such cultural diversity, lifestyles and world views are not compulsorily the same, talk less of automatically compatible. This explains why it is important to clarify the concept of minorities and identify the groups to which it refers (paragraph 1) before proceeding to analyse how the Law considers this vulnerable category of people to better protect them (paragraph 2). It will subsequently be easy to examine the violations of Rights of Minorities as observed by the Commission during the reference period (paragraph 3).

Paragraph 1.- The Concept of Minority and Identification of Minorities in Cameroon

A. The Concept of Minority

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the United Nations General Assembly in its Resolution 47/135 of 18 December 1992, states in its Article 1 that “States shall protect the existence and the national or ethnic, cultural, religious or linguistic identity of minorities within their respective territories and shall foster the conditions necessary for the promotion of that identity. De facto, it appears that minorities are defined in terms of numerical inferiority to the majority.

This shared characteristic is often the cause of the vulnerability of a minority group – generally treated unfairly politically, economically, socially and culturally – when compared to the rest of society. Although this definition helps to understand this concept of minority, it is not entirely satisfactory. It is difficult to arrive at a generally -consensual definition because minorities experience quite different realities..⁵⁷

This is explains how the Dictionnaire de la culture juridique⁵⁸, referring to minorities, states that it refers to “a group of persons bound by ethnic, linguistic or religious solidarity, which is different from the political group to

⁵⁴ The Preamble of the Constitution of 18 January 1996, in the second point under the fifth paragraph, provides in fact that: “the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations in accordance with the law.”

⁵⁵ MOUANGUE KOBILA J., La protection des minorités et des peuples autochtones au Cameroun. Entre reconnaissance interne contrastée et consécration internationale réaffirmée, Paris, Diaonia, 2009, p. 53.

⁵⁶ Ibid., p. 13.

⁵⁷ The digital minority criteria, notably, raises difficulties in cases where there is no clear digital minority or majority, for example, all women. Furthermore, a distinct ethnic group can be a digital majority and be in a non-dominant position, and consequently, claim similarly implementation of numerous principles important to minorities so that their right to non-discrimination and protection of their identity are guaranteed. Furthermore, the restrictive criteria of citizenship may be used to exclude some groups of rights tied to minorities, and has, in fact, not been accepted as a constituent element of minority. In this regard, the United Nations Human Rights Council (HRC) ruled, in a general observation on Article 27 of the International Covenant on Civil and Political Rights, that a State Party cannot extend the rights provided for in Article 27 only to its citizens. Furthermore, the HRC opined that: “The existence in a given Party State of an ethnic, religious or linguistic minority does not depend on the decision by this State but should be determined based on objective criteria.”

⁵⁸ Dictionnaire de la culture juridique, Lamy-PUF, 2003, 1665 p.

which it is a member of and with respect to which it is still smaller in number⁵⁹.” It is mainly hinged on two objective criteria: cultural singularity and numerical weakness. Le Dictionnaire de droit international public adds, to this initial set of objective criteria, the criteria of non-dominance and adds other sub criteria such as gender and handicap to it.⁶⁰ In 1967, the United Nations Special Rapporteur, Francesco CAPOTORTI, further added to this understanding by proposing the following definition by drawing from article 27 of the International Covenant on Civil and Political Rights of 1966 :

A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.⁶¹

This definition was completed in 1985 by Jules DESCHÊNES⁶², here again at the request of the United Nations Sub- Commission:

A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.⁶³

In its first article, the United Nations Declaration on Minorities⁶⁴ considers minorities as founded on their national or ethnic, cultural, religious or linguistic identity, and states that all States have to protect their existence. Consequently, it is possible to see a number of differences with minorities in the wider sense, i.e. all vulnerable groups in a society. Thus, protected minorities in Cameroon are linguistic and ethnic, given that the latter refers to ethno-cultural national minorities and not ethnic minorities in the Western sense.⁶⁵

B. Identification of Minorities in Cameroon

Owing to its colonial past, Cameroon inherited two foreign languages and cultures that it safeguards: French and English, which are recognised as the country’s official languages since reunification on 1st October 1961. These languages and cultures were in fact inherited from what was back then known as East Cameroon, formerly a French mandate then trusteeship territory, and from West Cameroon, formerly a British mandate then trust territory. These two entities were united through the Constitution of the Federal Republic of Cameroon on 1st September 1961⁶⁶.

This recognition, reiterated in the Constitution of 2 June 1972⁶⁷ then reinforced by the Constitution of 18 January 1996 , relegates national languages – 230 overall if we consider the calculation done by Cameroon linguists⁶⁸ – to the background, making it thus possible to mainly distinguish French speakers; the majority given that they mainly come from the eight regions that made up East Cameroon, and English speakers; the minority, given that they come from the two Regions that formerly made up West Cameroon. Consequently, examination of the national legal framework in the next paragraph will mainly focus on the protective mechanism for the Anglophone linguistic and cultural minority in Cameroon. In fact, one of the major highlights of the reference year was the strengthening of the protective mechanism for this minority.

From an ethnic standpoint, it is true that the concept of minority corresponds to a diverse reality. However, we will employ, for the purposes of this analysis, general components for classification provided by linguists⁶⁹, which identify five major ethnic groups in Cameroon: Bantu, Semi-Bantu, Sudanese, Hamite (Peul) and Semite (Choa Arab). These groups constitute over 230 distinct cultural areas, if one considers the languages spoken in these areas, and that

⁵⁹ PIERRÉ-CAPS, S., Droit constitutionnel et minorités, Recueils des Cours de l’Académie internationale de droit constitutionnel (« RCAIDC », vol. XII, 2002, p. 1028.

⁶⁰ SALOMON, J. (dir.), Dictionnaire de droit international public, Bruylant/AUF, 1198 p.

⁶¹ CAPOTORTI, F., Study on the rights of persons belonging to ethnic, religious and linguistic minorities, New York, United Nations, 1991, p. 568.

⁶² DESCHÊNES, J., “Proposal concerning a definition of the term “minority,” Sub-Commission on the Promotion and Protection of Human Rights, 38th session, 14 May 1985, E/CN.4/Sub.2/1985/31, in BAUER, P., JACQUES, C., PLESIAT, M., ZOMBORY, M., National Minorities in Central Europe. Démocratie, savoirs scientifiques et enjeux de représentation, Centre français de recherche en science sociales (CEFRES), 2011. pp. 9-29

⁶³ “Proposal concerning a definition of the term “minority,” UN Doc. E/CN.4/Sub.2/ 1985/31.

⁶⁴ In 1992, the United Nations General Assembly consensually adopted the United Nations Declaration on the Rights of Minorities (resolution 47/135). This is the main reference document in this regard.

⁶⁵ MOUANGUE KOBILA, J., La protection des minorités..., op. cit. p. 24.

⁶⁶ Art. 1, para. 5 of the Constitution of 1st September 1961.

⁶⁷ Art. 1 para. 3 of the Constitution of 2 June 1972.

⁶⁸ MOUANGUE KOBILA, J., La protection des minorités..., op. cit. p. 32.

⁶⁹ Ibid.

Cameroon linguists have identified and classified. They refer to the Bantu found in the South, Littoral, South-West, Centre and in the south-east, which includes the Beti, Bassa, Douala, Yambassa, Maka, Kaka, Bakweri and others ; the Semi-Bantu in the West and North-West include the Bamileke, Bamoun, Tikar and Bali; the Sudanese in the Adamawa, the North and Far- North made up of the Mundang, Toupouri, Kotoko, Kapsiki, Mandara, Hausa, Matakam, Bornouam and Massa); Peul, who live in the same regions as the Sudanese ; and the Choa Arab in the Lake Chad Basin. All these ethnic groups living in the country may be identify as minorities. Consequently, the status of minority in Cameroon is based on the fundamental criteria of self identification, which is increasingly accepted internationally. Consequently, the goal is to know whether positive law is properly applied to this category of vulnerable persons.

Paragraph 2.- Legal Protection of the Rights of Minorities

The protection of minorities by a State enables it to benefit from the development of these minorities, their loyalty to the State, lasting peace, the cultural influence of the country, its economic development and the strengthening of democracy through the political participation of all.⁷⁰ This involves the recognition of their Rights in national instruments and ratification of general and specific core instruments that protect the said Rights⁷¹.

A. Recognition of the Rights of Minorities by National Laws

Since its independence, Cameroon has always been against any form of ethnic and racial marginalisation or apartheid. This explains why the opening statement of the preamble of the Constitution of 18 January 1996 formally prohibits all forms of discrimination and provides as follows:

Proud of our linguistic and cultural diversity, an enriching feature of our national identity, but profoundly aware of the imperative need to further consolidate our unity, solemnly declare that we constitute one and the same Nation, bound by the, same destiny, and assert our firm, determination to build the Cameroonian Fatherland on the basis of the ideals of fraternity, justice and progress;

Furthermore, it is further stated in the preamble of the Constitution that “the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights.” It is worth pointing out that equality in law also supposes the protection of specificities, through recognition of a differential equality, which is the only mechanism that can protect minorities. The stage is set in paragraph 2 of article 57 of the Constitution, which provides that “[I]The Regional Council shall reflect the various sociological components of the Region.” This constitutional requirement protects minorities such that they have the right to exist, preserve their cultural identity and be treated without discrimination, while guaranteeing their full participation in public life. In any case, the preamble of the Constitution underscores the fact that “the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations in accordance with the law.” According to the provisions of articles 151 (3), 171 (3), 218 (3) and 246 of the Electoral Code⁷² , one notes that the list of each candidate for parliamentary, council, senate or regional council elections has to reflect the various sociological components⁷³ of the relevant council or region as the case may be. Furthermore, article 246 of Law No. 2019/024 of 24 December 2019 to Institute the General Code of Regional and Local Authorities, promulgated by the President of the Republic of Cameroon on 24 December 2019, provides that the position of mayor should be reserved for municipal councillors who are indigenes of the Region. This is a major innovation that protects minorities in Cameroon, as indigenous people are often in the minority in large cities.

⁷⁰ [It is generally agreed that there are three dimensions to protection of minorities. Firstly, some Human Rights, extended to everyone such as freedom of expression or the right to equality, may be implemented to offer some form of protection - implied in cultural, linguistic and cultural diversity, provided they are interpreted in a pluralistic manner. (MOUANGUE KOBILA, op. cit., P. 11). The second basis for protection of minorities is the rights that are specifically extended to them (or “special minority protections”) in national laws or constitutions and in international instruments. Lastly, the third basis for protection of minorities is institutional, territorial and other changes. Under this third dimension, the objective is no longer to protect minorities from majorities through Subjective Rights (Human Rights extended to everyone or special minority protections), approved by Courts, but to facilitate their effective participation in the democratic decision-making process of the entire political community, or even enable them exercise some form of political autonomy within the framework of a State. In fact, adapting the territorial structure of political power to the ethnic distribution of the population may reveal entities in which a national minority group is the majority at regional level and, therefore, is in a position to engage in the politics of institutions specific to this entity and for powers attributed to it. (Ibid. p. 14).

⁷¹ In the Preamble of the Constitution of 18 January 1996, the people of Cameroon affirm “our attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations and The African Charter on Human and Peoples’ Rights, and all duly ratified international conventions relating thereto.” Article 45 of the Constitution however states that : “duly approved or ratified treaties and international agreements shall, following their publication, override national laws, provided the other party implements the said treaty or agreement.”

⁷² See. Law No. 2012/001 of 19 April 2012 on the Electoral Code in Cameroon

⁷³ This concept of “sociological components” mainly refers to the “various ethnic components of the population.” This is also the meaning Cameroonian litigants have, since 1996, given it during appeals relating to the council elections. There is however still uncertainty, namely on how to respect these sociological doses in the absence of reliable statistical data on these populations.

The main welcome measure brought about by the General Code of Regional and Local Authorities is the political will shown to further consider, under decentralisation, the linguistic and cultural specificities of the Anglophone minority with the adoption of a special status for the North-West and South-West Regions, given that the current Constitution has given lawmakers this power⁷⁴. As such, article 3, paragraph 3 of the Code provides: “The special status shall also entail respect for the peculiarity of the Anglophone education system and consideration of the specificities of the Anglo-Saxon legal system based on common law.”

The other major innovation in laws to protect minorities in Cameroon is Law No. 2019/019 of 24 December 2019 on Promotion of Official Languages. The purpose of this law shall be to ensure the equal use of English and French in public services and bodies... (article 5). Compliance with the provisions of this law will strengthen the bilingual nature of Cameroon while, allied with effective implementation of provisions relating to the special status for the North-West and South-West Regions, these measures could curb the feeling of marginalisation that contributed to worsen the security situation in these regions.

It is also worth commending the fact that on 29 November 2019, parliamentarian adopted the Bill to modify article 241 of the Penal Code. This amendment is intended to punish those who initiate hate speech and tribalism. The offence has now been labelled “contempt of tribe.”⁷⁵ This law is part of implementation of the recommendation to strengthen intercommunity fraternity, restore trust between communities and civic participation to enhance social cohesion, as well as that relating to the development and codification of principles for social dialogue, social cohesion and togetherness, in a context marked by the rise of hate speech with calls to genocide.

As concerns institutional mechanisms, interventions for social protection of minorities are mainly provided by the Ministry of Social Affairs, as well as many actors, among which the National Commission for the Promotion of Bilingualism and Multiculturalism, made fully operational in 2018 and that is tasked with maintaining peace, consolidating national unity and strengthening the desire of its peoples and daily experience of living together.

B. Regional Instruments for Protection of Minorities

At the African regional level, we can cite:

- Cultural Charter for Africa, adopted in Port Louis (Mauritius Island) on 5 July 1976 – entered into force ten years later and ratified by Cameroon on 29 August 1981 – that states in its article 5 that “the assertion of national identity must not be at the cost of impoverishing or subjecting various cultures within the State, replaced by the Charter for African Cultural Renaissance, adopted in Khartoum on 24 January 2006 and ratified by Cameroon on 31 December 2014, whose paragraph 7 of article 29 questions the universality of Human Rights, by confirming the duty to preserve and strengthen African values and traditions ;
- the African Charter on Human and Peoples' Rights, adopted on 27 June 1981, entered into force on 21 October 1986 and ratified by Cameroon on 20 June 1989, which offers the opportunity to protect the Collective Rights of Minorities as “people”⁷⁶. This approach was confirmed by the African Commission in the above mentioned 2003 report, which states that “as long as the African Charter recognises collective rights, known as “rights of peoples,” these rights should apply to categories of populations in Nation States;”
- the African Charter on Democracy, Elections and Governance of 30 January 2007, ratified by Cameroon on 9 August 2011, which compels State Parties to “respect ethnic, cultural and religious diversity, which contributes to strengthening democracy and citizen participation”⁷⁷.

C. Asserting the Rights of Minorities in Key International Instruments relating to Human Rights

Internationally, Cameroon is also party to the following main general and special instruments and whose relevant provisions protect the Rights of Minorities, notably:

- the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965, which defines, in its article one, discrimination as : “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or

⁷⁴ Art. 62, al. 2 of the Constitution of 18 January 1996 amended and completed by Law No. 2008/001 of 14 April 2008,

⁷⁵ See Law No. 2019/020 of 24 December 2019 to Amend and Supplement some provisions of Law No.2016/7 of 12 July 2016 relating to the Penal Code.

⁷⁶ The absence of the term “minority” in the text of the Charter is not a genuine obstacle to their protection. In fact, the concept of “people” used in the Charter, should be construed, not in the narrow sense it is given under public international law, but in a wider sense, as used popularly in Africa. In fact, the Charter considers that individuals come from groups and have a social attachment that gives them values and practices that form their identity. the right of peoples or collective rights contained in the Charter, articles 19 to 24, include the right to equality and the right not to be dominated by other peoples (article 19), the right to existence/peaceful coexistence and self-determination (article 20), the right to free disposal of their natural riches (article 21), the right to economic, social and cultural development (article 22), the right to a general satisfactory environment, favourable to their development (article 24).

⁷⁷ Paragraph 2 of article 8 this instrument is framed as follows “[I] adopt legislative and administrative measures to guarantee the Rights [...] of ethnic minorities.”

impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life; ”

- International Covenant on Civil and Political Rights of 1966, which states in its article 27 that : “in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language;”
- the International Covenant on Economic, Social and Cultural Rights of 1966, which clearly states in paragraph 2 of its article 2 that : “The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;”
- the Convention on the Rights of the Child of 20 November 1989, which states in its article 30 that: “in those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group...”

Cameroon has also adhered to the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities⁷⁸ and supports implementation of ILO Convention Concerning Indigenous and Tribal Peoples of 27 June 1989, as well as the Convention for the Safeguarding of the Intangible Cultural Heritage of 2003.

Based on the foregoing, recognition of the Rights of Minorities leads to preservation of their rights and is intended to make them equal with other groups within the State, concerning notably participation in political life and development. However despite stronger protection of minorities, there are still areas in Cameroon where cultural diversity is a breeding ground for conflicts that in turn are sources of violations of Human Rights.

Paragraph 3.- Violations of Rights That Affect Minorities in Cameroon

Despite government efforts to protect minorities, the latter are still vulnerable and suffer various forms of marginalisation, discrimination and stigmatisation due to:

- illegal appropriation of their land by colonisers, the State and big farming and mining companies ;
- exploitation of their labour by other communities and their limited access to profits made from exploitation of resources in their immediate environment ;
- their limited access to citizenship, education, health care, land and other basic social services ;
- their restricted access to and/or looting of natural resources from hunting, agriculture and animal rearing, although indispensable for their survival ;
- decline in some of the many mother tongues spoken in the country, threatening their social representations and lifestyles⁷⁹ ;
- stigmatisation of some religious movements they claim to belong to despite peaceful cohabitation between religious groups in Cameroon⁸⁰ ;
- the incitement of tribal hatred that they suffer, worsening intercommunity conflict⁸¹ .

In 2019, intercommunity conflicts were recorded in several areas in the country, notably Sangmelima and Obala, as shown in cases No. 6 and 7 on these happenings and presented in section 2 of chapter 2 of part 2. These conflicts

⁷⁸ The Declaration gives, among other things, people who belong to minorities the right to protection, by States, of their existence and their national or ethnic, cultural, religious or linguistic identity (art. 1) ; the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public (art. 2, par. 1) ; the right to participate effectively in cultural, religious, social, economic and public life (art. 2, par. 2) ; the right to exercise their rights, individually as well as in community with other members of their group, without any discrimination (art. 3).

⁷⁹ According to the UNESCO's Atlas of the World's Languages in Danger (www.unesco.org/culture/languages-atlas/index.php consulted on 10 October 2021), Cameroon has 36 endangered languages facing differing degrees of threat and three extinct languages. One contributing factor to the decline of some languages is the prevalence of French and English as national languages and language used for most official communications, including in the Government, administration and services. The country's linguistic diversity may also be a factor, given that the high number of relations and marriages between members from different groups of speakers creates the need to adopt a shared languages, which is then handed down to children as the main language for communication. Youths increasingly prefer to use French and English, which is more appropriate for economic, social and physical mobility.

⁸⁰ Freedom of religion is protected by the Constitution and other laws and policies, and practically speaking, these protections are generally enforced. Christians and Muslims are found in each region and many Muslims and Christians in major cities. The guiding principle of separation between religion and State. Evidence of this is found in paragraph 1 of article 2 of the Cameroon constitution of 18 January 1996 in the following terms: the Republic “shall be one and indivisible, secular, democratic and dedicated to social service.”

⁸¹ On 20 June 2019, the Minister of Communication during his contact tour to meet promoters of media companies and editors worried that “the Cameroon press tends to indulge by the day in excessive calls for hatred of others, promotion of irredentism, cultural isolationism, which are all dangerous triggers of tribalism.”

left many people harmed and caused extensive material damage, constituting as such serious violations or infringements to the Rights of the minority groups living in these localities.

The above mentioned cases should not shroud standard problems faced by ethnic, linguistic and religious minorities generally throughout the reference year. Thus, the Commission observed sadly that open and recurrent conflicts in the North-West and South-West Regions have pitted, since 2018, Mbororos to neighbouring communities⁸². The Commission thinks the socio-political crisis in the North-West and South-West Regions is a looming threat over existing social consensus between local communities and strongly condemns atrocities, acts of violence and all other forms of physical, verbal or written attacks against these minorities. Perpetrators of these atrocities, acts of violence and attacks should be looked for, arrested and prosecuted. The Commission also reiterates the need to compensate individuals and communities that have suffered losses and appeals for implementation of direct social assistance programmes for victims.

Furthermore, in its Reports on Human Rights in Cameroon in 2018, the Commission noted sadly that the trade unionist demands of Lawyers and Teachers progressively evolved into political demands, including the demand for self-determination. Owing to its participation in Discussion Forum of the African Network for Human and People's Rights on implementation of recommendations of African Human Rights Agencies, on the sidelines of the Ordinary Session of the African Commission for Human and People's Rights, which took place from 19 to 20 October 2019, in Banjul, Gambia, the Commission⁸³ supported the stance taken by the African Commission for Human and People's Rights, contained in Communication No. 266/03, Kevin Ngwang Gunme and Others v. State of Cameroon that defended Cameroon's territorial integrity, stating that secession is not the only option available to Southern Cameroonians to exercise their right to self-determination. Thus, it hailed the option for dialogue repeated on several occasions by the President of the Republic, Paul BIYA, as a mechanism that makes it possible to examine ways and means of meeting the deep aspirations of the people of the North-West and South-West⁸⁴. Consequently, the Commission called on secessionists to drop their weapons to give full effect to implementation of recommendations from the Grand National Dialogue, which took place from 30 September to 4 October 2019 in Yaoundé, and that is thoroughly discussed in chapter 3 of part 5 (Special Issues) in this Report.

SECTION 2.-THE SITUATION OF INDIGENOUS PEOPLES

Indigenous peoples prefer to distinguish themselves from other minorities in as much as they consider themselves "peoples," as meant in international provisions that recognise the right of peoples to self-determination. However, indigenous peoples may claim instruments guaranteeing the Rights of Minorities, plus national or international instruments concerning them specifically⁸⁵. This section starts by clarifying the concept of indigenous peoples (paragraph 1). It subsequently presents the efforts of governments and other actors, including the Commission, for the Baka in the East and South Regions of Cameroon (paragraph 2) and concludes with the situation of indigenous peoples affected by the security unrest in the North West and South West Regions (paragraph 3).

Paragraph 1.- The Concept of Indigenous Peoples

Like the term minority, there is no consensually-accepted definition of the term indigenous. The Report of the Expert Working Group of the African Commission for Human and People's Rights on Indigenous Peoples/ Communities shows that "[...] definitions vary from one State to another, based on special circumstances and context⁸⁶."

In his study on the Problem of Discrimination against Indigenous People, released in 1986, José MARTINEZ COBO identifies four criteria that makes it possible to describe indigenous peoples : (i) continued occupation of a territory dating back to before colonisation ; (ii) self-identification as a distinct people; (iii) non-domination or vulnerability ; (iv) the desire to conserve their territory and perpetuate their ethnic identity through their institutions and their culture, as bases of their existence as a people⁸⁷. This definition contains basic elements found in the ILO

⁸² See. Paragraph 3 of the following Section (The situation of indigenous populations).

⁸³ The Chair of Working Group No. 1 of the Commission, Me KAMGA NOUTCHOUQUIN Laurette, represented the Commission there.

⁸⁴ In his Special Speech to the Nation, on 10 September 2019, the President of the Republic states " [...] I have decided to convene, from the end of this month, a major national dialogue that will, in line with our Constitution, enable us to seek ways and means of meeting the high aspirations of the people of the North-West and South-West Regions, but also of all the other components of our Nation. The dialogue in question will mainly concern the situation in the North-West and South-West Regions. Since it will focus on issues of national interest such as national unity, national integration and living together, it is obvious that it will not concern only the population of these two regions."

⁸⁵ MOUANGUE KOBILA, J., La protection des minorités..., op. cit., p. 24.

⁸⁶ Ibid., p. 48.

⁸⁷ Ibid., p. 49.

Convention No. 169⁸⁸. However, the problem with it lies in the fact it restrictively considers, as indigenes, only those who occupied a territory before the final borders of a State were determined. Consequently, the African Commission for Human and People's Rights provides four criteria to identify indigenous peoples⁸⁹ :

- occupation and use of a specific territory ;
- voluntary perpetuation of cultural characteristics, which could include aspects relating to language, social organisation, religious or spiritual values, method of production, as well as laws and institutions ;
- self-identification and recognition by other groups as a distinct entity ;
- an experience with subjugation, marginalisation, expropriation, exclusion or discrimination.

The Dictionnaire de droit international public defines indigenous people as the people who come from the territory where they live, as opposed to the immigrant people ; a population that settled on a territory long before its invasion by other peoples, within the framework of colonisation⁹⁰. In the Cameroonian context, "all peoples who constitute the country's "demos,"[may be considered as indigenous] given that every people are indigenous to their land. However, "[...] only indigenes whose vulnerability has been established owing to their socio-economic situation, due to historical injustices[...] qualify for constitutional and international protection of indigenous peoples⁹¹. " As such and due to their unique lifestyle, their extreme vulnerability and threats looming over them, the Commission has taken actions to protect the rights of the Baka community⁹², which, according to the terminology of Gabriel NLEP, seem to be a "people native" to the large stretches of equatorial forests.

Paragraph 2.- Actions Taken to Curb Violations of the Rights of the Baka in the East and South Regions

The government and its partners continue to make efforts to realise the Rights of indigenous peoples in the East and South Regions namely the Baka, still known as the "pygmies" (A). However, there are still challenges, which the Commission and its partners have jointly identified so that they can be met (B).

A.- Current Situation

Cameroon has signed and ratified legal and international instruments relating to protection of the Rights of indigenous peoples. One such instrument is ILO Convention No. 169 of 1989 on indigenous and tribal peoples. Furthermore, the country voted in 2007 to adopt the United Nations Declaration on the Rights of Indigenous Peoples. Decree No. 2005/160 of 25 May 2005 to Organise the Ministry of Social Affairs tasks this administration with, among other missions, fighting exclusions and promoting national solidarity (article 1, paragraph 2). Its directorate for national solidarity is notably tasked with the elaboration of policies, implementation and monitoring of programmes to fight social exclusion and social integration of marginal peoples, among which indigenous peoples.

To coordinate actions for vulnerable indigenous peoples, among which the Baka, an Intersectoral Monitoring Committee on Programmes and Projects Involving Vulnerable Peoples (Cispav) was created through Order No. 22/A/MINAS/SG/DSN of 6 August 2013. The 6th session of this Committee was held on 5 August 2019. During this meeting, the technical and financial partners of MINAS, among which the National Programme for Participatory Development (NPPD), presented their balance sheet. Within the framework of implementation of the third phase of the Pygmy People's Development, the NPPD announced that the following actions had been carried out for these peoples in 2019⁹³ :

- 1, 345 birth certificates and 128 national identity cards were drawn up ;
- 3, 887 Pygmy children were enrolled in primary schools and 615 in secondary schools;
- 1, 736 of these children received school supplies;

⁸⁸ Convention No. 169 was adopted by the General Conference of the International Labour Organisation during its seventy-sixth session, on 27 June 1989. It entered into force on 5 September 1991.

⁸⁹ See Report of the CnADHP Working Group, op. cit.

⁹⁰ J. Salmon (dir.), op. cit., p. 849.

⁹¹ MOUANGUE KOBILA, J., La protection des minorités..., op. cit., p. 32.

⁹² The Baka are generally found in the East and South Regions of Cameroon. They are part of the community of Pygmies who are forest hunters and gatherers. The Bakola, Bagyeli and Bedzang are also part of this community. The Bakola and Bagyeli occupy a surface area of close to 12, 000 km² in the South Region of Cameroon, notably in Akom II, Bipindi, Kribi and Lolodorf Sub-divisions. Lastly, the Bedzangare found in the Centre Region, north-west of Mbam in the Ngambe-Tikar area.

⁹³ Report from the Ministry of Justice on Human Rights in Cameroon in 2019, p. 282

- 242 traditional midwives were trained ;
- 2, 630 pygmies were consulted in these health centres ;
- 53 community health outreach workers were trained and
- 488 agricultural zones were developed.

However, the context of the reference year was further marked by the Report of the United Nations Special Rapporteur on the Rights of Indigenous Peoples, presented to the United Nations Human Rights Council in September 2016, which identifies Cameroon as one of the States in Africa where the Rights of Indigenous Peoples are regularly violated due to conservation activities relating to creation and management of protected areas.

Protected areas in localities in the East and South Regions in Cameroon are inhabited by the Baka indigenous peoples in the Boumba-and-Ngoko (Nki, Boumba-Bek and UTO Ngoyla-Mintom national parks) and Upper Nyong Divisions. Their population is estimated at 20,000.

Public policies implemented by the State to preserve protected areas are reportedly in conflict with indigenous peoples, who think they are not allowed to exercise their fundamental rights (hunting, traditional exploitation of forest resources etc). Furthermore, some reports allege that indigenous peoples regularly accuse forest guards (Eco-guards) of acts of torture and cruel, inhuman and degrading treatment.

B.- Actions Carried out by the Commission and its Partners

To verify the above allegations of violations of the Rights of the Baka, the Centre pour l'éducation, la formation, et l'appui aux initiatives de développement au Cameroun (CEFAID) organised activities to inform, train, sensitise and provide multifaceted support to the Baka indigenous peoples, to improve on realisation of their Rights, with technical and financial assistance from WWF and the Commission. These activities were organised together with other actors working in the same area: administrative and legal authorities, Civil Society Organisations (CSO), traditional rulers, religious leaders and the private sector. The Ministry of Women Empowerment and the Family, the Commission and the Human Rights Commission of the Bar Council took part in the manual prepared by the WWF at the end of this activity.

Following these consultations, these actors proposed the launch of an initiative to document and monitor cases of abuse and violation of the Rights of the Baka. This initiative led to the creation of a "Reporting and Monitoring Mechanism for Cases of Abuse and Violation of the Rights of the Baka," implemented since 2015.

After it was field tested for three (3) years by CEFAID, specifically in the Lobeke and BoumbaBek National Parks in the East Region of Cameroon, the initiative was assessed for the first time by the Baka communities themselves with WWF and CEFAID assistance in December 2018. During this assessment, challenges to implementation of this tool were identified.

The Commission then facilitated stakeholder meetings in Bertoua in September and December 2019. The purpose of these meetings was to sensitise all actors on the existence and functioning of this Mechanism and the role played by the Commission in this context, before examining its shortcomings, seeking solutions to enhance its implementation by proposing stated ways and means for tangible actions.

During these field trips, working sessions were organised with the Senior Division Officer for Boumba-and-Ngoko, the Divisional Officer for Yokadouma, Head of the Social Action Unit in charge of the Baka community in Yokadouma, the examining magistrate at the Court of First Instance - Yokadouma, the prison superintendent at Yokadouma Main Prison, the commander of the Gendarmerie Brigade of Ngatto, the head of the Lobeke National Park, the WWF Jengi-TNS programme Manager, members of the Baka association (ASBABUK) representing of 11 communities and CEFAID. This team also visited three local communities in their villages, as well as detainees of the Yokadouma Main Prison.

The following information was collected during this field mission:

- administrative and legal authorities in Yokadouma recognised the existence of the Mechanism for Processing Complaints and considerable reduction of violations of Human Rights observed in their respective jurisdictions ; however, they reported some persisting violations of Human Rights recorded and their causes ;
- the team held a working session with CEFAID, during which a data base on violations of Human Rights was presented; it contained (103) cases recorded in Yokadouma and forty-six (46) in Mambele from 2017 to 2019, as well as cases of women identified as victims of rape and attacks. Difficulties encountered in implementation of the Mechanism were also presented ;

- the team carried out field missions to three local communities (Nyambonda, Mbol 9 and Parny) ; it also held a meeting with representatives of various Baka communities, also members of the Baka association (ASBABUK). During these activities, questions were asked about the recurrent nature of murders, rapes, expropriation of land, exploitation, irresponsible consumption of alcohol (sachet whisky), low participation of the Baka in the management of public affairs, lack of birth certificates and identity cards.

Between 6 to 8 of February 2018, the Commission's Working Group for Vulnerable Groups (W/G No, 3) organised an information mission on the Rights of Indigenous Children in Ndjibot and Missoume indigenous communities.

During this mission, the following observations were made:

As concerns the right to education:

Residents of Ndjibot and Missoume (villages) gave reasons for the school drop-out rates that affect children's right to education. These reasons are the lack of didactic and school material, failure to pay PTA fees, abdication by parents in face of their responsibilities, irresponsible consumption of alcohol and drugs by both parents and children, the lack of teachers and absenteeism by teachers, lack of culturally-relevant school programmes, sexual harassment of young Baka girls, early pregnancies and the phenomenon of "nkassa," described as the economic exploitation of young Bakas by Bantus who recruit them for all types of odd jobs in exchange for meagre pay.

The Right to Record Births, Nationality and Identity

In Ndjibot and Missoumé, residents confirmed that they effectively took part, in 2018, in a campaign to record births facilitated by the Divisional Delegation for Social Affairs for Upper Nyong Division. However, they deplored the fact that certificates drawn up had not yet been issued to them.

Some parents admitted that they are not sufficiently sensitised on the importance of these documents. They revealed that these documents risk being used by irresponsible parents as cigarette rolling paper or destroyed otherwise.

The Right to the Integrity of Families and Protection from Economic Exploitation

As stated above in observations relating to the right to education, it was observed that the phenomenon of child labour considerably affects the right to education of indigenous children. Economic exploitation and involvement in tasks that could compromise education, harm the health or physical, mental, spiritual, moral or social development of children are however banned.

Although residents of the villages visited severally cited the phenomenon of "nkassa" as a reason for school drop-out, it additionally leads to violations to the right to life, survival and development of children, given its impact on their health and the integrity of their family.

Many of these children are taken to destinations often unknown to their parents. They go there to do seasonal, mining or farming jobs. They also go there to engage in trade, animal rearing and even domestic work, with some of them often not returning to settle in the village. They state that these tasks are exacting and sometimes dangerous, but say they need money although they generally are not paid, given that their employers prefer to pay them in kind with alcohol or tablets of Tramol.

In Missoumé, members of the vigilance committee face enormous difficulties to keep unscrupulous traders away from the village.

Growing rural exodus also contributes to severe family ties by worsening the rate of delinquency as well as alcohol and drug abuse among youths.

During legal clinics and activities to promote community dialogue, the following allegations were made:

Allegations of Violation of Human Rights made by the Baka

In the Ndjibot community, complaints were made and recorded on forms prepared for this purpose. These complaints essentially state as follows:

Physical and Sexual Violence

- Cases of rape of young girls and women were reported and the alleged authors come from within the Baka community and neighbouring communities.
- **Reports are generally made to neighbouring Bantu village chiefs for amicable solutions.**
- **The case of two girls who were physically attacked by a certain Mefag Cyril as they left Government Primary School -Ntimbe 2.** The accused refused to show up at the gendarmerie brigade in Abong-Mbang after Pastor Berry and the chief of Ndjibot filed a complaint.

Land Rights and Situation in Chiefdoms

- Two Bakas (KONDJI Adrien and MBEWI Patrice) from Ndjibot, (a village) reported that the **land they farm had been grabbed** by a Bantu from Ntimbe 2 village. They further complained that he is demanding that they should sell him their plots of land.
- **The victims tabled the dispute to the chief of Ntimbe 2, the neighbouring Bantu village, but are afraid that their case will not be heard fairly.**

Right to Identity

- Collectively, residents stated that have difficulty moving about freely without identity documents.
- This difficulty is notably due to the fact that **without birth certificates, they cannot be issued national identity cards.** Those with identity cards state that the latter have expired and they have difficulties getting new cards issued to them.

In the Missoumé community, complaints made were also received and recorded on forms prepared for this purpose. They have been presented below summarily:

Right to Life

- The case of the family of **Madame DIMA YANA, whose right to life was violated when she was hit by bullets near a shooting range in Motchebom village, Doume Sub-Division.** The soldiers involved had given assurances they would take care of the deceased's children. However, they did not honour this commitment.
- A complaint was filed at the **legal department of courts in Abong - Mbang**, without any update subsequently provided to the family of the deceased.

Right to Information, Land Problems and Situation of Chiefdoms

- Residents of this village also complained of threats made by the Bantu community in **Madouma village.** Residents of this village claim that the land occupied by the Baka community in Missoumé belongs to them.
- Although the previous Divisional Officer had stated that these claims by residents of Madouma were baseless, they continue with their threats and try to intercept the official correspondence meant for representatives of communities found between Missoume and Kwoamb.

Phenomenon of "nkassa" and Child Labour

- The Baka in Missoumé talked about the case of a certain **Eric, logger in Ayene village,** who reportedly has a habit of **taking entire Baka families with him to work in his plantations.**
- These Baka stated that they have not heard from **three orphans** from a Baka family in Missoume. These children were reportedly **placed at the Abong-Mbang Monastery** by nuns who were supposed to care of their schooling.

Request for Social Assistance and Family Reunion

- **Request for assistance for 8 orphans under the care of their grand-mother,** called ANGOSSA Jacqueline whose son ELIMBO Martin, 35, died following a brawl in the village.
- **The case of the abandonment, of ETOUMBE Arielle,** a teenager, from every indication, by her mother, Madame Aye Mondo Hélène, municipal councillor at the Abong-Mbang Council, but living in Yaounde. The teenager is the mother of a newborn whose basic needs she has a hard time providing for. She would like to learn a trade and join her family living in Yaounde.

With respect to the latter, the Commission contacted the mother in question, who stated that she had made the unfortunate choice of leaving her daughter in the village because of her illness (seizure disorder) and her carelessness, complaining that the teenager has never been good at using the money she was sometimes given. The young girl's case was also made known to some CSOs defending the Rights of Indigenous Peoples and affiliated to the Commission. These CSOs provided her with material assistance, mainly food, within the framework of their subsequent activities in the relevant areas.

With respect to all other cases, it is worth noting that during the 8 February meeting, which brought together the 2nd Deputy Divisional Officer and the mission of W/G No. 3 on emergency measures to be taken to reduce cases of violations of the Rights of Baka children in particular and residents from the two villages targeted by the Commission in general, authorities took note of these observations and worrying cases. They also undertook to seek lasting solutions to the problems raised.

Furthermore, W/G No. 3 made several recommendations to the various actors and these recommendations will be monitored under collaboration between the Commission and these actors.

- collect data and set indicators that make it possible to identify areas where there is or could be discrimination against indigenous children;
- carry out a study on maternal, infant and youth mortality rates in Baka villages in Abong-Mbang in particular and in indigenous villages in Cameroon in general.
- take necessary measures to create traditional authorities in indigenous Baka villages;
- crack down on drug suppliers in Baka villages.
- Take specific measures to allocate targeted financial, material and human resources to schools attended by indigenous children in Abong-Mbang;
- Adjust school programmes to fit the needs of indigenous populations, by taking into account their cultural practices.

Paragraph 3.- Indigenous populations affected by socio-political problems and insecurity in the North-West and South-West Regions

Since the start of the current situation in the in the North-West and South-West Regions, the Commission has consistently pointed out the harmful effects thereof on Human Rights notably the Rights of vulnerable groups. The case of the Mbororo is eloquent proof of these effects. It is worth stating that the North-West and South-West Regions are not the only Regions of the country where the Rights of the Mbororos are violated, given the numerous cases of hostages taken for payment of high ransoms that Mbororo suffer in the Adamawa Region.

That said, it is worth underscoring the fact that the solution to security problems in the North-West and South-West Regions will undoubtedly involve the opinions of this community, since it is trapped in-between the protagonists. It is in this light that a huge number of representatives of this community, notably cattle rearers, whose cattle has been stolen and who have paid ransoms, made special recommendations during the Grand National Dialogue.

Reports provided by MBOSCUDA and used by the Commission during the reference period show that the Mbororo are victims of the following acts: kidnapping with ransoms demanded, cattle seized, torching of their homes, forced displacement, torture and assassination by secessionist terrorists. These acts of violence are quite rampant in Sabongari, in Donga-Mantung Division, as well as in Achah, Jakiri, Ndawara, Santa and Bafut, in Mezam Division, where 260 Mbororos have been killed; 3,210 were wounded; 12, 000 are now displaced persons; 525 homes were torched and looted; 163 million CFA have been collected as ransom; and 2, 700 cattles were seized or killed, worth CFA 810 million. All of such acts depriving this indigenous population of means of subsistence.

To resist armed separatists groups and protect their property, the Mbororo have created self-defence groups. However, this has not significantly reduced the acts of violence from secessionist terrorists. Consequently, many of them have been forced to move elsewhere, notably to the West and Centre Regions, in order to continue their pastoral activities.

CHAPTER 4. - THE RIGHTS OF WOMEN AND CHILD RIGHTS

The rights of women and children constitute an integral part of the Human Rights corpus. The inherent vulnerability of these two categories of persons has led to their rights being specifically protected by a number of international and regional legal instruments. The situation of women's rights during the year of reference (section 1) will be examined before the rights of children (section 2).

SECTION 1.- WOMEN'S RIGHTS

Women's rights are human rights that deserve to be promoted and protected. Growing awareness of equal rights regardless of gender has led to great progress in this area, both at the national and international levels. However, women continue to suffer various forms of serious and gross violations of their rights in the domestic/private and public spheres.

Although the law enshrines gender equality, in actual fact, women suffer physical, psychological and sexual violence in the private sphere, whereas in the public sphere, they are discriminated against with regard to access to resources (access to property, inheritance rights, access to credit as well as access to appointed and elected positions). The solution to these ills lies firstly in deconstructing the beliefs and taboos that have placed men in a position of superiority.

The main causes of this situation are the stigmatisation due, on the one hand, to the gender stereotypes underlying the country's customs and traditions, which are accepted by both men and some women, and, on the other hand, the reduced level of literacy among women and awareness of their rights, and their limited economic power.

The reference year was marked by terrorism in the Northern Regions and the insecurity in the North-West and South-West Regions, which aggravated cases of violations of women's rights.

This section will present a review of the legal framework that are applicable in Cameroon for promoting and protecting women's rights (paragraph 1), as well as achievements made in 2019 regarding the realisation of the rights covered by this framework (paragraph 2), followed by challenges and recommendations for improving the situation of women in Cameroon (paragraph 3).

Paragraph 1.-Legal framework applicable to women's Rights

Until 2019, the protection of women's rights in Cameroon was separately or jointly guaranteed, developed and ensured by three forms of mechanisms namely: international, regional and national legal and institutional instruments, conventions and frameworks. This wide range of legal instruments and conventions are available to all - policy makers, law enforcement officials, civil society organisations (CSOs), non-governmental organisations (NGOs), governmental organisations (GOs) and individuals - to promote and protect women's rights and gender equality.

Taking into account the rights of the girl child, this legal framework is relatively advanced in Cameroon, both at the international (A) and national (B) levels, as discussed below.

A. At the international level (regional and global).

Reference laws for women's rights include:

- International conventions on Human Rights in general, such as: the Universal Declaration of Human Rights (adopted by the UN in 1948 and whose provisions are enshrined in the 1996 Constitution of Cameroon); the International Covenant on Civil and Political Rights (adopted by the UN on 16 December 1966 and ratified by Cameroon on 27 June 1984); the International Covenant on Economic, Social and Cultural Rights (adopted by the UN on 16 December 1966 and ratified by Cameroon on 27 June 1984); the UN Convention on the Rights of the Child (adopted on 20 November 1989 and ratified by Cameroon on 11 January 1993); the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (adopted on 7 March 1966 and ratified by Cameroon on 24 June 1971); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted by the UN on 10 December 1984 and ratified by Cameroon on 19 November 2010); the African Charter on Human and Peoples' Rights (adopted by the African Union (AU) in June 1981 and ratified by Cameroon on 20 June 1989); the African Charter on the Rights and Welfare of the Child (adopted by the AU on 16 September 1992 and ratified by Cameroon on 5 September 1997, etc.) and
- special instruments for the protection of women's rights such as: the Maternity Protection Convention

(adopted by the ILO on 29 November 1919 and ratified by Cameroon on 25 May 1970); the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (adopted by the UN on 7 November 1962, not ratified by Cameroon, but whose provisions have been taken into account in the 2016 Penal Code); the Equal Remuneration Convention (adopted by the ILO on 29 June 1951 and ratified by Cameroon on 25 May 1970); the Convention on the Political Rights of Women (adopted by the UN in 1952 and ratified by Cameroon on 7 July 1954); the International Convention on the Elimination of All Forms of Discrimination against Women (adopted by the UN on 18 December 1978 and ratified by Cameroon on 23 August 1994); the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (adopted on 6 October 1999 and ratified by Cameroon on 7 January 2005); the UN Security Council Resolution 1325 on Women, peace and security (adopted by the UN on 10 October 2000 and integrated at the national level in 2016 by the adoption of the relevant National Action Plan); and lastly, the Protocol to the African Charter on Human and Peoples' Rights (Maputo Protocol, adopted by the AU on 11 July 2003 and ratified by Cameroon on 28 May 2009), at the African regional level.

B. At the national level

Women's rights are governed by laws of general application and by specific provisions. Although not exhaustive, the laws of general application include:

- the preamble of the Constitution of Cameroon of 18 January 1996 which sets out the Freedoms and advocates equality between men and women;
- Law No. 2016/007 of 12 July 2016 relating to the Penal Code of Cameroon, which stipulates that the criminal law shall apply to all without distinction as to sex, and which contains several provisions protecting women and girls, particularly (i) genital mutilation (Section 277-1); (ii) immoral earnings (Section 294); (iii) outrage against private indecency (Section 295); (iv) sexual abuse such as rape or incest (Section 296); v) forced or early marriage (Section 297); vi) sexual harassment (Section 302-1); vii) abortion (Section 337); viii) any form of indecency (Section 344); ix) participation in any production for pornographic purposes (Section 345); x) rape of a minor (Section 347); xi) physical violence (Article 350 and Article 356); and xii) adultery (Section 361).
- With regard to the relevant legislation, reference can be made to the 1994 Decree on the civil service pension scheme, which recognises the right of the widow of a civil servant to a survivor's pension, and Law of 19 December 1999, which abolishes the need for prior marital authorisation for a woman to travel, as well as Decree No. 2012/638 of 21 December 2012 to organize the Ministry of Women's Empowerment and the Family.

All these measures reflect the will of the State of Cameroon to promote an inclusive society offering all (men and women) the same rights and opportunities.

In order to optimise the realisation of the Rights of Women and Girls, actors must ensure that these legal provisions are respected in their respective areas of competence.

Paragraph 2. - Some achievements in the realisation of women's rights

When applied, the plethora of legal instruments and conventions presented above have resulted in both descriptive and significant achievements in terms of women's visibility in the political, economic and social spheres, thus reducing the gender inequality gap. There is no doubt that Cameroon has made some achievements on some indicators, improving its ranking in terms of gender equality.

In 2019, achievements towards considering the rights of women and girls were recorded in the (A) political, (B) economic, and (C) social spheres, particularly in the fight against gender-based violence.

A. Political involvement

Some achievements were noted with regards to the involvement of women in politics. These include⁹⁴ :

- the increase in the rate of women's registration on the electoral roll from 35% in 2007 to 48% in 2019, according to EIECAM. These statistics reflect the combined efforts of Government, political actors and the civil society to facilitate women's involvement in the electoral process;

⁹⁴These data are all taken from the document entitled "Promotion de l'égalité et protection des Droits des femmes à l'horizon 2020 - Évaluation des progrès du Cameroun 25 ans après Beijing" [Promotion of Equality and Protection of Women's Rights by 2020 - Assessing Cameroon's progress 25 years after Beijing] published by Bucep, March 2020, <https://cameroon.un.org/sites/default/files/2020-03/JIF2020.pdf> (accessed on 03/11/21) 32 pp. (spec. p. 5 ff.)

- the increase in the percentage of women Parliamentarians between 1992 and 2018, which rose from 13 % to 31 %⁹⁵ ;
- the increase in the percentage of women Senators from 21% to 26% between 2013 and 2018, although the gender gap remains significant. (Source: National Assembly, 2019);
- the increase in the percentage of women in municipal executive positions to 31% in the 2013-2018 term compared to 19% in the previous term. (Source:Minat, 2019);
- the increase in the number of women in leadership positions at regional level (Senior Divisional and Divisional Officers) in 2019, with 17 women compared to 7 in 2016. (Source:Minat, 2019).

The Minjustice 2019 Report on the State of Human Rights in Cameroon⁹⁶ cites many other commendable actions regarding the promotion and protection of women's rights by various actors. The following have been singled out as prominent examples:

- The organisation of an electoral assistance clinic to educate 100 potential women candidates for the legislative and municipal elections of 9 February 2020, as well as political party leaders, on the procedures and content of a candidate file, during a national workshop held in Yaoundé in November 2019, under the supervision of the More Women in Politics network;
- The strengthening of the capacities of 150 leaders of women's organisations on violence management in conflict situations, mediation and conflict resolution, as part of implementing the National Action Plan relating to the United Nations Security Council Resolution 1325. It is also worth noting that women were involved in major peace processes such as the Major National Dialogue, during which a woman headed one of the eight commissions, and two women served as vice-chairs of the bureau.
- The increase in the number of women in senior positions in public administration from 23.48% in 2017 to 29.75% in 2019. The corresponding figures for para-statal are 31.31% in 2017 and 33.31% in 2019, according to the 3rd edition of *Palmarès Genre*, published by Minproff.

The NCHRF and its CSO partners, especially those working in the Northern Regions of the country, also observed that during the reference year, eighty (80) women sat and served as notables, in their own right, in the superior chiefdoms of Guider, Kousseri and LogoneBirni, bringing the total number of women notables in Cameroon traditional chiefdoms to 122 since 2016. These achievements are all the more encouraging given the reputation of traditional societies as patriarchal in general, as well as their undoubted influence on communities.

B. Economic involvement

In 2019, the situation was marked by an improvement in the economic situation of women through⁹⁷ :

- the increase in the percentage of women working and receiving a monthly salary from 6% to 14% between 1995 and 2019; (Source:ILO, September 2019).
- the decrease in the unemployment rate among women (6.5% in 1996 and 3.1% in the last population census in 2014); (Source:Ecam 1, 2, 3 & 4)
- the increase in the percentage of women entrepreneurs from 32.6% in 2009 to 42.7% in 2018. (Source:ILO, September 2019).

Additionally, the Minjustice report cited above indicates that 4,360 women and girls were trained in various trades through the 100 Centres for the Promotion of Women and the Family operating across the national territory in 2019⁹⁸.

C. On the social area: combating gender-based violence (GBV)

Gender-based violence is violence suffered by women simply because of their sex. Conflict situations, which involve refugees and internally displaced persons, are generally favourable conditions for encouraging the escalation of this social scourge suffered by women.

The Minjustice report further indicates that during the reference year, within the framework of the 2017-2020 National Strategy against GBV, and during the commemoration of the days dedicated to GBV (particularly during the 16days of activism against sexual/gender based violence, stating from November 25th to 10th December). Approximately, 11,237 women and girls, as well as 4,928 men and boys were sensitised on the issue⁹⁹ .

⁹⁵ According to Bucep, however, between 1997 and 2002 the lowest percentage of women parliamentarians was 6%.

⁹⁶ pg. 289-300

⁹⁷ Source: Bucep, op. cit.

⁹⁸ pg. 297

⁹⁹ pg. 294

Moreover, the same report mentions criminal sanctions taken against some perpetrators of such acts, including perpetrators of gender-based sexual violence (GBSV). Overall: “224 fact-finding reports were issued for acts of alleged rape, resulting in 163 court proceedings, 105 convictions, with 78 victims recorded”, whereas “for acts of alleged indecency on minors under the age of 16 followed by rape or sexual acts, 533 reports were issued, with 280 persons convicted for 328 victims”¹⁰⁰.

And lastly, with regard to multi-sectoral care for survivors during the reference year, 18 safe spaces/shelters were set up in the capitals of the conflict regions (Bamenda, Buea and Maroua), which received 583 people. Similarly, the Call Centres and Gender Desks set up in the police stations of the Adamawa, East and Far North Regions received 1,150 women, while 4,000 displaced women and girls and survivors of GBV received support in the form of economic kits to meet their basic needs, and a total of 1,000 survivors received holistic assistance (psychosocial support, legal support, and medical guidance)¹⁰¹.

Paragraph 3.- Challenges and recommendations for improving the situation of women

Despite these achievements, the “terrain”, in other words the environment (structural and non-structural, including the mindset of the population largely shaped by customs and traditions) in Cameroon, harbours several “landmines” that need to be destroyed. Accordingly, internalising some of the signed and ratified legal instruments is still problematic. In like manner, new laws need to be enacted in areas where gaps or deficiencies exist. These are some weaknesses and challenges facing efforts to implement the protection of the rights of women and girls and the promotion of gender equality in all spheres of development. The following paragraphs will present the persistent inequalities and gaps (A), in order to identify their causes and make recommendations (B).

A. Gender inequalities and gaps¹⁰²

Progress in the empowerment and protection of women is limited due to significant gender gaps still existing in favour of men. For example, men hold the majority of senior positions at all levels in Cameroon and no woman has held the position of Governor to date. There is also a low percentage of women in municipal councils and in decision-making positions; no woman holds the position of Government Delegate. While the presence of women in the position of deputy mayor is relatively high (31%), this is not the case for the position of mayor (8.3%). Worse still, out of more than 300 legalised political parties, less than 5% are led by women.

Some of the major inequalities and gaps relating to the poor (and in some cases absence in the) promotion and protection of the rights of women and girls are presented below:

- In terms of employment, although the proportion of employed women has increased over time, the rate as per men is still higher than for women by about 16% (percentage). This reflects discrimination against women in employment;
- ILO statistics indicate that in 2019, the percentage of self-employed women was higher than that of men. These women are generally involve in precarious jobs and the gender gap is about 15 percentage;

These persistent gender gaps leave a majority of women in a situation of dependency on men who often, unfortunately, do not fulfil their responsibilities towards their wives and/or children, thus leaving them in vulnerable situations. The following case, drawn from a complaint handled by the NCHRF in 2019, is highly illustrative in this regard.

Case No. 21.- *Mrs. FUH Eunice v. Mr. Ngwa Kenneth AKOBABILA*

Mrs. Fuh Eunice Asoh Nene filed a complaint at the NCHRF North-West Regional Office on 27 February 2019, alleging violation of her right to livelihood and the protection of her family by Mr. Ngwa Kenneth Akobabila, in violation of Article 25 of the Universal Declaration of Human Rights.

The petitioner claimed to be legally married to Mr. Ngwa Kenneth (respondent) for more than seven (7) years, having three (3) children from this union.

According to her allegations, Mr. Ngwa Kenneth had abandoned the matrimonial home for more than two years for an unknown destination, leaving his wife and children without adequate means of support. All attempts by friends and family members to get him to assume his responsibilities were in vain.

The petitioner further stated that her husband, Mr Ngwa Kenneth, had informed her orally of a divorce action pending in court and that she would be notified of the action, which she had waited for over a year unsuccessfully,

¹⁰⁰ pg. 295

¹⁰¹ pg. 296

¹⁰² Ibid.

at the time she filed her complaint. She therefore requested the Commission's intervention.

The Commission decided to summon Mr. Ngwa Kenneth for a hearing.

After carefully considering the matters raised and taking into account the legal provisions in force, as well as the circumstances surrounding the case, the parties agreed on the following:

- The best interests of the children must be prioritise, as such, no issue whatsoever should affect their welfare.
- Mrs. Fuh Eunice Asoh Nene will have custody of the children born of this legal union, namely: Akobabila Jardon Fuh Bongnwi, aged six; Akobabila Siegfried NgwaAjinwi, aged four and Miyanwi Zoe Akobabila, aged three, will remain with their mother by reason of their age.
- Mr. Ngwa Kenneth Akobabila will pay monthly child support of seventy thousand (70,000) CFA francs to the petitioner, via the Commission, starting from 27 March 2019.
- Mr. Ngwa Kenneth Akobabila will have unlimited access to his children.
- Mr. Ngwa Kenneth Akobabila will pick up the children for the weekend from his father's home, where Mrs. Fuh Eunice Asoh will leave them on Friday at 4pm, and return to pick them up on Sunday of the same week at 4pm.
- Mr Ngwa Kenneth Akobabila will be free to take the children with him during holidays, in which case he will have to return them to Mrs. Fuh Eunice Asoh's home at the beginning of the new school year.
- Mr. Ngwa Kenneth Akobabila will cater for the children's health and clothing needs as well as their education.

On that day, the parties pledged before the Commission to respect the terms of the memorandum of understanding. However, after making the first payment of the agreed alimony on 27 March 2019, Mr. AKOBABILA withdrew and notified his wife and the Regional Office, on 30 March 2019, of his request for divorce filed with the help of his lawyer. The Regional Office continues to follow this case which, at the time of writing this report, has already been adjourned several times.

Consequently, gender inequality remains a real challenge for the State, the population and the Government, whose actions are still, sometimes, confined to rhetoric and protect patriarchy. As a result, women and girls, who make up more than 50% of the population, are more affected than men and boys by rights violations, injustices and insecurity. This situation is even more evident in the areas of peace, security and health.

Concerning peace and security, although our country has committed to Resolution 1325 from the United Nations Security Council on Women, Peace and Security (RES No. 2000), which calls for women to join the peace process and be protected in times of war, women's involvement in conflict resolution lacks visibility, and women continue to suffer the highest losses during conflicts. Overall, women are the majority among refugees in the border areas with CAR and the Far-North Region. They are also higher among IDPs in the North-West and South-West Regions.

Table 14: Distribution (%) of IDPs, refugees and returnees by conflict zone and gender

Conflict zone	Category	Women	Men
CAR border	Refugees	51,53	48,47
Far-North Region	Internally displaced persons	49,00	51,00
	Refugees	53,33	46,67
	Returnees	49,00	51,00
North-West and South-West Regions	Internally displaced persons	51,33	48,67
	Refugees	45,78	54,22
	Returnees	51,81	48,19

Source: Gender Standby Capacity Project - Cameroon, 2019

The most serious cases of violation of women's rights generally occur in armed conflict situations, including low-intensity conflicts such as the one that has been going on in Cameroon since October 2017 in the North-West and South-West Regions. Cases of violations of the rights of women and girls are even more alarming. These Regions witness countless cases of aggression and physical violence, rape, torture and other cruel, inhuman or degrading treatment perpetrated by the belligerents. However, most of these cases are not reported by the victims for fear of reprisals, as the perpetrators often threaten them of the consequences of reporting them.

As for protection from violence and discrimination, women are more vulnerable to all forms of physical and psychological violence - especially sexual and gender-based violence, and have limited or no access to, or control over property and health resources, among other vulnerabilities. In terms of domestic violence, for instance, data from the fourth Demographic and Health Survey (DHS-MICS) show an increase in domestic violence against women from 31% to 51% between 2004 and 2011, respectively. Access to land is largely in favour of men, with a gender gap of about 50%. Yet, land ownership is a source of socio-economic stability as the holder of a land title can benefit from bank loans and thus, finance income-generating projects. This implies that this discrimination alone is likely to lead to more significant disparities in economic terms.

With respect to health, in 2018, the prevalence of HIV/AIDS was higher among women (3.6) than among men (1.9), although declining¹⁰³. In 2011, following DHS-MICS statistics, the proportion of married women with access to a method of contraception was overall 23.4%. This figure varies depending on whether the beneficiaries live in urban areas (33.4%) or in rural areas (14.4%). These figures indicate that women's reproductive health is under-served, and that they do not fully enjoy their rights to their own body choices, to information and to health. In addition, rural women are the most disadvantaged due to their distance from health centres.

With regard to maternal and neonatal health, the 2011 DHS-MICS reveals that, overall, 85% of women consulted a health professional during pregnancy. Nevertheless, there is a significant gap according to place of residence: women living in urban areas (96%) consulted a health professional more frequently than those living in rural areas (76%).

Finally, in conflict-affected regions, pregnant women did not have the opportunity to make prenatal visits because most health facilities were shut down due to attacks by non-State armed groups or suicide bombers. Most people in makeshift camps, host communities or refugees outside the camps resorted to traditional births, which can increase maternal and infant mortality.

B. Causes of persistent inequalities and some recommendations

Among the specific reasons why women in Cameroon still encounter difficulties in exercising their rights are:

- failure to integrate and internalise the terms of the Maputo Protocol into the national law;
- inconsistent interpretation and implementation of the national legal framework by the courts;
- persistence of stereotypes and discriminatory practices in social and cultural customs, as well as in other sectors of politics and the economy;
- inadequate legal culture and awareness of the population (men, women, boys and girls of all spheres) on the rights of women and girls in particular;
- limited public enforcement of rights, responsibilities and sanctions related to the protection of the rights of women and girls.

To succeed in protecting women's rights, ending violence against women and girls and ensuring gender equality, stakeholders - GOs/IGs, NGOs, CSOs and other human rights activists - should use their power of injunction, exercise their jurisdiction and/or have recourse to existing competent jurisdictions to:

- implement or enforce existing laws protecting women against discrimination and violence, such as rape and other forms of physical violence, verbal abuse, female genital mutilation, torture and trafficking in women, and to enact laws that specifically address these issues;
- raise awareness among members of the national community regarding their responsibilities under national laws and international human rights instruments;
- promote peaceful conflict resolution from the perspective of women and girls;
- build women's capacity to empower themselves and support their households by providing vocational

¹⁰³ 2019 Global HIV/AIDS Progress Report, CMR_2019_countryreport.pdf, (accessed on 22/10/21).

training to every woman in need;

- raise awareness on the disadvantages of early and forced marriages;
- encourage women to participate in the political process and raise awareness of the value of the female vote;
- stress the importance of educating the girl child and of involving women in economic development;
- raise awareness on the poor living conditions of some women, especially in rural areas.

SECTION 2.-CHILD RIGHTS

Children are the most vulnerable group in society because they are largely dependent on others for the realisation of their Rights and subsequently their development. Yet, they are also one of the most strategic assets of a nation, as they embody its future. Nelson Mandela rightly observed that “there can be no more vivid revelation of the soul of a society than the way it treats its children”. The promotion and protection of the Rights of the Child by every nation is therefore an absolute necessity.

As far as the State of Cameroon is concerned, children's rights are recognised and protected by various international and national legal instruments. Hence:

- On 11 January 1993, Cameroon ratified the International Convention on the Rights of the Child, adopted by the United Nations General Assembly (UNGA) on 20 November 1989 and signed on 5 October 2001; and its Optional Protocol on the sale of children, child prostitution and child pornography, adopted by UNGA resolution A/RES/54/263 of 25 May 2000. Towards the end of the reference year, Law No. 2019/017 of 24 December 2019 authorising the President of the Republic to ratify the said Protocol was enacted.
- The same applies to the African Charter on the Rights and Welfare of the Child, adopted on 1 July 1990 and ratified by the country on 5 September 1997, which also sets up the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), and recalls the responsibility of States, but also of parents and family members, with regard to children.
- The Constitution of 18 January 1996 guarantees the rights of the child, including the right to education in its preamble: “the State shall ensure the right of the child to education. Primary education shall be compulsory. The organisation and control of education at all levels are imperative duties of the State”.
- Law No. 2016-07 of 12 July 2016 relating to the Penal Code, provides for sanctions against the perpetrators of harmful cultural practices affecting children, such as female genital mutilation in Section 277, early marriage in Section 356, as well as child trafficking and sexual abuse of minors in Sections 242, 349, 350 and 352.
- Law No. 2005/007 of 27 July 2005 on the Criminal Procedure Code governs the treatment of juvenile offenders in Sections 71 and onwards.
- Law No. 92-007 of 14 August 1992 on the Labour Code, regulate the issue of child labour in its Sections 89, 90, 93 and 94.
- Law No. 98/004 of 14 April 1998 to lay down guidelines for education in Cameroon, states particularly in Section 36 that: “The physical and moral integrity of pupils shall be guaranteed in the education system. The following are therefore prohibited: physical abuse and all other forms of violence, discrimination of any kind, and the sale, distribution and consumption of alcoholic beverages, tobacco and drugs”.

Furthermore, due to the cross-cutting nature of children's rights, many actors, both State and non-State, are involved in the promotion and protection of these rights. State actors include, notably:

- the Ministry of Basic Education,
- the Ministry of Secondary Education,
- the Ministry of Social Affairs,
- the Minister of Women's Empowerment and the Family,
- the Ministry of Labour and Social Security,
- the Minister of Youth Affairs and Civic Education,
- the National Civil Status Registration Office (BUNEC),

- the National Commission for the Protection of Children in Moral Danger, Delinquent, or Abandoned, created by Decree No. 90/524 of 23 March 1990, and first met on 9 May 2018;

Considering the broad spectrum of interventions covered by the Rights of the Child, this section will limit itself to a number of remarkable actions carried out to promote the rights of this vulnerable group (paragraph 1), before dwelling on the specific issue of the upsurge in cases of trafficking, abandonment, disappearance or abduction of children as observed by the Commission during the reference year (paragraph 2) and later examining the situation of children's rights in regions affected by insecurity (paragraph 3).

Paragraph 1. - Some actions to promote the Rights of Children

During the reference year, some policies and programmes in favour of children continued to be implemented, with some concrete results achieved, in the following aspects.

- With regard to children's right to identity:
 - The Project to Improve Civil Status System in Cameroon for Active Citizenship (PASECA), implemented in 2019 by Bunec, made it possible to train 133 actors involved in issuing civil status documents, as well as 62 CSOs, with a view to ensuring children's right to identity through the establishment of birth certificates, among other things¹⁰⁴ ;
 - In concrete terms, with the support of UNICEF, Bunec facilitated the issuance of 11,407 birth certificates in the Far-North Region - plus an additional 1,200 facilitated by UNHCR for primary school graduates and candidates for the First school Leaving Certificate examinations - and 3,302 birth certificates in Betare-Oya, in the East Region. Within the framework of a pilot project to combat child labour, 128 children were identified by the NGO Asseja and its partners in the localities of Tonga (Ndé Division), Mbangassina and Ntui (Mbam-and-Kim Division) and Monatélé (Lékié Division), for whom procedures to reconstitute their birth certificates have been initiated¹⁰⁵.
- Concerning the fight against the phenomenon of street children:
 - 181 of the 365 new street children identified in the cities of Bafoussam, Buea, Douala, Ngaoundere and Yaounde were returned to their families or placed in specialised establishments, while 90 street children benefited directly or indirectly from support in the form of productive resources through the funding of 52 socio-economic projects within the framework of the Support Programme for the Integration and Reintegration of Vulnerable Groups¹⁰⁶.
 - An awareness-raising campaigns on the negative impacts of violence and abuse within families, is organised each year, since July 2017, through the assistance of the Urban and Rural Mobile Mass Animation teams of the Ministry of Youth Affairs and Civic Education;

Children affected by conflicts in the country have also benefited from some of the actions highlighted in paragraph 3 of this section.

Another positive development is the growing contribution of Cameroon at the continental level on the issue of children's rights, through the election on 8 February 2019 of one of its nationals, Mrs Hermine KEMBO TAKAM GATSING, as a member of ACERWC for a five-year term.

Paragraph 2.- Increasing cases of child trafficking, abandonment, disappearance or abduction

Cameroon children and other nationals living in Cameroon continue to be victims of various kinds of abuses, such that serious efforts still need to be made to achieve a satisfactory realisation of their rights. For instance, an upsurge in criminal or delinquent acts against them was observed during the reference year, ranging from assassinations, to assault with serious injury, murders, rapes, manslaughter, fatal blows, serious injuries and child molestation, on children under the age of 16, involving a total of at least 666 child victims (253 boys and 413 girls), as recorded by the Ministry of Justice in a number of courts¹⁰⁷. Although very partial, these figures show that violence against children affects girls much more than boys.

¹⁰⁴ Minjustice 2019 report on the state of Human Rights in Cameroon, pg. 271-272

¹⁰⁵ Ibid., pg. 272-273

¹⁰⁶ Ibid., pg. 277

¹⁰⁷ Ibid., pg. 274

As part of the activities carried out to prevent and combat human trafficking in general, and child trafficking in particular, which resulted in the abandonment and disappearance or abduction of children, in 2019, the NCHRF received complaints concerning allegations of such practices. The Commission also dealt with cases denounced in the media, through its propriomotu action, by conducting investigations on allegations reported, in order to propose solutions to the victims whenever the denunciations were proven.

The table below summarises the relevant cases received and handled by the Commission during the reference year.

Table 15.: Complaints of child abandonment, trafficking and disappearance or abduction handled by the NCHRF in 2019

Method of NCHRF intervention	Cases handled	Briefings on the cases handled	NCHRF Actions
Handling of complaints	Mrs. BOUEM née TAOFON Marie Dine, Former Wouri Divisional Delegate for Social Affairs	A report from the NCHRF Regional Office of the Littoral denounced alleged trafficking of children from orphanages, parents in distress and some hospitals in the city of Douala by Mrs. BOUEM née TAOFON Marie Dine, former Wouri Divisional Delegate for Social Affairs, who was caught red-handed.	Letter No. 1654/19/CNDHL/SG/DPP/OIA/RP/MTD of 4 September 2019 addressed to the Minister of Social Affairs by the Chairman of the Commission; Letter No. 1655/19/CNDHL/SG/DPP/OIA/RP/MTD of 4 September 2019 addressed to the Minister of State, Minister of Justice and Keeper of the Seals by the Chairman of the Commission (Response from the Minister of State, Minister of Justice and Keeper of the Seals via Letter No. 05/007/SC105/PPE/DDHC/MJ/SDH/CEA/SM of 8 October 2019, referring the matter to the Public Prosecutor at the Littoral Court of Appeal for investigation). Letter No. 1656/19/CNDHL/SG/DPP/OIA/RP/MTD of 4 September 2019 addressed to the Minister of Women's Empowerment and the Family by the Chairman of the Commission (Response from the Minister of Women's Empowerment and the Family via Letter No. 19/00001448/LMINPROF/SG/DPPFD E/SDPPDE/SPRODE of 2 October 2019 referring the matter to the Minister of Social Affairs for jurisdiction).
Self-initiated investigation and follow-up of alleged child disappearances.	The NCHRF handled Thirty-six (36) cases of alleged disappearances.	Out of the thirty-six (36) cases handled, the Commission was able to successfully contact the relatives of twenty-seven (27) victims, after failing to contact those of the nine (9) others. In addition, the Commission found twenty-four (24) of the alleged missing children, whose relatives were contacted.	Following investigations into the thirty-six (36) cases of alleged disappearance, two (2) cases of abduction were identified. One of the children concerned was found 4 days after his disappearance while the other remains missing.

Source.- NCHRF

Paragraph 3.- The Rights of children in insecurity-affected Regions

During the reference year, children's rights were a real concern in regions affected by insecurity. These rights could not be adequately addressed due to the insecurity and considering that most children in these regions are internally displaced and have taken refuge in isolated localities. Their rights to identity, food, health, education and a decent standard of living have been severely violated as a result of insecurity and displacement, but also because some of their parents sought refuge abroad. For instance, most children born while their parents were internally displaced have no civil status documents, in violation of their right to identity.

The NCHRF Regional Office in the North-West received a number of complaints regarding children's right to identity. The petitioning mothers complained about their fathers' refusal to issue them birth certificates. This was the case for complaints opposing SonitaFonkeng to Fonji Divine, Monika Samuel to M. George Messeh and Bessingi Esther Ngessa to Ndah Emile.

In each of these cases, the Regional Office not only confirmed the irresponsibility of the fathers, but also contacted the registry of the competent courts to obtain declaratory judgements of birth recognising the petitioners as the children's parents. The Regional office then facilitated procedures with municipal authorities to establish the birth certificates of the children concerned.

The right to education was also constantly violated during the reference year, as repeated threats and attacks by secessionists prevented children from peacefully enjoying their right to education in the North-West and South-West Regions, notably by closing schools or by threatening those who dared to challenge their restrictions. Accordingly, a large number of internally displaced students within and outside these regions were recorded for secondary education (Littoral: 6,409; Centre: 3,003; West: 3,081; South: 1,732; North West: 829; South West: 1,732), who were able to take and pass official examinations¹⁰⁸. These figures do not, however, conceal the sad reality that a large proportion of children trapped by the conflict in these regions are simply denied their right to education.

With regard to children affected by Boko Haram abuses in the Far-North, 234 children alleged to be followers of the terrorist sect were identified and successfully reintegrated into their communities, while 305 separated and unaccompanied children (149 girls and 196 boys) were provided with alternative care, and 24 unaccompanied children were reunited with their families. Minas reports a total of 20,052 children in conflict-affected area, who received psychosocial support ¹⁰⁹.

¹⁰⁸ Ibid., pg. 314-315

¹⁰⁹ Ibid., pg. 278

CHAPTER 5.- PROMOTION AND PROTECTION OF THE RIGHTS OF PERSONS WITH DISABILITIES AND OLDERPERSONS

The right to life is the most fundamental of human rights. Throughout history, the life of persons with disabilities has sometimes been threatened because their value was considered less than that of others. Besides, in some communities myths and fear are held about them, even though they are in a physical condition that requires a lot of support from their relatives and the society in general. They share common features with older persons.

This chapter will present the current situation of the promotion and protection of the rights of persons with disabilities in Cameroon (Section 1) and the situation of the rights of old persons (Section 2).

SECTION 1.-THE RIGHTS OF PERSONS WITH DISABILITIES

According to United Nations estimates, 15% of the world's population lives with a disability¹¹⁰. Vaincre le handicap reports that in 2019, the population of persons with disabilities was estimated at almost 10% of the total population in Cameroon¹¹¹. A number of barriers continue to obstruct the inclusion of persons with disabilities, including:

- the persistence of social prejudices;
- difficult access to information, public or private buildings; and
- difficult access to health care facilities.

Cameroon joined the African Charter on Human and Peoples' Rights following its entry into force on 21 October 1989. Article 18(4) of the Charter states that “persons with disabilities shall have the right to special measures of protection in keeping with their physical or moral needs”. The Protocol to this Charter on the Rights of Persons with Disabilities in Africa, adopted on 29 January 2018, had not yet been ratified by Cameroon in 2019. Nevertheless, the preamble of the Constitution of 18 January 1996 provides that “the nation shall protect [...] persons with disabilities”. On 1 October 2008, Cameroon signed the Convention on the Rights of Persons with Disabilities, adopted by the United Nations General Assembly on 13 December 2006 by Resolution A/61/611.

These instruments prompted the adoption of the following, at the national level:

- Law No. 2010/002 of 13 April 2010 on the protection and promotion of persons with disabilities which prohibits discrimination on the basis of disability in Section 38, paragraph 3, by stating that: “disability shall not constitute a reason for rejection [...] or discrimination” and by prescribing in Article 27 paragraph 2, positive discrimination measures in favour of persons with disabilities;
- Decree No. 2018 / 6233 / PM of 26 July 2018 laying down the procedures for implementing Law No. 2010 / 002 of 13 April 2010 on the protection and promotion of persons with disabilities;
- Decree No. 2018 / 6234 / PM of 26 July 2018 reorganising the National Committee for the Rehabilitation and Socio-Economic Reintegration of Persons with Disabilities (CONRHA);
- Joint Order No. 0001 / MINSANTE / MINAS of 13 August 2018 laying down the procedures for the establishment and issuance of the Special Medical Certificate for persons with disabilities;
- Order No. 0017 / MINAS of 14 August 2018 laying down the procedures for the establishment and issuance of the National Disability Card.

During the reference year, this legal framework was reinforced by Decree No. 2019/145 of 20 March 2019 reorganising the Cardinal Paul Emile LEGER National Rehabilitation Centre for Persons with Disabilities, (CNRPH) which, transforms this Centre into a public administrative establishment, and stipulates in its Article 2 paragraph 4 that “annex structures of the Centre may, if necessary, be opened in other localities of the country, by resolution of the Board of Directors”. It is therefore expected that this provision will enable the creation of local care structures for persons with disabilities.

In compliance with these instruments, persons with disabilities benefit from support measures such as:

- the issuance of National Disability Cards which allow access to some facilities: disability allowance, medical assistance, education, justice;

¹¹⁰ <https://www.un.org/fr/observances/day-of-persons-with-disabilities>(accessed on 20/10/21)

¹¹¹ “La situation sociale de la personne handicapée au Cameroun”, <https://www.wathi.org/la-situation-sociale-de-la-personne-handicapee-au-cameroun-vhandicap/> (accessed on 20/10/21)

- the establishment of a National Solidarity Fund to cover expenses associated with the financial support for education and initial vocational training, medical care and tax facilities, disability allowance, housing assistance, support for special education, support for rehabilitation and functional re-education.

SECTION 2.- THE RIGHTS OF OLDER PERSONS

In 2019, the situation of older persons had not changed significantly. Cameroon recognises the rights of this vulnerable group and has shown its commitment to protecting them by:

- ratifying the African Charter on Human and Peoples' Rights, which was signed on 1 June 1981 and entered into force on 21 October 1989. Article 18(4) of the Charter states that “the aged shall also have the right to special measures of protection in keeping with their physical or moral needs”, and
- enshrining in the preamble of its Constitution of 18 January 1996 that “the nation shall protect [...] persons with disabilities”.
- adopting the Penal Code of 12 July 2016, which protects the rights of the elderly under its Sections 180 (Maintenance), 282 (Desertion of incapable persons) and 351 (Assault on ascendants);
- through Law No. 67/LF/18 adopted on 12 June 1967, which created the National Social Insurance Fund as an autonomous body in charge of managing the family benefits scheme;
- Decree No. 2005/160 of 25 May 2005 organising the MINAS, which created a Department of Social Protection for Disabled and Elderly Persons and a Sub-Department for the Protection of Elderly Persons;
- Decree No. 94/199 of 7 October 1994 laying down the General Rules and Regulations of the Public Service, which organises the regime of State pension services for retired Civil Servants;
- Decree No. 77/495 of 7 November 1977 setting the conditions for the creation and running of private social structures; and
- Decree No.74-733 of 19 August 1974 to lay down the Terms of Application of Law No.69-LF-18 of 10 November 1969 establishing an Insurance Scheme for Old-Age, Invalidity and Death Pensions;

The following are some government actions taken to date in favour of the elderly:

- the adoption of the National Policy Document for the protection and the promotion of the Elderly, by MINAS in 2012, whose implementation is pending;
- the publication of the “Healthy and Active Aging” guideline in July 2014, which aim to promote the independence of the elderly in order to capitalise on their contribution to Cameroon's development;
- the digitisation of operations at the National Social Insurance Fund, since 2012, to facilitate customer services, including for elderly persons with reduced mobility.
- the decentralisation of the handling of pension files at the level of the ten (10) Regions by the National Social Insurance Fund (CNPS), in order to ease the payment of pensions;
- the biometric identification of CNPS pensioners in order to centralise information and improve tracking of pension files;
- the organisation of commemorative and awareness-raising activities to mark the International Day of Older Persons on 1 October 2019, prior to which an Eye Care Campaign for the elderly was organised by MINAS, in partnership with the Simbock “Charity Sisters”.

Some private initiatives were also launched in 2019, such as the creation of a digital platform MBOMBO HOME CARE by two Cameroonian women (Peguy NANFACK and Laurence MENGUE), with the aim of facilitating the remote care of the elderly ¹¹². Again, the reference year was also marked by the inauguration, in Yaoundé, of the Family Caring vocational training centre, which trains professional care assistants, particularly in the field of “Assistance for Senior citizens”. The promoter of this centre, Mrs. Joséphine ETOUNG, intends to respond to the great need for qualified manpower to provide adequate care, at home or in institutions, for old persons and people with reduced mobility in general, who are vulnerable to numerous diseases often unfamiliar to those around them, such as Alzheimer's, and who consequently suffer degrading treatment, if not simply abandoned to themselves.

¹¹² <https://www.agenceecofin.com/entreprendre/2203-86427-2-camerounaises-lancent-un-service-de-sante-mobile-pour-personnes-agees>, accessed on 14/9/2021.

The NCHRF recommends the strengthening and proliferation of public and private initiatives, as well as cooperation to promote the rights of persons with disabilities and the elderly and particularly recalls the needs to:

- ensure the accessibility of all public services for all types of disabilities (motor, visual, auditory, etc.), including access to information, education, employment, health, involvement in the management of public affairs (especially by enforcing good practices such as the Braille ballot observed in 2018 during the October 7 presidential election), etc.;
- ensure Cameroon's involvement in the preparation of a universal legally binding instrument on the Rights of Older Persons;
- create centres dedicated to the elderly and support private initiatives in this regard; support the training of a qualified workforce to care for the elderly; and
- increase public awareness on the need to put an end to stigmatisation, desertion or any form of degrading treatment of the elderly, as well as of persons with disabilities.



ART 5.- SPECIAL ISSUES

The section on special issues in the Commission's annual report usually deals with particular issues that do not fit into any of the traditional human rights categories, but which relate to them. For this report, the special issues examined will include: the consideration of human rights during disaster management (Chapter 1), the situation of suspects arrested concerning the conflict and insecurity in the North-West and South-West Regions (Chapter 2), the Major National Dialogue from a human rights perspective (Chapter 3), and the implementation of human rights in the major structural projects (Chapter 4).



CHAPTER 1.- INTEGRATION OF HUMAN RIGHTS IN DISASTER MANAGEMENT

Disasters, whether natural or anthropogenic (man-made), have adverse consequences on the environment, the economy and, above all, human life. According to UNDP, over the past 20 years, natural disasters have affected 4.4 billion people, caused the death of 1.3 million people and resulted in economic losses worth \$2 trillion.

Disasters are generally defined as a calamity or series of events that cause massive loss of life, severe human suffering and distress, or large-scale material or environmental damage, thereby severely disrupting the functioning of the society. They generally overwhelm local response capacities and severely affect the social and economic development of a region. They cause challenges and problems that are essentially humanitarian in nature. At the same time, disasters have a significant impact on human rights. Despite the existence of an international and national legal framework applicable to disasters (Section 1), like most countries around the world, including highly developed ones, Cameroon suffered the full impact of natural disasters during 2019 (Section 2).

SECTION 1.- INTERNATIONAL AND NATIONAL LEGAL FRAMEWORK APPLICABLE TO DISASTERS

The international legal framework, essentially "soft law" (paragraph 1), provides a constantly evolving normative and institutional framework at the national level (paragraph 2).

Paragraph 1. - International legal framework

A wide range of soft law instruments adopted at the international level outline human rights applicable in the event of disasters. A number of general UN documents on human rights present disasters as a threat to the realisation of the universality of human rights. The Human Rights Council, in Resolution 22/16 of 10 April 2013 entitled "promotion and protection of human rights in post-disaster and post-conflict situations" (A/HRC/RES/22/16) notes that the human rights of millions of people are affected in various ways by natural and man-made disasters, as well as during the recovery, relief and reconstruction phases.

In a special resolution entitled Human Rights and Climate Change (Resolution 18/22 of 17 October 2011 - A/HRC/RES/18/22), the UN Human Rights Council expressed concern about the immediate and far-reaching threat posed by climate change to people and communities around the world, and its adverse impact on the effective enjoyment of human rights. In 2005, the Human Rights Commission, in its Resolution 2005/60 entitled "Human rights and the environment as part of sustainable development", noted that damage to the environment caused by natural phenomena or disasters can have adverse effects on the enjoyment of human rights and on human and environmental health.

However, this limited legislative corpus should not obscure the fact that in the event of a disaster, customary human rights law remains applicable. Indeed, the universally recognized principles of regional and international human rights treaties must be respected and achieved in all settings, including in the context of crises that make individuals and communities vulnerable. As highlighted by the UN Special Rapporteur of the International Law Commission in his fifth report on the protection of persons in the event of disasters of 9 April 2012 (A/CN.4/625) "obligations under international human rights law will not disappear tomorrow if a disaster occurs".

The universality of human rights was enshrined in the Vienna Declaration and Programme of Action of 12 July 1993 (A/CONF.157/23). In paragraph 5, it states that "all human rights are universal, indivisible, interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis". Its connection to disasters is noted in paragraph 23, which stresses the importance and necessity of providing humanitarian assistance to the victims of all disasters, whether natural or man-made.

The universality of human rights and the obligation of State and non-State duty bearers and international organisations to ensure their protection and realisation for all, was strongly reiterated in the 2005 World Summit Outcome Document (A/60/L.1) in paragraphs 120 and 121.

The President of the Republic of Cameroon took part in this Summit, whose Outcome Document reaffirms the obligation of States under international human rights law to promote universal respect for all human rights, to ensure their protection and guarantee their enjoyment by all, reiterating that the universality of these rights cannot be challenged. Finally, it should be noted that most of the subsequent human rights documents adopted by the United Nations System mention and reinforce the universality of human rights, including documents on disasters and climate

change. However, the universalism of human rights is not synonymous with uniformity in their interpretation (cf. “Hermeneutics of Human Rights” in “International Human Rights Treaties”) nor in their implementation by States, especially with regard to the restrictions and deviation allowed by regional and international instruments.

Paragraph 2. - Development of the national normative and institutional framework for disaster and risk management

In order to reduce the direct and indirect effects of disasters and risks within its territory, Cameroon has developed a normative and institutional framework that has evolved significantly since the Lake Nyos disaster of 1986 (A). Cameroon also possesses a strategic or policy framework to deal with disasters or risks (B).

A. Development of the normative framework for disaster and risk management

Since 1986, Cameroon has witnessed a proliferation of general legal instruments on disaster and risk management (1). Moreover, Cameroon has developed a specific legal framework on biotechnological risks (2).

1- General rules

These include:

- Law No. 86/016 of 6 December 1986 on the general reorganisation of civil protection in Cameroon. It specifies its purpose, its methods and their use, and sets out the penal provisions applicable to it; depending on the time of their commission, the said law distinguishes between misconduct and offences committed during a state of alert, a state of emergency or a state of exception and during mobilisation, which falls within the jurisdiction of the disciplinary bodies and military courts, on the one hand, and misconduct and offences committed in normal circumstances, which fall within the jurisdiction of the ordinary courts, on the other hand;
- Decree No. 98/031 of 9 March 1998 to organize emergency relief plans in cases of disasters and major risks, specifies applicable provisions in both cases.
- Law No. 95/08 of 30 January 1995 on radiation protection aims to ensure the protection of humans and their environment against risks related to the use of a radioactive substance or activities involving radiation exposure; This law provides for the protection of air, water, soil, plants and animals, as well as the preservation or restriction of activities liable to degrade the environment, and the maintenance or restoration of natural resources available to man.
- Framework Law No. 96/012 relating to environmental management requires that prior to the opening of any classified establishment, its managers carry out a hazard study in order to prevent and control the risk of accidents.
- Law No. 98/015 of 14 July 1998 regulating establishments classified as dangerous, unhealthy or obnoxious, classifies establishments into two categories, depending on the dangers or severity of the inconveniences inherent to their operation.

2- The special legal framework relating to biotechnological risks

The reference instrument on the subject is Law No. 2003/006 of 21 April 2003 laying down safety regulations governing modern biotechnology in Cameroon. This law stipulates that risk assessment in any activity related to genetically modified organisms must take into account the precautionary principle and must be carried out properly, in order to guarantee human, animal and plant safety, as well as the protection of the environment's biodiversity. According to this Law, biotechnological activities are classified into four safety levels:

- safety level 1 (biotechnology projects identified as not posing a risk to the community and the environment);
- safety level 2 (biotechnology projects identified as posing minor risks to the community or the environment);
- safety level 3 (biotechnology projects identified as posing slight risks to the community or the environment);
- safety level 4 (biotechnology projects identified as posing high potential or significant risks to the community or the environment).

B. Strengthening institutional capacity for disaster and risk management

Strengthening the institutional framework for disaster and risk management has been achieved through the creation of several structures with specific functions. These include: the Directorate of Civil Protection of the Ministry

of Territorial Administration (1), the National Fire Brigade (2), and supervisory and coordination bodies and mechanisms (3).

1- The Directorate of Civil Protection

Civil protection is a State mission. It is headed by the President of the Republic who defines its general policy. This regalian mission consists in ensuring the permanent protection of life, property and the environment against the risks of major accidents, calamities or disasters, as well as against the effects of these disasters, a task which implies prevention, protection and relief organisation measures.

This body is inter-ministerial and cross-cutting, and brings together several actors such as Regional and Local Authorities, United Nations bodies, inter-governmental organisations, development bodies, non-governmental organisations and the population.

The administrative body responsible for civil protection has evolved over the years from a simple service to a unit and then to a directorate. The latter change took place under a new organisation of the Ministry of Territorial Administration. Civil protection is now one of the two strategic axis of the Ministry of Territorial Administration. It has been established as one of the departments of this ministry. As such, it is responsible for:

- the general organisation of civil protection throughout the national territory;
- studies on civil protection measures in both war and peace; and
- relations with national and international civil defence organisations.

2- The National Fire Brigade

The National Fire Brigade Corps (CNSP) is a special joint military civil defence unit. It is placed under the direct authority of the Minister of Defence and placed at the disposal of the Minister of Territorial Administration. In addition, the CNSP may act on behalf of other ministerial departments within the framework of its missions. CNSP units are placed in permanent requisition and may act on orders from Administrative Authorities and Regional and Local Authorities regarding the following missions:

- fight against disasters and their aftermath
- rescue lives and properties in danger
- assist in disaster risk management, and
- take part in studies and preventive actions within its area of competence.

3- Supervision and coordination bodies and mechanisms

These include the National Council for Civil Protection (CNPC), the National Risk Observatory (ONR), the National Platform for Disaster Risk Reduction (PNRC), the Construction Risk Management Committee (CRMC) and the Emergency Planning Committee (CAPU).

The National Council for Civil Protection (CNPC) is an advisory body to the President of the Republic on civil protection matters. It brings together most of the top government officials concerned, under the supervision of the Secretary-General of the Presidency of the Republic. It is responsible for implementing the general civil protection policy as defined by the President of the Republic, both in normal circumstances or crisis situations, and bring forward any useful suggestion in this regard.

In fulfilling its missions, the Council shall firstly, conduct a detailed national assessment of potential natural and technological disaster risks, serious accidents and calamities. Secondly, it shall constantly update the inventory of supplies, equipment, resources and personnel that may be mobilised in the event of an emergency, and thirdly, carry out general studies on civil protection measures in peacetime and wartime. It also recommends appropriate preventive measures and co-ordinates measures for civil defence, particularly rescue, relief and logistics, as well as the use of auxiliary forces and auxiliary corps.

The Council shall adopt, after approval by the President of the Republic, a national intervention and relief organisation plan. In the event of a crisis, calamity or declared disaster, the CNPC shall meet as of right and set up a crisis unit to coordinate the activities of civil defence bodies at the national level. In carrying out its missions, the CNPC is assisted by a technical standing committee, which acts as its executive body, and by regional technical committees, as well as divisional technical committees.

The National Risk Observatory (ONR), placed under the authority of the Minister of Territorial Administration, is one of the structures for consultation and coordination between the various administrations concerned, and the public or private, national and international bodies involved in preventive risk management. It was created to facilitate the development and effectiveness of civil protection measures throughout the national territory. It is a security monitoring mechanism. It is tasked with collecting, analysing, storing and disseminating information on natural, technological, industrial and man-made risks. In this respect, it is responsible for:

- setting up a nationwide monitoring system for sites and other installations at risk, together with a reliable system for collecting and transmitting data and information on risks, and
- publishing a risk bulletin and carrying out any other preventive risk awareness and information activities.

The National Platform for Disaster Risk Reduction (PNRC) is a permanent framework for consultation and collaboration between all national and international civil protection partners. Created by the Minister of Territorial Administration, the platform aimed to implement the Hyōgo Framework for Action 2005-2015, which called for the integration of civil protection issues into all development plans and programmes so as to make nations and communities more resilient to disasters. Like the ONR, it is a consultation and collaboration structure set up to facilitate the development and effectiveness of civil protection measures throughout the country at the operational level.

The Emergency Planning Committee (CAPU) is an inter-ministerial platform placed under the authority of the Ministry in charge of industry. It is responsible for approving the internal operating tools in the event of a crisis, submitted by classified establishments (companies that are potential sources of risk) to the public authorities for validation, prior to launching their activities in accordance with the legal provisions in force.

C. The policy or strategic framework for disaster and risk management

The policy framework for disaster and risk management is set out in three documents that present government guidelines and options in this regard. These include the National Disaster Prevention and Management Programme (PNPGC), the National Contingency Plan (NCP) and the National Adaptation Plan for Climate Change (NAPCC). At the strategic level, it is also necessary to consider the areas of cooperation with the African Union, the Economic Community of Central African States (ECCAS) and, at the international level, the International Civil Defence Organisation (ICDO) and the United Nations System, which will not be highlighted in this report.

The National Disaster Prevention and Management Programme (PNPGC) is a document produced with the support of the United Nations Development Programme, aimed at equipping the government with a proactive vision that will make it more effective in dealing with disasters and risks. The PNPGC has therefore helped to build the capacity of government bodies to better respond to disasters and risks.

The National Contingency Plan (NCP) is a policy and technical reference framework for international partners, national agencies and other stakeholders in disaster and risk management. It aims to strengthen disaster response capacity at both operational and strategic levels. It also presents synergies and coordinated actions for crisis situations that may occur due to risks, and requires each stakeholder to develop its own sector contingency plan, taking into account its mandate and sovereign missions.

The National Adaptation Plan for Climate Change (NAPCC) is a national strategy document that provides a framework to guide the coordination and implementation of Cameroon's climate change adaptation mechanisms. It is also a planning tool designed to identify and monitor priority activities in key sectors and for each of the country's five agro-ecological zones. As a matter of fact, Cameroon is not immune to climate change, which is one of the major challenges of our time, due to its potential or manifestly negative impact on mankind and the ecosystem.

The country is already facing an abnormal recurrence of extreme weather events such as violent winds, high temperatures or heavy rainfall that endanger human communities. The National Adaptation Plan for Climate Change (NAPCC) was developed to enable Cameroon to cope with climate change and its adverse effects.

SECTION 2.- NATURAL DISASTERS AND THEIR IMPACT ON HUMAN RIGHTS IN CAMEROON

Natural disasters refer to the occurrence of a hazard caused by nature. Hazard refers to events that can or should be expected, but whose occurrence and intensity are often difficult to predict. The main natural hazard risks to which Cameroon is exposed are classified as follows:

- Geological hazards: volcanic eruptions, gas emissions, earthquakes, tsunamis, meteorite falls, breaches of natural dams and landslides
- Climatic hazards: tornadoes, lightning, high winds and drought
- Hydrological hazards: floods
- Ecological hazards: locust, pachyderm, granivorous bird and caterpillar invasions, water hyacinth and plant diseases
- Health hazards: epidemics, diseases with epidemic potential, epidemic influenza, epizootics, animal plagues and food poisoning.

It is therefore necessary to consider which of these hazards occurred during the reference year (paragraph 1), and the measures taken by Government and recommendations that can be made in this regard (paragraph 2).

Paragraph 1. - Record and nature of damages caused by natural disasters

During the reference year, Cameroon suffered the effects of natural disasters caused by climatic and hydrological hazards (A) and geological hazards (B). These disasters have jeopardised several fundamental rights of individuals and communities, including: the right to life, the right to security, the right to food, the right to housing, the right to health, the right to property, the right to an adequate standard of living, etc.

A- Climatic and hydrological hazards

The climatic and hydrological hazards observed during the reference year include flooding due to torrential rains, particularly in the Far-North, North, Littoral, West and Centre Regions.

In the Far North Region, areas like Achille, Bolda and Didadi in the Gobo Sub-Division of the Mayo-Danay Division, experienced severe flooding in the month of October 2019. In the Kai-Kai Sub-Division, the Divisional Officer reported that:

- 26 villages were flooded
- 747 hectares of farmland were destroyed
- 153 families of internally displaced persons receiving care were affected, and
- 100,000 people were left homeless.

In response, the President of the Republic, concerned about helping these populations and communities, ordered the release of one hundred and fifty million (150,000,000) CFA francs as financial aid, to assist those who had lost their homes and possessions.

In the North-Region, specifically in Garoua, in the Benue Division, it was reported that about 56 hectares of land were affected by the floods.

The Commission took note that Government provided humanitarian assistance to the victims of this flood.

Finally, in the Centre Region, there were floods recorded precisely in Yaounde during the months of October and early November in Bastos, Dragage, Mballa II, Nlongkak, Nkolbisson and Oyom-Abang.

B- Geological hazards

With regard to geological hazards, the Commission recorded a landslide that occurred on 28 October 2019 at around 10 pm in the Ngouache IV quarters of Bafoussam in the Mifi Division of the West Region. Inhabitants of a dozen homes in those quarters were suddenly struck by a landslide that swept away their homes, burying almost all the residents. A dozen houses were destroyed. Rescue operations were carried out by volunteers, the fire brigade and military engineers.

The Minister of Territorial Administration and the Minister of Housing and Urban Development, accompanied by the Governor of the West Region and other officials, visited the site and the Bafoussam Regional Hospital. During the visit, they comforted some survivors admitted at the intensive care unit of the hospital. The mortuary of the Bafoussam Regional Hospital confirmed the death of 42 people.

The Commission received reports stating that the sum of 225,000,000 CFA francs was released by the State to assist the victims.

Inhabitants of the Ngouache IV quarter whose houses had not been destroyed were requested to evacuate the site immediately. Some goodwill individuals offered to temporarily house some survivors. Measures were announced

to relocate all survivors to temporary sites and to build new housing for them within six months following the disaster. Unfortunately, as at the time of writing of this Report, several public and private initiatives in favour of these victims are being delayed, as the victims live in very precarious conditions on the resettlement sites, in the area called “Camp Sinistré”, located between “Entrée Chefferie” and the Bamougoum Royal Palace. They live in mostly uncompleted houses, in most cases made of makeshift materials. They also lack access to electricity and drinking water¹¹³. All this adds to the psychological pain and trauma that these people are already enduring due to the sudden loss of their loved ones and property.

In both cases, many people lost their lives and many rights were abused.

Paragraph 2.- Government actions and NCHRF recommendations

Despite the comprehensive legal, institutional and strategic framework presented above, the Commission noted that these measures to protect the fundamental rights of people affected by natural disasters were not clearly implemented.

Following an investigation visit to the Nguouache IV site through the Commission Branch Office, it issued a press release in November 2019, commending the efforts made by Government to assist the victims of this disaster, yet, expressing concerns regarding the effectiveness of these measures. The Commission also recommended that prompt measures be taken to resettle the victims of this disaster on another site, as it got to its knowledge that the site initially designated for resettlement was disputed and pending litigation before the competent courts.

To date, the Commission has deplored the fact that many of the victims of this disaster remain homeless and are still waiting for the Government to relocate them to new sites, while others are unable to enjoy decent housing conditions¹¹⁴.

The NCHRF therefore calls for more effective coordination on strategies, actions and synergies implemented by the Government, with the support of bilateral and multilateral partners, during disasters and especially natural disasters. The NCHRF also recommends that Government place greater emphasis on disaster prevention measures, especially in high-risk areas, so as to improve its effectiveness in responding to disasters.

¹¹³ Camerounweb, « Drame de Gouache : les misères des rescapés » <https://www.camerounweb.com/CameroonHomePage/NewsArchive/Drame-de-Gouache-les-mis-res-des-rescap-s-626623> (accessed on 06/11/21)

¹¹⁴ Focus média Afrique, “Société: Les rescapes de Gouache dans l’oubli », <https://www.focusmediaafrique.com/societe-les-rescapes-de-gouache-dans-loubli/> (accessed on 6/11/21)

CHAPTER 2.- THE SITUATION OF SUSPECTS ARRESTED IN RELATION TO THE CONFLICT AND INSECURITY IN THE NORTH-WEST AND SOUTH-WEST REGIONS

On 29 January 2019, a Commission delegation led by the Chairperson, visited fifty-eight suspects arrested in Nigeria during the months of January and March 2018 in connection with the insecurity and socio-political unrest in the North-West and South-West Regions, and brought back to Cameroon. This visit enabled the Commission to assess the conditions surrounding the arrest of SISIKU AYUK TABE and others in Abuja, Nigeria, and their extradition to Cameroon, as well as their disputed refugee status, claimed by the 58 suspects arrested in Nigeria.

SECTION 1. - THE ARREST OF SISIKU AYUK TABE AND OTHERS IN ABUJA - NIGERIA, AND THEIR EXTRADITION TO CAMEROON

Following the Commission's findings of 29 January 2019, it appears that SISIKU AYUK TABE and 57 other suspects were arrested in Abuja - Nigeria, on 5 January 2018, before being extradited to Cameroon on 26 January and 10 March 2018 respectively. Following its investigations into the circumstances surrounding their arrest, the Commission contacted Barrister NDONG Christopher, the suspects' lawyer, who stated that:

- no international arrest warrant was issued or produced either by the Cameroonian or Nigerian authorities to justify their arrest, thereby violating international law
- the detainees had applied for refugee status at the UNHCR office in Nigeria and therefore should not have been arrested and extradited to Cameroon under such circumstances.

In feedback to the above statement, the Government Commissioner at the Yaounde Military Court informed the Commission that:

- the arrest of the 58 suspects mentioned earlier was made possible thanks to cooperation between the Cameroonian and Nigerian state authorities
- the Nigerian security forces arrested these suspects before handing them over to the Cameroonian authorities
- the terms or agreements that led to such arrest are beyond the competence of the NCHRF, which is limited to investigating alleged violations.

The NCHRF noted, however, that even if the allegations made by the suspects' lawyers were well-founded, refugee status does not protect against serious crimes allegedly committed by the asylum seeker. Furthermore, a well-established legal principle states that *male captus bene detentus* (a person who has been unlawfully intercepted may be lawfully detained or tried).

SECTION 2. - THE DISPUTED REFUGEE STATUS OF THE 58 SUSPECTS ARRESTED IN NIGERIA

According to Barrister NDONG Christopher, SISIKU AYUK TABE and nine other suspects had filed applications for refugee status while in Nigeria, prior to their arrest. The issue was discussed during the hearings and the presiding judge of the Military Court finally asked them to provide evidence on the matter.

The lawyer stated that he had obtained the requested evidence from UNHCR-Nigeria and submitted it to the presiding judge, but that their claim was unfortunately rejected. Regarding the claim by the detainees refuting their Cameroonian nationality, their lawyer affirmed that he had also provided evidence of their respective nationalities, but failed to present the so-called "evidence" to the NCHRF.

The Government Commissioner at the Yaoundé Military Court, when questioned on the matter, reported that only one suspect among the ten accused had provided information on his refugee status. In addition, some of them had Nigerian residence permits, while all of them had identity documents bearing Cameroonian nationality. It was on this basis that they were tried before the Cameroonian courts for offences committed in Cameroon under the Terrorism Act 2014. The hearings continued and a final judgement was rendered, sentencing to life imprisonment the masterminds of the acts of terrorism and atrocities perpetrated in the North-West and South-West Regions.

As a reminder, the 1951 Convention relating to the Status of Refugees defines a refugee as:

a person who, as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

The Convention also provides for the inclusion, cessation and exclusion clauses of refugee status. Specifically with regard to the exclusion clauses, Article 1, letter of the above-cited Convention stipulates that “the provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that:

(a) he or she has committed a crime against peace, a war crime, or a crime against humanity as defined in the international instruments drawn up to make provision in respect of such crimes;

(b) he or she has committed a serious non-political crime outside the country of refuge before being admitted as a refugee;

(c) he or she has been guilty of acts contrary to the purposes and principles of the United Nations.”

In view of these provisions and the undisputed facts, there is no doubt that the persons concerned are not eligible for refugee status.

SECTION 3.- CONDITIONS OF DETENTION AT SED AND AT THE YAOUNDE MAIN AND CENTRAL PRISONS

During the Commission's visit to the 58 suspects mentioned earlier, on 31 January 2019 at the Yaounde Main and Central Prisons, the suspects stated that they had spent six months in detention without the assistance of any lawyer, they were tortured and detained in inhuman and degrading conditions, they were interrogated in the absence of their lawyers and were forced to sign documents or statements. They appeared before the prosecutor in November 2018, eight months after their arrival and detention at SED on 26 January 2018 (see the visit report of 31 January 2019).

The above information was confirmed by Barrister NDONG Christopher, who added that after the suspects were transferred from Abuja to Yaounde, their lawyers were denied access to them for almost eight months.

Barrister NDONG Evaristus added that many other suspects, arrested since 2017 in the North-West and South-West Regions in connection with the crisis, and detained at the Yaounde Central Prison, were awaiting trial.

In reaction to the above statement, the Government Commissioner at the Yaounde Military Court indicated that the pre-trial detention of the 58 suspects arrested in Nigeria and brought back to Cameroon was carried out in compliance with Section 11 of Law No. 2014/028 of 23 December 2014 on the repression of acts of terrorism, which states that “for the application of this law, the period of custody shall be fifteen (15) days, renewable on the authorisation of the Government Commissioner.” In fact, the pre-trial detention provided for by Section 11 of this law has no specific duration, which can lead to prolonged detention. The legality of the detention period for these suspects is nonetheless beyond any doubt.

The Government Commissioner strongly affirmed that the extension of their custody at SED was due to the ongoing preliminary investigations, aimed at gathering evidence on their alleged criminal offences before a proper hearing could take place.

Other suspects arrested for minor offences as part of the above-mentioned conflict were remanded in custody under Section 12 of Law No. 2017/012 of 12 July 2017 to lay down the Code of Military Justice, which states that, “in proceedings involving the offences referred to in Section 8 above:

(c) the period of custody is forty-eight (48) hours, renewable once (1);

(d) at the end of the period set out in the above paragraph, police custody may, with the written authorisation of the Government Commissioner, be extended for two (2) further periods of forty-eight (48) hours each”.

SECTION 4. - THE SITUATION OF THE 58 SUSPECTS AND OTHER DETAINEES PENDING BEFORE THE CAMEROONIAN COURTS, AND THE JUDICIAL PROCEEDINGS PENDING BEFORE THE NIGERIAN COURTS

Regarding the judicial proceedings against Sisiku Ayuk Tabe and other suspects before the Yaounde Military Court, Barrister NDONG Christopher stated that:

- more than two thousand suspects arrested in connection with the crisis in the North-West and South-West Regions are detained in the Central or Main prisons of Yaounde, Douala, Buea, Bamenda, Bafoussam, Bertoua, etc.; most of whom are awaiting trial.
- A court decision was rendered on 20 August 2019 by the Yaoundé Military Court, sentencing Sisiku Ayuk Tabe and nine other associates to life imprisonment, coupled with a joint sentence to pay a fine of 250 billion and legal costs of 12.5 billion each, without which they would spend an additional five years in prison. Meanwhile, the other suspects arrested in the same context had not yet been tried, having taken part in at most four hearings between their arrest in 2017 and the end of 2019.
- Mr. Sisiku Ayuk Tabe and his associates appealed the decision rendered against them to the Court of Appeal of the Central Region¹¹⁵.

Concerning the habeas corpus petition filed at the Mfoundi High Court in favour of Sisiku Ayuk Tabe and nine other suspects, while their case was being tried at the Yaounde Military Court, the petition was rejected by the said court. Meanwhile, hearings continued at the military court in the absence of the accused:

- a petition was filed at the military court to suspend the ongoing proceedings against Sisiku and his nine co-accused, before the said court, but it was rejected by the president of the Court.
- While the two legal proceedings were under way (at the military court and the Mfoundi high court), a new judge was appointed at the military court; the latter wanted to restart the proceedings but the lawyers opposed such approach. They filed a petition for recusal of the said judge before the Court of Appeal, on grounds that he was biased. Disregarding the petition filed against him, he handed down a judgement against Sisiku Ayuk Tabe and his nine co-accused, condemning them to life imprisonment.

Concerning the legal proceedings before the competent Nigerian courts, Barrister NDONG Christopher stated without evidence that:

- Following the arrest and extradition of Sisiku Ayuk Tabe and other suspects from Abuja - Nigeria to Cameroon without an international arrest warrant, a petition was filed at the High Court of Abuja, in which it was stated that the arrested suspects all had refugee status.
- The Abuja judge ruled, condemning their arrest and ordering that measures be taken by the Nigerian Government to bring back the suspects and compensate them for the damages suffered.
- The Attorney General at the Abuja Court of Appeal initiated proceedings to have the said decision reversed by the Abuja Court of Appeal and the matter was pending before that court.

Barrister NDONG Christopher was asked to produce copies of the Abuja High Court decisions and evidence of the petition filed at the Abuja Court of Appeal for judicious use. These documents were never produced and up to the date of completion of this Report, Barrister NDONG Christopher had not responded to the Commission's requests in this regard.

Recommendations

Based on the above findings, the Commission recommends:

- the accelerate the judicial proceedings against all suspects arrested concerning the situation in the North-West and South-West regions
- the specification of the pre-trial detention period as prescribed by the 2014 Anti-Terrorism Law.

¹¹⁵ On 17 September 2020, the Court of Appeal confirmed the sentence handed down by the Yaoundé military court.



CHAPTER 3 - THE ORGANISATION OF THE MAJOR NATIONAL DIALOGUE

In an unprecedented message to the Nation on Tuesday, 10 September 2019, the Head of State, His Excellency Paul BIYA, decided to organise a Major National Dialogue (hereinafter referred to as "MND"), long awaited by national and international public opinion. This decision was to invite the sons and daughters of Cameroon to take an active part, from 30 September to 4 October 2019, in a meeting as part of our Constitution, to "examine ways and means of responding to the deep aspirations of the people of the North-West and South-West, but also of all the other components of our Nation"¹¹⁶. This important event in the socio-political life of Cameroon took place against the backdrop of legitimate claims by the majority of the nationals of the two English-speaking Regions and illegitimate secessionist claims by a section of the nationals of the said Regions.

While the Government has undertaken to implement a series of measures in favour of legitimate claims, it has also continued to reach out to the secessionist armed groups with a peace offer guaranteeing them exemption from prosecution and the benefit of the Disarmament, Demobilisation and Reintegration (DDR) programme¹¹⁷. While some ex-combatants are already benefiting from the reintegration process, other armed groups persist in claiming an illusory independence through arms, committing serious human rights violations.

In view of the above, and the fact that the 14 previous dialogues - sector and holistic (see list in the appendix), not to mention multiple more or less formal negotiation frameworks - have not led to the hoped-for peace, the option of convening a Major National Dialogue, with the "vocation of bringing together, without exclusion, the daughters and sons of our dear and beautiful country, Cameroon, around values that are dear to us: peace, security, national harmony, and progress"¹¹⁸, has become obvious.

Indeed, to provide appropriate responses to the concerns raised by the lawyers and teachers' unions of the North-West and South-West respectively in October¹¹⁹ and November 2016¹²⁰, sector frameworks for dialogue were immediately drawn up and dedicated to the examination of specific themes such as the Anglophone education sub-system and the functioning of the Justice system, in response to the corporatist demands of the lawyers and teachers of the two Regions. In addition, there were consultations led by the Prime Minister, Head of Government, and other institutions, on the instructions of the President of the Republic. Thus, prior to the MND, at least 14 dialogues were held in an attempt to find solutions to the above-mentioned corporatist demands, as shown in the table and the development below.

¹¹⁶ See extract from the Message of the Head of State to the Nation, 10 September 2019.

¹¹⁷ See Decree No. 2018/719 of 30 November 2018 establishing the National Committee for Disarmament, Demobilisation and Reintegration (hereinafter: "CNDDR").

¹¹⁸ See extract from the Message of the Head of State to the Nation, *op. cit.*

¹¹⁹ On 11 October 2016, lawyers in the North-West and South-West launched a strike demanding, among other things, the translation of the OHADA Uniform Acts into English, the assignment to the North-West and South-West regions of magistrates who are proficient in English, the creation of a special section within the Supreme Court responsible for appeals against decisions drafted in English, and the creation of a Common Law Department at the National School of Administration and Magistracy (ENAM).

¹²⁰ On 21 November 2016, teachers' unions in the North-West and South-West Regions called an indefinite strike in the North-West and South-West Regions to demand the resolution of a number of issues related to the functioning of the Anglophone education sub-system. The grievances, contained in the Memorandum, related to

(i) the marginalisation of students from the North-West and South-West who hold the GCE Advance Level and who are unable to gain access to the major vocational training schools of their choice, unlike French-speaking students;

(ii) the high number of students from the other eight Regions in the professional schools that depend on the Universities located in the North-West and South-West (90% at the ENSET in Kumba and 80% at the Faculty of Medicine in Bamenda) whereas the reciprocal does not exist in the same schools located in the French-speaking zone;

(iii) the orientation of young people from the North-West and South-West who apply for admission to medical schools towards schools outside these two regions causes many of them to fail or drop out of these schools;

(iv) the shortage of English-speaking technical education teachers with a culture of the Anglo-Saxon education sub-system, and the systematic allocation of the small number that exist in the French-speaking regions;

Table 16: Dialogues held prior to the MND to address concerns raised by teachers' unions and lawyers in the North-West and South-West

THE DIALOGUES HELD TO ADDRESS THE CONCERNS RAISED BY THE ENGLISH-SPEAKING TEACHERS' UNIONS		
Dialogue frameworks	Number of meetings / consultations	Comments
Consultation mission between Prime Minister Philemon Yang and representatives of teachers and lawyers on strike in Bamenda, headquarters of the North-West Region, from 25 to 27 November 2016.	01	After these consultations, the Prime Minister announced the creation of a consultation framework to resolve the concerns expressed by English-speaking teachers, the granting of a special allocation of two billion CFA francs to private secular and denominational educational establishments, as well as the special recruitment of 1,000 young graduates from higher and technical education who are perfectly bilingual.
Inter-departmental Committee in charge of examining and proposing solutions to the concerns raised by the teachers' unions of the North-West and South-West of Cameroon, created by Prime Ministerial Order No. 118/CAB/PM of 8 November 2016.	09	Between 18 November 2016 and 19 December 2018, the Inter-Departmental Committee in charge of examining and proposing solutions to the concerns raised by the Anglophone teachers' unions in Cameroon held nine sessions in the Ministry of Higher Education.
Ad hoc Committee in charge of examining and proposing to the Government solutions that should enable an outlet to the situation we are experiencing in the education sector in the North-West and South-West Regions, created by Order No. 124/CAB/PM of 29 November 2016 and chaired by Professor Paul Ghogomu Mingo (then Director of Cabinet of the Prime Minister).	02	<p>The 1st session of the Ad Hoc Committee was held on 27 December 2016 in Bamenda and was devoted to the examination of issues related to the improvement of the functioning of schools and universities in the Anglophone education sub-system.</p> <p>The 2nd session of the said Committee was held on 12 and 13 January 2017 in Bamenda. It was dedicated to the methodical examination of the 20 points raised by the teachers of the Anglophone education sub-system. However, in a communiqué of 16 January 2017, Prof. Ghogomu explained the obstacles to ending the crisis in the two Regions concerned, particularly linked to what he called "the intransigence of certain trade unionists"¹²¹.</p> <p>It should be noted that in this body of dialogue and consultation, a certain Wilfred Tassang Fombang, representative of the Cameroon Teachers Trade Union (CATTU), sat as a member, who later felt he had to slam the door on the discussions and leave Cameroon to flood social media with calls for secession, alongside other advocates of the partition of Cameroon.</p>

¹²¹ Faced with the intransigence of the unions, the chairman of the ad hoc committee pointed out that "the Government has already taken into account several demands made by the unions of the Cameroonian education system [through notably] the decisions relating to the special recruitment of 1000 bilingual teachers (Mathematics, Science, Technologies, French), the forthcoming integration of the first wave of contractual primary school teachers and contractual secondary school teachers, an additional allocation of two billion CFA francs as subsidies for the 2016-2017 school year, the organisation, in 2017, of the National Education Forum. Cf. Press release made public on 16 January 2017 by Professor Ghogomu.

Discussion from 6 to 9 March 2017 between the Prime Minister, Philemon Yang in Bamenda, Bambili, Menchum and Boyo with the actors of the educational community of the Anglo-Saxon educational sub-system (parents, students, teachers, promoters of establishments, in particular), in the presence of the elites, administrative authorities and populations who presented grievances to which the Government quickly acceded.	01	This consultation, part of the Back to School crusade, mobilised the educational community in preparation for the resumption of classes in the North-West and South-West ^{122t} .
Discussion of 10 March 2017 between the Prime Minister, Philemon Yang and the populations in Bui and Donga-Mantung.	01	This consultation, which was also part of the Back to School crusade, made it possible to mobilise the educational community to resume classes in the North-West and South-West ¹²³ .

DIALOGUES HELD TO ADDRESS CONCERNS RAISED BY ENGLISH-SPEAKING LAWYERS		
Dialogue frameworks	Number of meetings	Comments
Ad hoc committee created by order of the Prime Minister of 22 December 2016 to examine and propose solutions to concerns relating to the functioning of the justice system, Committee chaired by Professor Jean Pierre Fogui, then Minister Delegate to the Minister of Justice.	01	This ad hoc committee held at the Djeuga Palace Hotel (Yaounde) on 27 and 28 December 2016. Several recommendations were made and decisions taken in relation to key demands relating to the restitution of confiscated robes and wigs, the prosecution of law enforcement officers who allegedly violated lawyers, the transfer of French-speaking judicial personnel who do not master the English language, the creation of a special section within the Supreme Court in charge of appeals against decisions written in English and the creation of a Common Law Division at ENAM ¹²⁴ .

Source - NCHRF

It is clear from the above table that in the search for solutions to the concerns raised by the teachers' unions and the English-speaking lawyers, six forums for dialogue have been set up, which have brought together those who went on strike and the authorities on several occasions.

¹²² See Cameroon Tribune of 7 March 2017, p. 2; Cameroon Tribune of 8 March 2017, p. 6 and Cameroon Tribune of 9 March 2017, p. 5.

¹²³ See Cameroon Tribune of 13 March 2017, p. 3.

¹²⁴ Furthermore, in response to very high-level presidential instructions aimed at improving the administration of justice in the North-West and South-West Regions, working groups were set up under the leadership of the Ministers of State Laurent Eso and Jacques Fame Ndong, and the Minister Michel Ange Angouing. The objectives were to strengthen the capacities of English-speaking personnel, to define the content of training programmes for students at the National School of Administration and Magistracy (ENAM) and to define the teaching programmes for legal subjects with a view to a judicial career.

Table 14: Other dialogues conducted before the DRM on the situation in the North-West and South-West

OTHER GENERAL DIALOGUES HELD TO BRING ABOUT PEACE IN THE NORTH-WEST AND SOUTH-WEST REGIONS		
Dialogue frameworks	Number of meetings	Comments
The grassroots consultation mission instructed by the Head of State to the North-West and South-West from Sunday, October 15 to Sunday, October 22, 2017, led by Prime Minister, Philemon Yang.	01	The various regional, divisional and sub-divisional commissions of the CPDM held separate discussions with members of the educational community, transport leaders, parliamentarians, traders' leaders, traditional chiefs, religious and political leaders, and leaders of numerous socio-professional groups, both in rural and urban areas ¹²⁵ .
Meeting on 8 December 2016 in Bamenda (Ayaba Hotel) between the Prime Minister, Philemon Yang, the Secretary General of the CPDM Central Committee, Jean Nkuete, the administrative authorities and elites of the Region, and CPDM militants.	01	This meeting aimed to "[bring to the population the message of peace and the assurances of the attention of the Head of State to the search for lasting solutions to the problems denounced by the teachers and lawyers]".
Prime Minister Joseph Dion Ngute's conciliation mission from Thursday 9 May to Friday 17 May 2019 in the North-West and South-West Regions.	01	The Mission took place from 9 to 13 May 2019 in the North-West, and from 14 to 19 May 2019 in the South-West. The Prime Minister met with local authorities, notables, leaders of local NGOs, members of the educational community, families, opinion leaders and other stakeholders in these two Regions.
The Consultation and Mediation Mission in the South-West launched on 25 April 2018 in Buea, as part of the "Listen-to-the-people-mission" campaign instructed by the President of the Republic, a mission led by Mr Peter Mafany Musonge, Chairman of the National Commission for the Promotion of Bilingualism and Multiculturalism	01	This mission made it possible to gather suggestions from all social strata for the promotion of bilingualism, multiculturalism and living together. In addition to Governor Bernard Okalia Bilai, traditional chiefs, university representatives, transport unions, religious leaders, traders' representatives and other socio-economic actors took part ¹²⁶ .
The Consultation and Mediation Mission in the North-West launched on 31 May 2018 in Bamenda, as part of the "Listen-to-the-people-mission" campaign instructed by the President of the Republic, a mission led by Mr Peter Mafany Musonge, Chairman of the National Commission for the Promotion of Bilingualism and Multiculturalism.	01	It was attended by "people from the civil society, University lecturers, buyam-sellams, economic operators, commercial motorbike riders, taxi drivers, clergy, traditional rulers, politicians, etc." ¹²⁷

¹²⁵ See Cameroon Tribune of 17 October 2017, p. 2; Cameroon Tribune of 18 October 2017, p. 2; Cameroon Tribune of 19 October 2017, p. 2 and Cameroon Tribune of 24 October 2017, p. 2.

¹²⁶ See Cameroon Tribune of 26 April 2018, p. 2.

¹²⁷ See Cameroon Tribune of 1er June 2018, p. 2.

<p>The "South-West Forum" held on 25 August 2018 in Buea at the Buea Mountain Hotel Conference Room.</p>	<p>01</p>	<p>It was a high-level meeting chaired by Mr Peter Mafany Musonge, in the presence of Governor Bernard Okalia Bilai, elites, stakeholders and participants from all over the South-West Region, under the topic "South-West Region: Facing our Challenges together"¹²⁸.</p>
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Source - NCHRF

Thus, six other dialogues were organised, on the instructions of the President of the Republic, between the public authorities and representatives of various components of society in the search for solutions for a return to peace in the North-West and South-West Regions, in addition to the pacification mission entrusted by the President of the Republic to the former Minister and leader of the Alliance for Democracy and Development (ADD) political party, Garga Haman Adji. During the second week of January 2017, he toured the South-West and North-West Regions, during which he said he met with activists in the Anglophone crisis and key figures in these two crisis regions¹²⁹.

In addition, government information and explanation missions were sent in August 2018 to certain chancelleries and foreign governments, the UN and the Cameroonian diaspora. However, it should be noted that some of these missions were disrupted in some countries by activists hostile to dialogue.

In total, at least 14 forums for dialogue were organised before the MND, on the initiative of the authorities, to find lasting solutions to the situation in the North-West and South-West Regions, in addition to an unknown number of informal meetings with local stakeholders on the fringes of various formal consultations.

In addition, good offices missions from international organisations have been added to the efforts thus deployed for a peaceful resolution of the problems at the root of the tensions in these Regions. Thus, Patricia Scotland, Secretary General of the Commonwealth, made an initial four-day visit to Cameroon, during which she was granted an audience on 19 December 2017 at the Unity Palace by the President of the Republic. She called for unity and dialogue during her speech at the dinner offered in her honour and then, during the rest of her stay, she met with the country's main political leaders, as well as representatives of political parties and civil society.

Furthermore, at the invitation of the President of the Republic, the United Nations High Commissioner for Human Rights, Michelle Bachelet, paid an official visit to Cameroon from 1 to 4 May 2019. She held talks with the Head of State on the challenges facing Cameroon in terms of security, development and human rights. The High Commissioner also met with several heads of ministerial departments, parliamentarians, political actors, religious leaders, members of the National Commission for the Promotion of Bilingualism and Multiculturalism, the NCHRF, and the NCDDR, among others. The senior UN official expressed the readiness of the United Nations and its structure to accompany the State of Cameroon in the search for solutions to the above-mentioned challenges, welcoming the authorities' determination to seek solutions to the security situation in the North-West and South-West Regions.

In the same vein, a joint African Union - Organisation internationale de la Francophonie - Commonwealth mission led by the Secretary General of the OIF, Louise Mushikiwabo, the Chairperson of the African Union Commission, Moussa Faki Mahamat and the Secretary General of the Commonwealth, Patricia Scotland, visited Cameroon from 26 to 28 November 2019 to contribute to peace efforts in the North-West and South-West Regions.

In any case, for a better understanding of the MND's contours, it is necessary to describe its development (Section 1) before analysing the resolutions adopted, their level of implementation and their impact on the realisation of human rights (Section 2).

SECTION 1 - THE MAJOR NATIONAL DIALOGUE

The preparations for the MND will be analysed successively under the heading of multi-stakeholder consultation (paragraph 1) and holding proper (paragraph 2).

¹²⁸ See Cameroon Tribune of 27 August 2018, p. 5.

¹²⁹ <http://www.cameroon-info.net/article/cameroun-garga-haman-adji-les-militants-du-sdf-qui-ont-defile-torses-nus-sont-des-321981.html> (accessed 11/11/21)

Paragraph 1 - Preparations for the Major national dialogue

In accordance with the instructions of the Head of State, the MND was held under the chairmanship of Chief Doctor Joseph Dion NGUTE, the Prime Minister and Head of Government. The Head of Government, as part of the accomplishment of the missions assigned to him, as a prelude to the MND, organised prior consultations "with a view to determining not only the most appropriate framework for this dialogue, but also to soliciting the contributions and opinions of a wide range of Cameroonians (residents and those in the Diaspora¹³⁰), especially those who continue to commit acts of violence and terrorism in the country, particularly in the South-West and North-West Regions"¹³¹.

As part of this initiative, the Prime Minister received, from Monday 16 to Tuesday 24 September 2019, a number of personalities and delegations from the 10 Regions of Cameroon, to gather their opinions for a sustainable and permanent way out of the crisis¹³². These delegations were composed following broad-base consultations officially organised at the level of each Region. It is as part of respecting the sacrosanct principles of the United Nations and the African Union, notably non-interference in the internal affairs of States and respect for the territorial integrity of States, that the exclusive proposals of Cameroonians in all their diversity were collected. These contributions, which formed the basis of the MND, were in line with the course set by the roadmap speech of the Head of State¹³³.

The main themes addressed during the five days of discussions were: decentralisation, the management of refugees and internally displaced persons, the judicial system, and the issue of national languages and cultural diversity.

Paragraph 2 - The holding of the Major National Dialogue

The Yaounde Conference Centre was chosen to host this important meeting of participants invited to take part in this conference on peace and progress in Cameroon¹³⁴. Following the instructions of the Head of State, two-thirds of the participants were from the North-West and South-West Regions, and about 5 per cent from the Diaspora¹³⁵. Generally composed of a bureau comprising a chairman, vice-chairmen and rapporteurs, the following eight thematic commissions were set up to serve as a framework for debate:

- the Commission for Bilingualism, Cultural Diversity and Social Cohesion
- the Commission in charge of the reflection on the education system
- the Commission in charge of the reflection on the judicial system
- the Commission in charge of the issue of the return of refugees and IDPs
- the Commission in charge of the issue of reconstruction and development of the Regions affected by the conflict
- the Commission in charge of the issue of disarmament, demobilisation and reintegration of ex-combatants
- the Commission in charge of the reflection on the role of the diaspora in the prevailing situation and its participation in the development of the country
- the Commission in charge of the reflection on decentralisation and local development.

The opening of the MND on 30 September 2019 was devoted to plenary speeches by personalities, religious authorities and ex-combatants. From the Prime Minister to ex-combatants, all speakers denounced the situation in

¹³⁰ The Government dispatched prominent civil society figures to meet with members of the diaspora, with a view to involving them in the restoration of peace and security in the homeland. These visits demonstrated, once again, the great commitment of the Head of State to a peaceful solution to the problems raised through dialogue. Cameroon's diplomatic missions also invited our compatriots to meetings with the aim of gathering contributions that could enrich the work of the Major National Dialogue. See extract from the MND General Rapporteur's Report, 20 pp. (spec., pp. 2 and 3).

¹³¹ Ibid, p. 2.

¹³² This is evidenced by the large number of delegations consisting of lawyers, teachers, civil society actors, political leaders, religious leaders, trade union officials, student organisations and independent personalities that were received by the Prime Minister in the run-up to the MND. Ibid, pp. 1 and 2.

¹³³ The MND will also focus on themes that can provide answers to the concerns of the populations of the North-West and South-West, as well as those of the other Regions of our country: bilingualism, cultural diversity and social cohesion, the reconstruction and development of areas affected by the conflict, the return of refugees and displaced persons, the educational and judicial system, decentralisation and local development, the demobilisation and reintegration of ex-combatants, and the role of the Diaspora in the development of the country. See extract from the Message of the Head of State to the Nation, op. cit.

¹³⁴ From 30 September to 4 October 2019, 600 people took part in the work, at the invitation of the Prime Minister, Head of Government, President of the Major National Dialogue, following the consultations prior to the said dialogue, in the 10 Regions and at the central level. The dialogue took place in plenary sessions and in commissions. See extract from the Report of the MND General Rapporteur, op. cit. p. 5.

¹³⁵ Ibid, p. 4.

the North-West and South-West Regions, calling on the actors to work towards a return to normal life¹³⁶. The quality and quantity of the participants were impressive¹³⁷.

Despite the impossibility for every Cameroonian citizen to participate physically in the MND¹³⁸, opinions of citizens of all inclinations were collected to give a chance of success to these meetings, as shown by the different platforms set up to collect the contributions from all Cameroonians of good faith and good will¹³⁹.

It should be noted that the Cameroon Renaissance Movement (CRM), some of whose leaders were in prison, boycotted the meeting. This political party nevertheless contributed to the preparations for the MND by sending emissaries to the Prime Minister. The MND was also boycotted by some secessionist leaders from the interior and the diaspora. Despite the guarantees given by the Government, some of them said they feared for their safety, others rejected the format chosen for these meetings.

It was in a spirit of transparency reflecting the deep aspirations of Cameroonians from various backgrounds that the heated and passionate debates were conducted. Five days were enough to formulate more or less consensual recommendations to be implemented for a better Cameroon.

SECTION 2 - THE RECOMMENDATIONS OF THE MAJOR NATIONAL DIALOGUE, THEIR IMPLEMENTATION AND IMPACT ON ACHIEVING HUMAN RIGHTS

In adopting the recommendations, the various MND Commissions have fulfilled their mission, as per the directives of the Head of State and the guidelines of the Head of Government. Each theme at the centre of the debates gave rise to several recommendations (paragraph 1). Some implementation measures were immediately taken (paragraph 2) with an impact on achieving human rights (paragraph 3).

Paragraph 1 - The recommendations adopted at the MND

Some recommendations were adopted by the various MND Commissions and appeared in the Report of the General Rapporteur of the meeting are¹⁴⁰ as follows:

1- Recommendations adopted on bilingualism, cultural diversity and social cohesion

- To improve the practice of bilingualism in all strata of society through the creation and implementation of programmes from kindergarten onwards.
- Entrench cultural diversity through strict implementation of regional balance and equitable access to public services and security forces.
- Develop and implement a curriculum on inter-community brotherhood, inter-community trust building and civic engagement to strengthen national social cohesion.
- Adopt a law that clearly provides for the equitable use of both official languages in all areas of national life.
- Develop and codify the principles of social dialogue, social cohesion and living together.

2- Recommendations adopted on the education system

- Ensure that education sector reforms integrate the need to maintain the two education sub-systems, to make them dynamic and futuristic, recognising the strengths and singularities of each sub-system, building on the

¹³⁶ The interventions were carried out in the following order:

(i) The opening with ecumenical prayers, led by the following religious authorities: Imam Cheikh OUMAROU, Pastor Gustave EBAI, Pastor Alain Ruben NGWET and Bishop Jean MBARGA. The other main speakers at the opening plenary session were H.E. Peter MAFANY MUSONGE, H.M. FON MUKETE, H.M. René ZE NGUELE, H.M. Boubakary ABDOULAYE, President Ni John FRU NDI, H.M. Sadou BOUKAR, H.M. René EFFA, Mrs. Fadimatou IYAWA, Dr. Simon MUNZU, Sultan Ibrahim MBOMBO NJOYA, His Eminence Cardinal Christian TUMI, Mrs. Calixte BEYALA and Chief Dr. ATEM EBAKO.

(ii) The welcome address by the Government Delegate to the Yaounde Urban Community, Mr Gilbert TSIMI EVOUNA.

(iii) Interventions by ex-combatants from the Disarmament, Demobilisation and Reintegration Centre.

(iv) The speech by the Prime Minister, Head of Government, Chair of the Major National Dialogue. Ibid, pp. 4-6.

¹³⁷ The quantity and quality of the participants (political, administrative, religious, traditional, private and civil society actors), as well as their effective presence from the beginning to the end of this event, testify to the enthusiasm generated by the Major National Dialogue. Ibid, p. 9.

¹³⁸ The Head of State pointed out that, '[n]ot everyone will be able, understandably, to take part effectively in this dialogue [...]'. See extract from the Message of the Head of State to the Nation, op. cit.

¹³⁹ These include prior consultations, the creation of a website and Facebook page dedicated to the MND, e-mail addresses for the Prime Minister's Office to send any contributions, delegations sent to meet with the diaspora and leaders of armed secessionist groups, etc.

¹⁴⁰ See Report of the MND General Rapporteur, op. cit. pp. 10-18.

- strengths of each to have well-trained and excellent Cameroonian graduates who shine wherever they are.
- Ensure that teachers' unions work in collaboration with the government.
- Regulate the proliferation of teachers' unions and promote better organisation of unions to ensure synergy from regional to national level.

3- Recommendations adopted on the judicial system

- Translate all legal instruments into both official languages and ensure their simultaneous publication in both official languages.
- Take into account the criterion of prior proficiency in English and in the common law legal system when deploying judicial personnel to the North-West and South-West Regions.
- Create a law school for the training of lawyers and all legal practitioners in general in Cameroon.
- Establish the Common Law Division of the Supreme Court of Cameroon as a full-fledged Chamber comprising all divisions dealing with specific common law issues.
- Improve legal cooperation mechanisms to bring to justice those who finance terrorism from abroad.

4- Recommendations adopted on the return of refugees and IDPs

- Create communication channels for better deployment of the army and greater freedom of movement for the population.
- Take measures for the construction of decent housing for displaced persons.
- Take measures to grant a general amnesty to encourage the return of refugees and displaced persons.
- Conduct a census of all displaced persons and assess their basic socio-economic needs (schools, health facilities, housing, etc.).
- Provide resettlement and reintegration kits to refugees and IDPs.

5- Recommendations adopted on the reconstruction and development of areas affected by socio-political and security unrest

To develop a comprehensive programme for the recovery, reconstruction and development of the North-West, South-West and Far-North Regions, aimed at improving the living conditions of the populations and strengthening social cohesion and national unity, the following recommendations were made:

- The immediate resumption of projects that have been suspended for the past three years due to the security situation in the North-West and South-West Regions, such as the Babajou-Bamenda, Loum-Tombel-Kumba, Mundemba-Akwa roads, etc.
- Rehabilitation of public facilities and infrastructure that have been destroyed or rendered obsolete due to abandonment because of security problems, particularly in the education, health, transport, energy, water and communications sectors.
- Reconstruction of priority economic infrastructures to support or relaunch production systems by reactivating public agro-industrial enterprises in the affected regions (CDC, PAMOL, UNVDA, SEMRY, SODECOTON).
- Compensation to individuals, religious congregations, chiefs, communities and owners of private production and service units for losses suffered, and the establishment of direct social assistance programmes for victims.
- The proactive creation of sustainable jobs for young people and women, particularly in regions affected by security problems.

6- Recommendations adopted on disarmament, demobilisation and reintegration of ex-combatants

- Develop and implement a holistic communication strategy that emphasises the Head of State's offer of peace to young combatants.
- Build bridges between these young people, the CNDDR and the Defence and Security Forces.
- Stop the production of home-made weapons and strengthen the fight against the proliferation of small arms.
- Consider the spiritual, psychological and physical care of young people through detoxification programmes,

- following their excessive use of drugs and intensive indoctrination by some members of the diaspora.
- Integrate the community violence reduction aspect into the DDR programme.

7- Recommendations made on the role of the Diaspora in socio-political tensions and insecurity as well as its contribution to the development of Cameroon

- Reform the Nationality Code to adopt dual or multiple nationalities.
- Adopt the principle of diaspora representation at parliamentary and governmental levels (a dedicated ministry for the diaspora).
- Create a High Council of the Diaspora in host countries with elected leaders, with membership conditional on possession of a consular card.
- Designate a team to engage with radicalised members of our diaspora.
- Create a transnational investment and development agency for the diaspora.

8- Recommendations adopted on decentralisation and local development

- Grant the North-West and South-West Regions a special status, as per paragraph 2 of Article 62 of the Constitution, which states that the law may take into consideration the specificities of certain Regions with regard to their organisation and functioning.
- Effectively establish the Regions as soon as possible.
- Provide a special allocation to each Municipality in the North-West and South-West to facilitate the effective resumption of activities in certain localities.
- Delete the provision on the appointment of government delegates under the special status for certain areas.
- Substantially reduce the prerogatives of the supervisory authority.

To strengthen the financial autonomy of local authorities, the Commission recommended in particular the following:

a- Apply paragraph 2 of article 23 of the law on the orientation of decentralisation, which stipulates that the finance law fixes, on the proposal of the Government, the fraction of State revenue allocated to the general allocation of decentralisation. In this respect, participants proposed that a rate of 10 to 15 per cent of the State budget be allocated to decentralised local authorities.

b- Abolish the principle of the Single Treasury Window which delays the effective transfer of funds to local authorities. It should be noted that some recommendations merit specific treatment, and that their implementation cannot be instantaneous. These include recommendations to:

- grant a special status to the North-West and South-West Regions, in accordance with paragraph 2 of Article 62 of the Constitution
- take specific measures to ensure the equal status of English and French in all aspects of national life
- strengthen the autonomy of decentralised local authorities
- improve the infrastructure of judicial services throughout the country
- strengthen the Humanitarian Assistance Programme to better address the needs of IDPs
- put in place a special reconstruction plan for areas affected by the security situation
- create a High Council of the Diaspora in host countries with elected leaders, with membership conditional on possession of a consular card
- stop the production of home-made weapons and to strengthen the fight against the proliferation of small arms
- consider taking care of young people, both spiritually, psychologically and physically, through detoxification programmes, following the excessive use of drugs and their intensive indoctrination by some members of the diaspora
- rehabilitate public facilities and infrastructure that have been destroyed or rendered obsolete as a result of abandonment due to security problems, in particular in the education, health, transport, energy, water and communications sectors

- reconstruct priority economic infrastructures to support or relaunch production systems by reactivating public agro-industrial enterprises in the affected regions (CDC, PAMOL, UNVDA, SEMRY, SODECOTON)
- take measures to reconstruct decent housing for displaced persons.

Paragraph 2 - The state of implementation of the recommendations from the MND to 30 December 2019

For the speedy implementation of the MND's recommendations, the ordinary and extraordinary parliamentary sessions of November 2019¹⁴¹ were devoted, among other things, to the implementation of these recommendations. Important laws were thus adopted following the examination of draft laws. These legal instruments contribute to improving the conditions for living together and strengthening the participation of local populations in the decision-making process. It is useful to distinguish between the state of implementation of the four main recommendations (A) and the other recommendations (B).

A- Status of implementation of the four main recommendations as at 30 December 2019

It should be noted at the outset that of all the recommendations that came out of the MND, four were unanimously considered to be key, due to their centrality and impact on the implementation of many other recommendations. These are:

- (i) the special status granted to the North-West and South-West Regions
- (ii) the acceleration and deepening of decentralisation
- (iii) the promotion of bilingualism and
- (iv) of the reconstruction of these regions.

The status and pace of their implementation is generally satisfactory.

Law No. 2019/24 of 24 December 2019 on the General Code of Decentralised Local Authorities enshrines the special status of the two Regions, as well as the acceleration and deepening of decentralisation. This law crystallises decisive advances in the decentralisation process, particularly with regard to the consecration of the status of local elected representatives, the abolition of the post of government delegate (formerly appointed), the functioning of local assemblies and the allocation of new and substantial financial resources to the Regions¹⁴².

With regard to accelerating and deepening decentralisation, the implementation of the law of 24 December 2019 will enable almost all the recommendations made by the Commission on Decentralisation and Local Development to be implemented.

Law 2019/019 of 24 December 2019 on the promotion of official languages provides a solution to the issue of promoting bilingualism. It provides that the use of English and French must be applied equally to all public institutions. Compliance with the provisions of this law will reinforce the bilingual character of Cameroon¹⁴³.

Prime Minister Joseph Dion Ngute, concerning the reconstruction of the two regions plagued by security problems, chaired an important meeting with ambassadors accredited to Cameroon to present the special programme for the reconstruction of the North-West and South-West Regions, on 5 December 2019. The realisation of this special programme will give meaning to the recommendations made by the Commission on the reconstruction and development of the areas affected by the conflict. On the occasion of the presentation of the above-mentioned special programme, many of Cameroon's partners announced their contribution to the financing of this programme, which gives hope for a return to normal and the improvement of the living conditions of the populations of these two Regions, which have been ravaged by years of unrest.

¹⁴¹ The ordinary session was opened on 12 November 2019 and the extraordinary session was convened on 13 December 2019 by the Head of State in accordance with Article 14 (3), letter b of the Constitution, which provides that: "[t]he Chambers of Parliament shall meet on the same dates: in extraordinary sessions, at the request of the President of the Republic or of one third of the members composing one and the other Chamber". See Law No. 96/06 of 18 January 1996 revising the Constitution of 2 June 1972, amended and completed by Law No. 2008/001 of 14 April 2008.

¹⁴² See extract from the speech of the Head of State of 31 December 2019. The Commission on Decentralisation and Local Development recommended the application of paragraph 2 of article 23 of the law on the orientation of decentralisation, which stipulates that the finance law shall determine, on the proposal of the Government, the fraction of State revenue allocated to the general decentralisation allocation, with a view to strengthening the financial autonomy of local authorities. This has been taken into account, since the adoption of Law No. 2019/023 of 24 December 2019 to lay down the finance law of the Republic of Cameroon for the financial year 2020, by the dedication of 15% of State revenue to local authorities.

¹⁴³ See extract from the speech of the Head of State of 31 December 2019. See also Law No. 2019/019 of 24 December 2019 to promote official languages in Cameroon.

The NCHRF urges the public authorities to diligently apply the laws thus adopted, in order to implement the MND's recommendations.

B- Status of implementation of other recommendations

Meeting in plenary on 29 November 2019, parliamentarians adopted, among other things, the bill amending Article 241 of the Penal Code. This is an amendment that aims to punish the perpetrators of hate speech and tribalism. The offence is now termed 'contempt of the tribe'¹⁴⁴. This law is part of implementing the recommendation to "strengthen inter-community fraternity, restore trust between communities and civic engagement to reinforce social cohesion", and the recommendation to "develop and codify the principles of social dialogue, social cohesion and living together", formulated by the MND Commission on Bilingualism, Cultural Diversity and Social Cohesion.

The Commission's recommendations on refugees and IDPs are being implemented by the Ministry of Territorial Administration. The NCHRF has noted that the Ministry has, among other things, launched a census of displaced persons, including an assessment of their basic socio-economic needs. It also provides "resettlement or reintegration kits" to IDPs. In addition to this, the Head of State has repeatedly urged members of the armed secessionist groups to come out of the bush and return to normal life in the communities; an appeal that was responded to, during and after the MND, by several dozen ex-combatants who laid down their arms.

However, some recommendations whose implementation requires the creation of institutions or bodies were still awaiting implementation as at 31 December 2019. These include recommendations relating to:

- (i) the creation of a law school for the training of lawyers and all legal practitioners in Cameroon
- (ii) the elevation of the Common Law Section of the Supreme Court to a fully-fledged chamber
- (iii) the creation of a High Council of the Diaspora and
- (iv) the creation of a transnational diaspora investment and development agency.

The implementation of other recommendations, such as those made by the Commission on the education system, requires relatively more time. This makes it difficult to assess their implementation in the short term.

Be that as it may, the measures already taken to implement the resolutions of the Major National Dialogue, while deserving to be accelerated and strengthened, bear witness to the unquestionable determination of the Head of State to find a peaceful solution to the situation prevailing in the North-West and South-West Regions. This challenge will obviously only be met with strict respect for human rights.

Paragraph 2 - The impact of the Major National Dialogue on the realisation of human rights in Cameroon

The MND was, above all, a framework for the exercise of freedom of expression, opinion and the right of citizens to participate in the affairs of the city. The freedom of tone that characterised the debates within the Commissions was observed, during which each participant was free to express his or her opinion in the search for a consensus.

Firstly, the holding of the MND allowed for a brief lull that could be linked to the return to reason of some secessionist militia leaders and their men, some of whom were presented at the opening of these meetings. The fervour observed in the aftermath of these meetings had raised hopes of a reduction in the massive violations of human rights in the North-West and South-West, particularly through the gradual return of students to school. However, it must be acknowledged that the DGN has not brought about a lasting reduction in the violation of the fundamental rights of the peaceful populations who are suffering from the situation created by the secessionists. These include the right to education, the right to life, the right to physical and moral integrity, the right to human dignity, etc.

In addition, a Commission was set up to examine the status of refugees and internally displaced persons. It proposed a series of recommendations to improve the situation of this vulnerable category of people, victims of serious human rights violations¹⁴⁵.

In general, the implementation of the law on the General Code of Decentralised Local Authorities will make it possible to involve citizens more in the management of public affairs.

¹⁴⁴ See Law No. 2019/020 of 24 December 2019 amending and supplementing certain provisions of LawNo.2016/007 of 12 July 2016 on the Criminal Code.

¹⁴⁵ See the Commission's Recommendations on the Return of Refugees and IDPs, p. 6.

The recognition of a special status taking into account the cultural features of the people of the South-West and North-West Regions¹⁴⁶ and the election of the President of the Regional Council from among the indigenous nationals of each of the ten Regions of Cameroon ¹⁴⁷ also attest to the consideration of political, economic, social and cultural rights as part of the meetings from 30 September to 4 October 2019.

¹⁴⁶ See Article 3 (1) of Law No.2019/024 of 24 December 2019 on the General Code of Decentralised Local Authorities, which states: 'the North-West and South-West regions enjoy a special status based on their linguistic specificity and historical heritage'.

¹⁴⁷ See Article 246 (1) of Law No.2019/024 of 24 December 2019 on the General Code of Decentralised Local Authorities, which states that the "mayor of the city, district councillor of the said urban community, is an indigenous personality of the region to which the urban community is attached."

CHAPTER 4 - THE IMPLEMENTATION OF HUMAN RIGHTS IN STRUCTURAL PROJECTS

During the reference year, the NCHRF observed that the rights of certain peoples were violated as part of implementing structural projects. Before presenting the recommendations formulated to better protect these rights (section 2), it is necessary to examine the grievances of victims observed in concrete cases (section 1).

SECTION 1 - GRIEVANCES OF THE LOCAL POPULATION

Article 12 of Ordinance No. 74-1 of 6 July 1974 establishing the land tenure system in Cameroon states that 'for the achievement of objectives of general interest, the State may resort to the procedure of expropriation'. However, such expropriation for public utility is subject to the prior payment of compensation to the owner of the land subject to expropriation. Under the terms of Article 545 of the Civil Code applicable in Cameroon, '[n]o one may be forced to cede his property, except for reasons of public utility, and in return for fair and prior compensation'. In the same vein, section 4(2) of Law No. 85/09 of 4 July 1985 on expropriation in the public interest and the modalities of compensation provides that '[i]n principle, expropriation shall give rise to a right to prior compensation'.

In line with this theme, the NCHRF conducted a caravan to raise awareness among stakeholders on the rights of local and indigenous peoples as part of implementing development projects in the communities of Meyomessala, Djoum and Mintom. The caravan, which the Promotion Unit at the Commission's head office initiated and was conducted in collaboration with the NCHRF's South Branch, was committed to raise awareness among local actors (the authorities of the target localities, organisations promoting and defending the rights of indigenous populations, and local communities) on the fundamental principles of human rights, with special emphasis on the rights of local residents in areas of development projects.

The South Region is home to at least five major projects in the energy, industrial and infrastructure sectors. Most of these projects were being finalised in 2019. This is the case, in particular, in the Dja-et-Lobo Division, of the Mékin hydroelectric dam and the construction of the motorway linking the town of Sangmélisma in Cameroon to that of Ouessou in Congo-Brazzaville.

The awareness caravan, which was conducted from 19 to 27 February 2019, concluded that, although beneficial, the above-mentioned development projects have had a considerable negative impact on the rights of the local residents. Indeed, during the consultation activities carried out with the beneficiaries, the following complaints were recorded:

- expropriation, without prior compensation or resettlement, of certain local residents, particularly those in the Bakas camps along the Djoum-Mintom road
- the destruction of the forest during the construction of the motorway, with the consequent violation of the right to food, the right to health and the right to habitat of the Bakas, as well as the damaging impact on the local fauna and flora
- the lack of resettlement of certain populations expelled from the hydroelectric dam, especially Somalomo, Bengbis and Endom Sub-divisions, in violation of the project's Environmental and Social Management Plan (ESMP)
- the occurrence of flooding in the villages of Assock, Bengbis, Mvomeka'a and part of the Dja Reserve, following the impounding of the Mékin hydroelectric dam. These floods caused the destruction of houses, surrounding plantations, livestock and archaeological tourist sites listed as UNESCO World Heritage sites
- noise pollution (due to the operation of the turbines) which disturbs the metabolism of local fauna (fish, birds, small livestock) as well as that of the local population
- the lack of implementation of the ESMP aspects relating to the development of access roads along the villages bordering the dam
- the exposure of the local population to harmful radiation from the dam's power plant;
- the lack of clean-up of water polluted by oil deposits and other toxic waste generated by the dam
- the disruption of the commercial and food-producing activities of the local population due to the construction of the dam
- the proliferation, in the districts of Bengbis and Meyomessala, of the "water fly", a vector for the transmission of a high fever

- the stopping, for several months and without any explanation, of social infrastructure projects (boreholes, schools and social centres)
- the exposure of students and teachers at Mebame secondary school to the risk of electrocution due to the presence of a high-voltage power line.

In addition, the local communities denounced cases of expropriation without compensation, and compensation that does not match the reality of the surface area of the expropriated land, nor the investments made, and cases of expropriation whose application exceeded the surface areas identified as being subject to expropriation. All of these shortcomings generally lead to conflicts and other disputes that do not always find solutions due to the vagueness of these different procedures. The following case provides a telling illustration.

Case n° 22 - Collectif des occupants des lots du titre foncier n° 0224/Mfoundi v. State of Cameroon

On 13 November 2018, the Banga-Assam Honorine Elisabeth Law Firm filed a complaint with the National Commission on Human Rights and Freedoms denouncing the violation of the Right to Land Ownership of the occupants of the lots of land title No. 0224/Mfoundi and others, implicating the State of Cameroon, in particular the Ministry of Water and Energy, and the companies ENEO, SONATREL and CIMENCAM.

As part of the construction and commissioning of the new CIMENCAM plant at Afan-Oyoya IV in Mefou-et-Akono, the construction of a high-voltage electricity transmission line was planned to supply this cement plant. The construction of this line, which runs from Afan-Oyoya IV to the Ahala connection point, over a distance of 1,800 metres with a 70-metre right of way on the victims' properties, was not preceded by an expropriation order for public utility reasons, unlike the part of the project located in the Mefou-et-Akono Division, a situation that the local populations complained to the administrative authorities about. As part of the settlement of this dispute, a meeting was held between the local residents and the administrative and municipal authorities with territorial jurisdiction. However, such meeting did not allow the population to know the modalities of their expropriation, nor the amounts of compensation.

Subsequently, the victims are said to have been very surprised to observe the passage of teams marking houses on their properties, as well as the parking of earthmoving machines announcing the imminence of work on the route of the transmission line, all of which increased their concern. It should be noted that the commissioning of the plant, which was scheduled for 31 January 2019, depended on the construction of the transmission line.

Faced with this situation, the complainant, who was received at the Protection Unit on 16 November 2018, and who reported the silence of the administrative authorities she had contacted, in particular the Minister of Water and Energy, requested urgent intervention by the NCHRF so that the complainants could be evicted from the area in return for adequate compensation.

After the hearing on 1 February 2019 with the Chairperson of the NCHRF, during which the complainant stated that she had been received in the Prime Minister's Office on 15 January 2019, and that she had been assured that Government would assume its responsibilities towards the local residents and other victims of the said project, a letter was sent to the Minister Secretary-General of the Prime Minister's Office for action, with a copy to the Minister of State, Secretary General of the Presidency of the Republic, for information purposes.

However, it is surprising and regrettable to note that, up to the date of finalisation of this report¹⁴⁸, the complainants had not yet been compensated for the land they had been dispossessed of; only compensation for land reclamation had begun, and only for a first wave of some 30 people (out of a total of 130 complainants).

With regard to nuisances in the operating areas of major structural projects, it should be noted that in some cases the projects cause all kinds of nuisances, whether olfactory, noise or visual. These nuisances do not always find solutions, although local residents complain about them and suffer the direct or indirect consequences, such as health problems.

The NCHRF's branch office for the Littoral region recorded the case of people living near the Logbaba gas extraction plant. This plant, which has made it possible to solve the problem of gas emissions from the ground in this area, has been at the centre of complaints from the local population denouncing air pollution and the permanence of gas odours due to its operation by the plant. The residents fear the risk of explosion due to the volatile and flammable nature of the gas. In addition, they point out that children and adults would be exposed to respiratory diseases if

¹⁴⁸ As of 9 November 2021

they continuously inhaled the plant's effluents. They therefore called for the preservation of the rights of the people living in the area.

The populations concerned undertook to lodge a complaint with Gaz du Cameroun - the company in question, a subsidiary of Victoria Oil & Gas PLC in London and majority shareholder in the Logbaba Gas Project, with the technical assistance of the CSO Centre d'actions pour la Vie et pour la Terre (CAVT) - as well as with the Governor of the Littoral Region. This complaint denounced, among other things, the company's non-compliance with the OECD Guidelines and the relevant national legislation, in particular Law No. 96/12 of 5 August 1996 on the framework law on environmental management in Cameroon and Decree No. 2005/0577PM of 23 February 2005 on the modalities for carrying out environmental impact studies. In the report of the Initial Assessment of the ¹⁴⁹complaint in question by the company's National Contact Point in the UK, the company announced its intention to closely examine the concerns of the people and to undertake a mediation/conciliation process with a view to reaching an amicable settlement of the dispute. An effort in this direction was subsequently observed¹⁵⁰. It is therefore expected that these efforts will increase and translate into holistic actions to mitigate the impact of this industrial activity on all relevant aspects of people's lives.

In view of the concerns arising from the general situation described above regarding the consideration of human rights in the implementation of structural projects, the Commission addressed a number of recommendations to the Government.

SECTION 2: RECOMMENDATIONS TO PROTECT THE RIGHTS OF LOCAL POPULATIONS

To protect the rights of local residents, the following recommendations were made to the public authorities. They are as follows

- the identification, compensation and resettlement, where appropriate, of indigenous Bakas
- compensation, relocation and resettlement of all populations living in the Mékin hydroelectric dam area
- the acceleration of the construction of housing for people affected by the construction of the dam in the districts of Bengbis, Endom and Somalomo
- the continuation of remedial measures to address the damage and disruption caused to people by the opening of the dam's gates, in parallel with the clean-up of waterways polluted by toxic discharges from the dam in question
- the rehabilitation of the Lobesse ferry on the Dja River, in order to facilitate the movement of goods and persons in this locality
- the development of access roads along the villages bordering the dam and the construction of two bridges at Ngallan on the Dja and at Assock on the Lobo
- the multiplication of campaigns to distribute mosquito nets to the populations of the Bengbis and Meyomessala districts, confronted with 'water fever'
- the continuation and completion of social infrastructure construction projects (boreholes, schools and social centres)
- the relocation of the Mebame secondary school from the high-voltage electricity transmission line
- taking measures to preserve the fauna and flora, as well as the archaeological and tourist sites located within the right of way of the Mékin dam
- the adoption of adequate sanitary measures to limit or even eradicate the proliferation of disease vectors around the Mékin Dam
- Capacity building of the populations living along the Djoum-Mintom motorway and the Mékin dam on income generating activities (IGA).

In addition to these specific recommendations, there are general recommendations:

- to ensure the systematic monitoring and guaranteeing of the effective consideration, by all stakeholders, of the rights of all populations likely to be affected by the implementation of development projects, and in particular

¹⁴⁹"Initial Assessment Decision: HLB and CBVL complaint against Victoria Oil & Gas plc", published on 4 March 2019 at <https://www.gov.uk/government/publications/ahn-and-cbvl-complaint-to-uk-ncp-about-victoria-oil-gas-plc-vog/3817002> (accessed 09/11/21)

¹⁵⁰ Before the publication of this report, we were able to record the donation, on 21 October 2021, of a cheque for 52,550,336 CFA francs by the gas company to the Logbaba district hospital, for extension work and the improvement of its technical facilities with a view to providing better health care for the local population.

- to always ensure prior compensation, in accordance with the terms already cited in the relevant legislation, to the populations targeted by expropriation procedures for reasons of public utility.

PART 6.- MONITORING INTERNATIONAL COMMITMENTS AND INTERACTION WITH HUMAN RIGHTS MECHANISMS

OHCHR and the African Union human rights bodies recognise that National Human Rights Institutions (NHRIs) have a role to play in preparing reports to be submitted to the protection and monitoring mechanisms and also have the competence to disseminate, raise awareness and follow up on the implementation of the recommendations and decisions of these mechanisms.

The NCHRF took the initiative to prepare such contributions in 2019 for issues the institution deemed it proper to intervene, or at the request of certain ministries.

This part of the report aims to present the interactions with the African regional human rights system (Section I) and the interactions with the international human rights system (Section II), and take stock of national public policies in the field of human rights (Section III).

SECTION 1 - INTERACTIONS WITH THE AFRICAN HUMAN RIGHTS SYSTEM

The developments in this section relate to Cameroon's periodic reports under African human rights instruments (paragraph 1), Cameroon's involvement in the major activities of the ACHPR (paragraph 2) and mainstreaming of the recommendations of human rights mechanisms into national public policies (paragraph 3).

Paragraph 1 - Cameroon's periodic reports under African human rights instruments

Cameroon caught up with the submission of its reports under the African Charter on Human and Peoples' Rights. At the end of the year under review, the country was among the three, along with Niger and Zimbabwe that were up to date with their reports.

Cameroon's latest report is equivalent to the fourth, fifth and sixth periodic reports under the Charter and the first report under the Maputo Protocol on the Rights of Women and the Kampala Convention on the Rights of Internally-displaced Persons. It covers the period from 2013 (when the last observations were made) to 2017.

The production of this report was supervised by the Inter-ministerial Committee for the follow-up of the implementation of recommendations and/or decisions of international and regional human rights mechanisms, which is housed at the Prime Minister's Office. The Committee received written and oral contributions from the NCHRF, which participated in several preparation and validation meetings organised at the Ministry of Justice. On 21 March 2019, the NCHRF also led the CSO consultation session on the content of this report.

The table below illustrates some of the data, contributions, enrichments and other modifications that CSOs have proposed to improve the State Periodic Report under the Maputo Protocol.

Enrichments proposed by CSOs

1. Equality and non-discrimination
 - Awareness campaign for lamibé and notables in traditional chiefdoms in the North (traditional chiefdom of Guider, in the North Region, sultanates of Kousseri and Logone-Birni, in the Far North Region) which led to the integration of 33 women in decision-making processes between September 2018 and February 2019
 - A traditional Charter of the Lamibé/Sultans on the position of women in the colleges of notables was adopted and co-signed by the senior chiefs concerned during public ceremonies in each of the three chiefdoms concerned
 - A total of 80 women now sit and exercise as notables in their own right in the courts of the higher chieftaincies of Guider, Kousseri and Logone-Birni, bringing the total number of women notables in traditional chieftaincies in Cameroon since 2016 to 122
 - Four action plans for the women notables of the lamidat of Guider and the sultanates of Logone-Birni and Kousseri were prepared at the end of the capacity building seminar for the women notables of Demsa.
 2. Creation of educational structures
 - Indicate the frequency of production and broadcast of radio programs and the number of media that broadcast them.
 - Complete the information in paragraph 4 on page 163.
 3. Women's participation in governance
 - Insert developments on the results of women's political participation in electoral contests over the period covered.
 - As part of the project to support the massive participation of women in the 2018 elections, Horizon femmes organised coffee debates for 232 students on the theme of Women's Democracy.
 4. Right to education
 - Insert statistics and sources to strengthen the paragraph on incentives for young people to take an interest in scientific training courses.
 - Menstrual hygiene management activities in educational settings. Horizon femmes have been implementing a project to support menstrual hygiene management in schools since July 2016. In 2018, this CSO produced several awareness-raising tools and 120 copies of a training manual for use by 150 significant actors chosen from among pupils and volunteers, 19,606 girls were sensitised, 12,885 girls received sanitary towels and psychosocial advice, 15 watch committees were set up in schools.
 - Awareness-raising and educational talks in schools on sexuality and the fight against early and unwanted pregnancies
- UNAPROFAD.
5. Rehabilitation of survivors
 - Request for details on the functioning of MINPROFF's call centres and their activities between 2014 and 2018.
 6. Rights relating to marriage
 - Awareness campaign on marriage certificates (UNAPROFAD).
 7. Protection of women's right to property
 - Enforcement of court decisions in favour of widows - Plateforme veuves du Wouri.
 8. Employability of women (p. 185, section B)
 - Need to indicate the profile of jobs reserved for women.
 9. Support for income-generating activities (Horizon femmes, Plateforme des veuves du Wouri, Affada)
 10. Valuing women's domestic work
 - Include statistics on women's domestic work.
 11. Combating trafficking in persons and smuggling
 - Campaign of the Association of Women and Girls of Adamaoua (Affada). The project to combat human trafficking in the lamidats, during the period from 2013 to 2018, led to :
 - Raising local public awareness against trafficking in persons, more than 30,000 people have joined the fight against this scourge and have become aware of the seriousness of the situation
 - the popularisation of Law No. 2011/024 of 14/12/2011 on the fight against trafficking in persons in Cameroon throughout the Regions of Adamaoua, North and Far-North, with media such as posters and leaflets displayed and distributed during the awareness campaign

- the schooling of 300 children of traditional chieftaincy servants who are descendants of slaves, including 50 for three years in Tibati, 150 others for two years in Ngaoundéré and 100 in Maroua
 - training and professional integration of 107 young people over school age in three cities: Tibati, Ngaoundéré and Maroua
 - the provision of funds for income-generating activities to 153 women
 - the setting up of three watchdog committees to sound the alarm in the fight against human trafficking
 - the conduct in Ngaoundéré, Garoua and Maroua, from 3 to 4 March 2015 and then on 11 May 2018, of three training sessions for 63 people (magistrates, judicial police officers, journalists, social workers and members of civil society) as reference persons in the prevention and repression of the crime of trafficking in persons.
12. Women and Land Rights
- Campaigns organised by the CSO Women's Horizons; as part of the Community Mobilisation and Advocacy Project for the Safeguarding of Women's and Widows' Rights in the West and Central Regions, 44 leaders of women's associations were trained in mastering land and property procedures, 2,718 women were then educated on land ownership.
 - Regarding awareness-raising tools, 3,940 informative and institutional leaflets, 1,400 mass awareness-raising posters, 299 polo shirts, 200 caps and 75 bags stamped with messages on women's land rights were produced and used.
13. Please specify on page 193 the number of organisations that received the agricultural equipment and the locations involved
14. Harmful traditional practices
- Widowhood rites - Wouri widows platform
 - Advocacy for the eradication of female genital mutilation - Affada
15. Women and peace
- The CSO Women's Horizons has trained 100 women leaders from the Littoral and West Regions in peacebuilding and social cohesion.

All these contributions were included in the Report submitted to the Ministry of Justice as the CSO contribution to the State Periodic Report to the ACHPR. After its consolidation and validation by the aforementioned Inter-Ministerial Committee, the report was examined by the 67th Ordinary Session of the ACHPR held from 13 November to 3 December 2020 in Banjul. Developments relating to the review of this report will be reported in the NCHRF Annual Report 2020.

Paragraph 2 - Cameroon in the major activities of the ACHPR

During the year under review, Cameroon participated in the ordinary and extraordinary Sessions of the ACHPR (A). Cameroon was also involved in some resolutions (B) and reports of the ACHPR (C).

A.- Participation of Cameroon in the Ordinary and Extraordinary Sessions of ACHPR

In 2019, the African Commission on Human and Peoples' Rights held its two ordinary and two extraordinary sessions as usual. These were the 64th (24 April-14 May) and 65th (21 October-10 November 2019) ordinary sessions held in Sharm el-Sheikh and Banjul respectively, as well as the 25th (19 February-5 March 2019) and 26 e(16-30 July 2019) extraordinary sessions.

The agenda items included the consideration of communications and periodic reports from Member States, as well as the human rights promotion activities of Commissioners, NHRIs and CSOs. The NCHRF was represented at the 65th session of the ACHPR by two commissioners who read a statement on the state of human rights in Cameroon, including the security situation in the North-West and South-West Regions, the Boko Haram attacks in the Far North Region, and the insecurity related to hostage-taking in the Adamaoua Region.

Given the current human rights situation in Cameroon in 2019, the President of the ACHPR sent a letter of concern to Cameroon on 1er November 2019, while expressing her desire to accompany the State in the search for lasting solutions.

The major events that concerned the country during these sessions are listed in the table below:

Table 18: Major events concerning Cameroon during the ACHPR sessions held in 2019

SESSIONS	TOPICS	OBSERVATIONS
25e special session	Substantive decision on Communication 290-04 _ Open Society Justice Initiative (on behalf of Pius Njawe Noumeni vs. Cameroon)	<p>The ACHPR ruled that the State had violated Articles 1, 2, 9 and 14 of the African Charter on Human and Peoples' Rights.</p> <p>It requested the State to take the necessary measures to ensure that Law No. 90/052 on the freedom of social communication of 19 December 1990 is brought into conformity with Article 9 of the African Charter and with the Declaration of Principles on Freedom of Expression in Africa.</p> <p>The State was ordered to pay the victim's family adequate material compensation (USD 110,000), the cost of renting the premises housing the radio studio, the salaries of the radio technicians, lawyers' fees and other legal costs, the loss of productivity of the investment (since May 2003), as well as for the moral damages suffered.</p> <p>The ACHPR gave the State 180 days from the publication of the decision to inform the Commission of the measures taken to implement this recommendation.</p>
64th Ordinary session	<p>Opening speech by the President of the ACHPR, the Honourable Commissioner Ms Soyata Maiga</p> <p>Statement on the human rights situation in Cameroon</p>	<p>Table of the worrying situation of the problems in the North-West/North-West and South-West Regions, highlighting cases of serious human rights violations</p> <p>Statement by the Minister for External Relations</p>
65th Ordinary session	Opening speech by the President of the ACHPR, the Honourable Commissioner Ms Soyata Maiga	<p>The Chairperson welcomed the holding of the Grand National Dialogue in Cameroon, particularly because of proposals that came up "for consensual solutions that would promote the establishment of peaceful, shared and sustainable political governance, although the relevance of these meetings in terms of their inclusiveness and their results continue to be contested by a large section of the citizens". It also congratulated the State of Cameroon for the release of more than 300 detainees about whom the Commission had expressed great concern in earlier press releases and resolutions.</p> <p>Finally, it invited Cameroon to seek a concerted and lasting political solution for the return and preservation of peace in the country.</p>

B.- The resolutions of the ACHPR

The ACHPR adopted nine resolutions during 2019. In addition to the three resolutions relating to its functioning, two of these resolutions concerned the human rights situation in Sudan and Ethiopia, and the four thematic resolutions concerned the recognition, promotion and protection of indigenous languages, the right to food and nutrition in Africa, the development of an African declaration on the promotion of the role of human rights defenders and their protection in Africa, and one on elections in Africa. Only the thematic resolutions are presented here.

1. The Resolution on the recognition, promotion and protection of indigenous languages (Res. 430 LXV 2019) adopted in November 2019 in Banjul

Resolution 430 LXV 2019 incorporates the recommendations of the regional workshop organised by the African Academy of Languages (ACALAN-AU) in collaboration with UNESCO on 30-31 July 2019 in Addis Ababa, Ethiopia, as part of the commemoration of 2019 as the International Year of Indigenous Languages. It raises the concern of ACHPR about the risk of the disappearance of some indigenous languages in Africa. Through this Resolution, the ACHPR called upon States Parties to give legal recognition to indigenous languages and grant them a budgetary allocation commensurate with the challenges of safeguarding and developing these populations and their languages and cultures.

2. The Resolution on the Right to Food and Nutrition in Africa (Res.431 LXV 2019) adopted in November 2019 in Banjul

Resolution 431 LXV 2019 is based on Articles 14 to 18 and 21 to 22 of the ACHPR and Article 14 of the African Charter on the Rights and Welfare of the Child. It confirms the concerns of the ACHPR in particular about the high prevalence of undernourishment in some African countries, due to economic and environmental problems, the undernourishment of prisoners whose energy and nutritional needs are not met, and the level of poverty of women, one of whose crucial roles in rural areas is to improve livelihoods. To address these, under this Resolution, the ACHPR urges States Parties, inter alia, to:

- Promote and strengthen multi-stakeholder platforms for the realisation of the right to food, with the full participation of small-scale food producers, farmers, herders and fishermen
- end the practice of resource grabbing affecting farming, fishing, forestry and pastoral communities
- encourage the production and consumption of local and organic food
- strictly regulate the import of foreign food products and the promotion and marketing of industrialised and highly processed foods.

3. The Resolution on developing an African Declaration on the promotion of the role of human rights defenders and their protection in Africa (Res.432 LXV 2019)

Aware of the need to strengthen the notion of the term "human rights defender" and its importance as regards developing human rights on the African continent, through a better understanding of the role of this actor, his or her rights and responsibilities, the ACHPR adopted Resolution 432 LXV 2019. It expressed concern about the progressive restrictions of the civilian sector and increase in acts of reprisals against human rights defenders, hence the decision to entrust the Special Rapporteur on human rights defenders with the task of proposing an African declaration on promoting the role of human rights defenders and protecting them in Africa.

4. The Resolution on elections in Africa (Res.433 LXV 2019)

In Resolution 433 LXV 2019, the UN ACHPR calls on states to take specific positive measures to promote participatory governance and equitable representation of women in public affairs.

States are equally called upon to require political parties to ensure that their supporters do not engage in or incite violence before, during or after elections.

Paragraph 3 - The reports of the ACHPR Commissioners

Among the reports presented by the Honourable Commissioners of the ACHPR at the 65th Ordinary Session of the ACHPR in Banjul, those quoted below made particular reference to Cameroon.

- The Report on Rape, War and Torture in Africa, presented by the Chair of the Committee on the Prevention of Torture in Africa

The Report on Rape, War and Torture references to the ACHPR case-law, notably in Communication 266/03: Kevin Mgwanga Gunme C/Cameroon (2009), which recognises the non-exemption and absolute nature of the prohibition of torture in times of conflict, public emergency or in the fight against terrorism. The report also indicates that humanitarian workers in Cameroon face significant obstacles in providing medical and psychological support to IDPs in some rural areas.

- The Special Rapporteur's analysis of the situation of refugees, asylum seekers, internally-displaced persons and migrants on this issue

The Special Rapporteur analysing the situation of refugees, asylum seekers, internally-displaced persons and migrants expresses concern about the situation of IDPs in Cameroon (page 13).

- The Cross-sectional Activity Report of the Special Rapporteur on Human Rights Defenders

The Special Rapporteur on human rights defenders indicated that the Mechanism registered a complaint on alleged human rights violations involving the State of Cameroon. He followed up on the complaint according to the specific needs expressed. He also recalled that he had jointly signed, with the Special Rapporteur on prisons, conditions of detention and policing, a press release on the release of certain prisoners in Cameroon on 11 October 2019. This press release followed that of 26 January, which followed the arrest of more than 200 MRC demonstrators during illegal demonstrations and in which the ACHPR reminded the authorities that the Charter guarantees, under certain conditions, the right to participate in the management of public affairs (art. 13), respect for life and physical and moral integrity (art. 4), freedom of assembly and peaceful demonstration (art. 11), and the right to peace and security (art. 23). He also referred to the Guidelines for Law Enforcement Officials Maintaining Order at Meetings in Africa.

In the communiqué of 11 October 2019, the African Commission reiterated its request and availability to carry out a general human rights mission to Cameroon, to strengthen its dialogue with government authorities and all other stakeholders.

SECTION 2 - INTERACTIONS WITH THE INTERNATIONAL HUMAN RIGHTS SYSTEM

As part of Cameroon and the NCHRF collaboration with the international human rights system, various actions were undertaken under 2019, such as the application of the Plan for the popularisation and follow-up of the implementation of the recommendations of the Universal Periodic Review (UPR) developed by the NCHRF (paragraph 1) and with the collaboration with the treaty bodies (paragraph 2).

Paragraph 1. - The Universal Periodic Review

This section provides information on the implementation of the Outreach and Monitoring Plan for the implementation of UPR recommendations in 2018 (A), meetings with diplomatic missions (B) and evaluation of the implementation of some UPR recommendations by Cameroon (C).

A.- Implementing the plan for outreach and monitoring the implementation of UPR recommendations in 2018

As a reminder, the recommendations made to the State of Cameroon, under the country's appearance before the UPR in 2018, were related to:

- the ratification of international human rights instruments
- strengthening the national legal framework for the protection of human rights
- international cooperation and strengthening cooperation with national actors in the promotion and protection of human rights
- the implementation of the National Action Plan for the Promotion and Protection of Human Rights 2015-2019
- capacity building of the NCHRF

- issues relating to the security situation in the North-West and South-West Regions
- the protection of the rights of vulnerable groups (women and gender, disabled and elderly people, indigenous people, children's rights/child trafficking, rights of refugees and internally displaced people)
- the protection of civil and political rights (right to freedom of expression, right to a fair trial, detention and torture, freedom of association and assembly, freedom of the press)
- the protection of economic, social and cultural rights (right to work and social security, fight against poverty and right to an adequate standard of living, right to health, right to education).

As indicated in the NCHRF Annual Report 2018, a plan for outreach and follow-up on the implementation of the UPR recommendations had been developed and shared by the NCHRF with various partners.

The plan included the following activities

Table 19: Follow-up on the implementation of UPR recommendations

N°	Activities
1	Compilation and development of a Guide to Recommendations
2	Information to diplomatic representations of countries that have made recommendations to Cameroon
3	Seeking technical and financial support from partners to purchase software for monitoring the implementation of the recommendations with backward scheduling and the production of awareness-raising tools on the recommendations of the 2018 UPR
4	Breakdown of recommendations at the NCHRF (Working Groups; units and services; regional branches)
5	Advocacy with public administrations and the inter-ministerial committee in charge of following up and implementing UPR recommendations for a better appropriation of the actions to be undertaken as part of implementing the recommendations made.
6	Raising awareness on the recommendations at the level of the media

However, the NCHRF could not implement all components of this plan during the year 2019, due to insufficient funds. Following the compilation of these recommendations in the form of a Guide, the Chairman and the Secretary-General of the NCHRF met with some officials of diplomatic missions accredited to Cameroon, to discuss the monitoring of the implementation of the content of the recommendations made by their respective countries to the State of Cameroon, and how they are implementing the actions advocated by the said recommendations in their countries.

B.- Meetings with diplomatic representations

To implement a part of this plan to popularise and follow up on the implementation of the 2018 UPR recommendations, the NCHRF President has requested audiences with certain diplomatic representations in July 2019, to get them interested in accompanying the actions of the State and the NCHRF. The selection of embassies to be given priority was made based on recommendations related to national current affairs and issues of concern to the NCHRF, namely:

- solving the problems of insecurity in the North-West and South-West Regions
- the guarantee of public freedoms
- the fight against torture and
- the realisation of the Rights of specific categories.

The objectives of these hearings were to remind these diplomatic missions of the recommendations made by their States and discuss the possibilities of benefiting from technical and/or financial support to follow up the implementation of solutions to the various concerns raised.

Some embassies were approached as per the schedule of activities, the programme and the availability of the NCHRF

Chairperson. Some of the institutions responded positively, while others did not give any feedback to the Commission's request for an audience. The Commission sent a delegation to those that did not give feedback, led either by the Chairperson or the Secretary-General. The table below summarises the NCHRF's activities with diplomatic missions.

Table 20 - Summary of the audience with embassies in 2019

AMBASSIES	OBSERVATIONS
SOUTH AFRICA	<p>Audience concerning the recommendations on strengthening the national legal framework for human rights, combating all forms of discrimination against women and ethnic minorities, and protecting the rights of the child.</p> <p>During the audience, Mrs Kgomotso Ruth Magau, South African High Commissioner to Cameroon, thanked the Chairperson for the visit. Discussions with the NCHRF delegation focused on the functioning of the Commission, and current human rights issues.</p> <p>As a follow-up to the recommendations made by South Africa to Cameroon during the 2018 UPR, the High Commissioner expressed her readiness to liaise the Commission with its sister institutions, namely the South African Human Rights Commission and the Public Protector, to share good practices in the fight against discrimination against vulnerable groups.</p>
FRANCE	<p>Audience concerning recommendations on the ratification of certain international human rights instruments, improving the right to a fair trial and better management of pre-trial detention issues.</p> <p>The French Ambassador to Cameroon received the Secretary-General of the Commission. In addition to the item on the UPR recommendations, discussions focused on the socio-political and security situation in Cameroon, the NCHRF's relations with civil society, and the departure of the ambassador at the end of his mission. He asked the Secretary-General to maintain contact with the Embassy staff to follow up on the issue under discussion.</p>
SENEGAL	<p>No feedback on the request for the audience concerning the recommendations on the ratification of certain international human rights instruments, on the insourcing of the instruments for the protection of the rights of the child and the fight against all forms of discrimination against women and ethnic minorities.</p>
TUNISIA	<p>Audience concerning the recommendations on the ratification of certain international human rights instruments, on respect for gender equality in the labour market and on the fight against early marriages.</p> <p>Following courteous discussions between the Commission Chairperson and Ambassador Jalel SNOUSSI, an oral statement from the Tunisian Commission was prepared related to the coordination, development, presentation of reports and follow-up of recommendations in human rights, and sent to the Ministry of External Relations. This Commission is a permanent structure under the Presidency of the Tunisian Republic. It is composed of representatives of all ministries and the National Institute of Statistics of Tunisia.</p> <p>Concerning the recommendation concerning the ratification of certain international instruments by Cameroon, namely the Convention for the Protection of All Persons from Enforced Disappearance, this Commission observed as a good practice that a project to integrate the crime of enforced disappearance is planned as part of the overall reform of the Tunisian Criminal Code, as well as the creation in 2013 of a national body for the prevention of torture responsible for giving effect to Tunisia's commitments under the OPCAT.</p> <p>Regarding the recommendation to continue efforts to ensure gender equality, in particular in the labour market, Tunisia identified as good practices the following:</p> <ul style="list-style-type: none"> - the enshrinement in its Labour Code of equality and non-discrimination between men and women - the lifting of reservations on the CEDAW in 2011 - The Strategy for the Prevention of Violent Behaviour in the Family and Society: Gender-Based Violence by Age - the existence of a Peer Council for Equality and Equal Opportunities between Men and Women, which is responsible for integrating the gender approach into the various national plans and programmes

	<ul style="list-style-type: none"> - the organic law on the fight against human trafficking enacted in 2016¹⁵¹ - the organic law on combating violence against women, enacted in 2017¹⁵² - the National Strategy for Women's Economic Empowerment - the Strategy to Combat School Dropout, especially among girls in rural areas. <p>Concerning the recommendation concerning the fight against early marriage, the Commission notes that the Tunisian approach is based on</p> <ul style="list-style-type: none"> - a protective legal framework that has set the minimum age of marriage at 18 for both sexes, coinciding with the end of childhood and the age of civil majority - a strong institutional system of protection with the creation of the functions of family judge and children's judge, the generalisation of the Corps of Child Protection Officers and the creation of the function of General Delegate for Child Protection.
NIGERIA	No response to the request for a hearing on the recommendations on mobilising sufficient resources to enhance international cooperation for the promotion and protection of human rights.
UNITED KINGDOM	<p>Hearing on the recommendations on options for resolving the situation in the North-West/North-West and South-West Regions, the fight against child labour and the adequate provision of humanitarian aid.</p> <p>During a visit to the NCHRF, the High Commissioner acknowledged that the State has implemented the recommendation, in terms of access to humanitarian assistance in these areas, although the path to resolution is still winding. The Chairperson and the High Commissioner discussed the possibility of the NCHRF continuing efforts to participate in the resolution of security issues, including by taking a greater interest in the activities of the National Committee for Disarmament, Demobilisation and Reintegration, with which the NCHRF should cooperate.</p>
CANADA	<p>Hearing on recommendations on options for resolving the crisis in the North-West and South-West Regions.</p> <p>In addition to the concern that was the subject of the visit, at the end of the mission, the High Commissioner looked at the new law establishing the CHRC. She expressed her concern about the voices of civil society that have been raised to protest against some of the provisions of the new law. The Secretary-General reassured the diplomat that the reform process was participatory and that CSOs actively contributed to the adoption of the new text. She expressed the hope that the Canadian High Commission would continue to work with the NCHRF when her interlocutor announced that she was at the end of her mission in Cameroon.</p>
MOROCCO	No response to the request for a hearing on the recommendations on the prevention of torture, the improvement of prison conditions, the fight against early and forced marriages as well as on the recommendations on the protection of the Rights of the Child.
SWITZERLAND	No response to the request for a hearing on the recommendations on the mastery of human rights standards by the security forces.

C.- Assessment of the implementation of some UPR recommendations by Cameroon

Although it has been difficult to implement its Plan for Outreach and Follow-up on the Implementation of UPR Recommendations in 2019, the NCHRF believes that it is possible to mention some actions taken by the State to follow up on some of the recommendations of the 2018 UPR. These include, among others, the actions taken concerning the following recommendations:

- **Recommendations on the ratification of treaties**

It was suggested that Cameroon consider, among other things

- the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child

¹⁵¹ In Cameroon, Law No. 2011/024 on the fight against trafficking in persons was promulgated on 14 December 2011.

¹⁵² A national strategy to combat gender-based violence (2017-2020) exists in Cameroon.

prostitution and child pornography. The Commission applauds the fact that this recommendation has been implemented by the State of Cameroon, as the President of the Republic has promulgated Law No. 2019/017 of 24 December 2019 authorising the ratification of that Protocol

- accelerating the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). In this regard, some developments were noted in 2019: the signing of Decree No. 010/347 of 19 November 2010 on the ratification of the Optional Protocol to the Convention against Torture allowed the ratification process for this instrument to be completed, for which the instruments of ratification were deposited in 2012 with the United Nations Secretariat General. However, Cameroon was obliged to restart the process after finding formal and substantive defects in the procedure.

What is important to note is that when a State initiates this ratification procedure, it is required to make a declaration indicating whether or not it wishes to defer the establishment of a National Preventive Mechanism for Torture (NPMT) under Article 24. The State of Cameroon had requested the application of this deferral clause at the time of the deposit of the instruments of ratification in 2012. However, in 2019, while the ratification process of this instrument was still underway, the State established the MNPT as part of the adoption of a new founding law for the country's NHRI. During a working session, MINREX called upon the NCHRF and MINJUSTICE to give their opinions on this subject. In the opinion of the NCHRF, this declaration of postponement could no longer be relevant considering the option taken by the lawmaker, after consultation, to make the NCHRF the MNPT of Cameroon.

- **Recommendations for capacity building of the NCHRF**

The adoption of the new 2019 law enables us to agree that this is indeed a step forward in the field since the missions, attributions and mode of action of the country's NHRI are better defined, although it is necessary to provide it with the means necessary for its complete effectiveness.

- **Recommendations on the management of the Anglophone crisis.**

Some of the recommendations made concerning the resolution of the conflict in the North-West and South-West have been addressed. For example, following the recommendation made by Honduras on strengthening the policy of bilingualism in Cameroon, the State has set up a National Commission for the Promotion of Bilingualism and Multiculturalism. The recommendations towards organising a dialogue to adequately respond to the violence in the abovementioned regions were also followed up in September and October 2019, with the holding of the Grand National Dialogue.

However, it should be noted that the wording of some recommendations could make it difficult to assess the level of their implementation. This is particularly true of the recommendations on implementing the National Action Plan for the Promotion and Protection of Human Rights (PANPPDH), whose implementation was due in 2019. As it happens, the conditions foreseen to facilitate its implementation have not been met. These included: the provision of sufficient financial resources to carry out PANPPDH activities, the functioning of the Plan's technical steering committee and, the use of measurable indicators for better monitoring and evaluation of the Plan. The various stakeholders in this Plan have nevertheless carried out activities that indirectly contribute to implementing some of its actions. The NCHRF proposed that an evaluation be carried out and a new national policy document for promoting and protecting human rights be adopted.

The recommendations calling on the country to take measures to improve the situation of vulnerable groups, respect for civil and political rights and economic, social and cultural rights will be assessed below, as part of reviewing public policies in these areas in 2019.

Paragraph 2 - Collaboration with UN human rights monitoring mechanisms

This section provides information on the status of Cameroon's and the NCHRF's collaboration with the special procedures (A) and with certain treaty bodies with which interaction was observed during the year under review (B). It concludes with a summary of the press release issued by the United Nations High Commissioner for Human Rights (C).

A.- Special procedures

The role of the Special Procedures established by the UN Human Rights Council is to examine, monitor, advise and report on human rights situations in specific countries or territories, as regards grave situations of human rights violations, irrespective of where they occur. These are country or thematic mandate holders, also known as special rapporteurs. They can carry out several activities, including handling individual complaints, conducting studies, advising States on technical cooperation and any other activities to promote human rights.

As part of their activities, most Special Procedures receive information on specific alleged cases of human rights violations, transmit urgent appeals to States and questionnaires to various actors, such as NHRIs. They may also conduct fact-finding missions.

The year under review was marked by the absence of favourable responses to visits requested by special rapporteurs, given the prevailing security context. Among the thematic mandate holders who sent requests to visit Cameroon were: the Special Rapporteur on Freedom of Association, Assembly and Peaceful Demonstration, the Special Rapporteur on the Independence of Judges, the Special Rapporteur on Minority Issues and the Special Rapporteur on the Sale of Children. At the time of writing the NCHRF 2019 Report, the Cameroonian authorities had not officially received any of these rapporteurs.

B.- Treaty bodies

We will focus here on Cameroon's appearance before the Committee on Economic, Social and Cultural Rights (a), the Committee against Torture (b) and the Committee on the Elimination of All Forms of Racial Discrimination (c).

a. The Committee on Economic, Social and Cultural Rights (Report and concluding observations of March 2019)

Cameroon was evaluated in 2019 on the status of implementation of certain provisions of the International Covenant on Economic, Social and Cultural Rights. This was its fourth visit to the Committee. After two working sessions at MINREX and MINJUSTICE, the NCHRF submitted to these two ministries its written contribution on the aspects of the draft State Report that is considered incomplete. The NCHRF's contribution focused on the following four items:

- measures are taken in favour of indigenous peoples
- Women's cultural rights
- the right to citizenship
- prevention of forced evictions.

Concerning these topics developed in the draft State Report, the Commission reported on its activities in these areas, before expressing its position on improving the achievement of the rights proclaimed in the ICESCR, in advanced contribution before Cameroon's appearance before this treaty body. The content of this contribution was specific to certain points, as mentioned below.

➤ The Commission's position on certain aspects of the State report to the Committee on ESC rights

- **On measures taken in favour of indigenous peoples**

Indigenous peoples have received increasing attention at the national level. The Commission particularly welcomes government initiatives such as the study on the identification of indigenous peoples in Cameroon, which is still ongoing, the development of a matrix of indigenous peoples' rights in the area of biodiversity conservation, and the multi-faceted support for schooling, training, access to healthcare and employment of indigenous peoples.

The Commission nevertheless recalls that implementing all these initiatives requires an assessment of the extent to which their fundamental rights are considered. An NCHRF mission carried out by the Working Group on the Rights of Vulnerable Groups in February 2019 revealed that the level of achievement of the rights to education, health, land ownership, citizenship and justice, and the right to participate in the management of public affairs of a large proportion of indigenous populations, remains fairly low. In addition, the overuse of drugs and alcohol in these communities, mainly in the Eastern Region, and the phenomenon of child trafficking, do not augur well as regards the respect for the rights of these communities.

The Commission insists on taking into account the latest recommendations made by the ACHPR on this matter, on the occasion of its 15th extraordinary session, held from 7 to 14 March 2014. More specifically, it recommends that the State initiate a reflection on effective mechanisms for resolving conflicts between the Bakas and the Bantus, in particular by formalising the traditional chieftaincies of the Bakas communities, to ensure that they have equal access to justice, including customary justice, and adequate reparation for the human rights violations they suffer.

The Commission also stresses the need to extend programmes against drug use to indigenous communities, as this phenomenon is one of the causes of school dropout among young people in these communities.

- **On Women's Cultural Rights**

The Commission recalls that one of the fundamental principles of human rights is the principle of universality, which in no way alters the expression of cultural diversity, especially as cultural rights are both human and peoples' rights.

The Commission bears the opinion that a great deal of awareness-raising needs to be done to ensure women's cultural rights within communities. All national communities that are still reluctant to acknowledge the place and role of women in the preservation of cultural heritage must be made aware of the negative effects of their discriminatory practices on their cohesion and development.

The Commission calls on the State to crack down on speeches and actions that rely on the abusive argument that customs and traditions justify violations of women's rights.

Furthermore, the State should engage traditional authorities in a review of our cultural practices to ensure that these practices are compatible with human rights and, more specifically, with women's rights, including their economic, social and cultural rights. This could help to anchor cultural rights in the body of human rights, in line with the principle of universality of human rights.

• On the right to citizenship

The NCHRF recalls that nationality is essential for a person to recognise himself or herself as a citizen of a State, with Rights and duties.

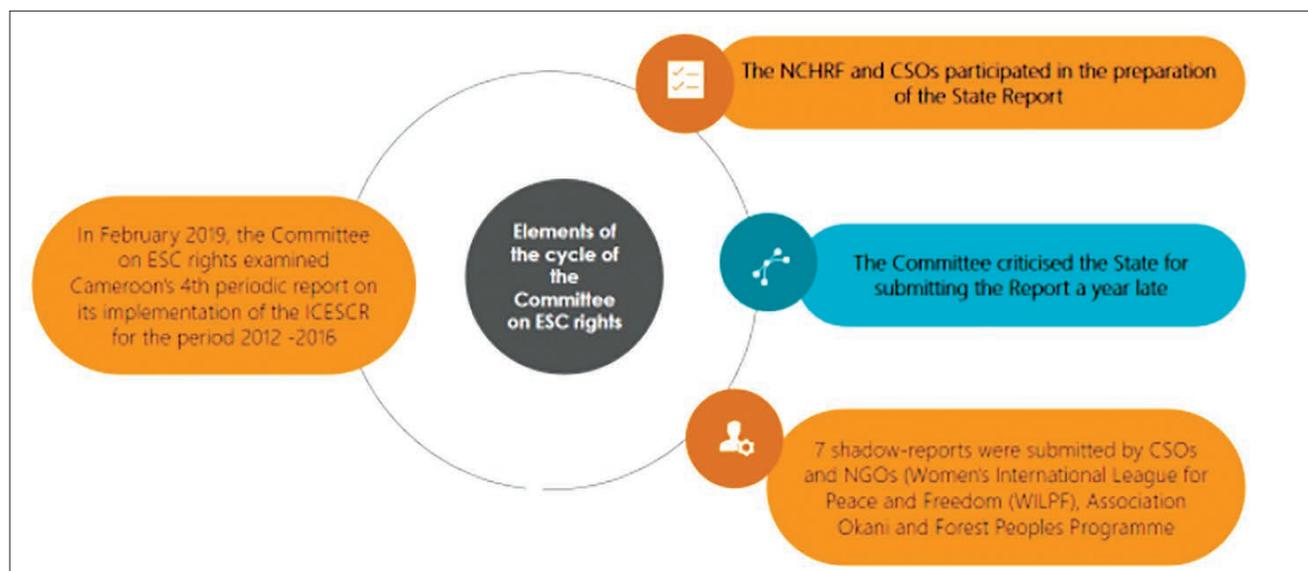
In recent years, the Commission has noticed that some registration centres and structures for issuing civil status documents, namely civil status centres, are far from the people and this has repercussions on the issuing of these documents (birth certificates, marriage certificates and death certificates).

The Commission encourages the State to facilitate the procedures for issuing birth certificates to enable children to access their basic social rights (right to education through participation in examinations and competitions, right to social security, etc.).

Controlling birth registration and the issuing of identity documents is also an important security issue, which the state must be able to control as correctly as possible.

➤ The State's defence of the Report and the main issues of concern

Figure 18 - Elements of the cycle of the Committee on ESC rights



The alternative reports from CSOs and NGOs aimed to propose to the Committee on ESC rights issues that the State needed to consider. These issues were related to completing the adoption of the Family Code and the reform of the Civil Code, the participation of internally displaced persons in public affairs, the establishment of the National Commission on Small Arms and Light Weapons, the abolition of birth registration and certification fees, the production of national statistics on the number of persons without birth certificates, and Government measures to ensure remedies for those affected by the exploitation of resources for the production of palm oil and rubber.

During the presentation of the State Report, the Minister of External Relations focused mainly on Cameroon's efforts

to implement ESC rights. These efforts are structured around the Growth and Employment Strategy Paper. He also highlighted the difficult socio-political and economic context in which these efforts had to be deployed, referring in particular to the fight against terrorism in one of the northern regions and the worrying social and humanitarian situation in the North-WestNorth-West and South-West Regions. Finally, he noted that legislative, institutional, judicial and regulatory reforms have improved the protection of ESC rights in general.

During this exercise, the delegation of Cameroon corrected the figure of 400,000 displaced persons from the North-West and South-West Regions, put forward by some NGOs, and substituted the figure of approximately 70,000 displaced persons, which was still considerable. Fortunately, the State had repeatedly demonstrated that it was taking care of them, although their basic needs were still far from being met.

During the debates, the case of Nasako Besingi, a Cameroonian environmental rights defender, was also discussed. The experts of the Committee on ESC rights who raised it mentioned that this case is symptomatic of situations of human rights violations resulting from the granting of concessions to industrial companies to exploit natural resources. In this regard, the State was invited to inform the Committee on the existence or not of laws that oblige the Government to carry out impact studies before granting such concessions. In response, the State argued that in 2013, a law was adopted to correct all such abuses¹⁵³, in addition to the creation of a control institution housed at the Presidency of the Republic, the only one authorised to issue concessions.

The experts in charge of Cameroon's review then asked questions on the main areas of concern, before proposing avenues for improvement. These are, in a nutshell, the following topics.

¹⁵³ Law No. 2013/004 of 18 April 2013, laying down incentives for private investment in the Republic of Cameroon.

Main concerns and recommendations of the Committee on ESC rights



Main concerns and recommendations of the Committee on ESC rights



➤ Content of some recommendations addressed to the State by the Committee on ESC rights and follow-up measures

The tables and illustration below refer to the recommendations made in Cameroon concerning, inter alia, the security situation, the enforceability of ESC rights, IDPs, the right to work and the right to education.

Tables 21, 22 and 23 - Some recommendations made to Cameroon by the Committee on ESC rights

Areas of concern	Recommendations
<p data-bbox="244 508 496 587">SECURITY CONTEXT</p> <ul style="list-style-type: none"> › The Committee expressed concern about allegations of destruction of hospitals, schools, including entire villages, in the North-West and South-West Regions by non-State armed groups and by members of the State party's security forces. 	<p>The Committee recommends:</p> <ul style="list-style-type: none"> › the enjoyment of rights set out in the Covenant by people living in areas affected by insecurity and violence › thorough and independent investigations into allegations of violence and destruction of hospitals, schools and entire villages, particularly in the North West and South West Regions › effective implementation of adopted humanitarian response plans, as well as the National Action Plan of UNSCR 1325 and related resolutions on women, peace and security (2018-2020)

Summary of some recommendations

Areas of concern	Recommendations
<p data-bbox="244 1199 496 1278">JUSTICIABILITY OF ESC RIGHTS</p> <ul style="list-style-type: none"> › The Committee is concerned about the fact that the provisions of the Covenant have very rarely been referred to by the courts › .. 	<p>The Committee recommends:</p> <ul style="list-style-type: none"> › To intensify efforts to ensure that economic, social and cultural rights can be referred to at all levels of the legal system › Continue to provide regular training, in particular to judges, lawyers, security forces, parliamentarians and other actors, on the content and justiciability of Covenant rights › Be guided by General Comment No. 9 (1998) on the domestic application of the Covenant in the implementation of this recommendation

Summary of some recommendations

Areas of concern	Recommendations
<p data-bbox="307 565 564 662">INTERNALLY DISPLACED PERSONS</p> <p data-bbox="447 693 859 837">The Committee is concerned about the large number of persons displaced by terrorism and the security situation and their negative impact on economic, social and cultural rights</p>	<p data-bbox="951 580 1275 609">The Committee recommends:</p> <ul data-bbox="951 628 1454 910" style="list-style-type: none"> › Avoid actions that may result in forced displacement of the population › Appropriate and reasonable measures to prevent such displacement › Facilitate their access to adequate housing, health care, education and social protection, involving international cooperation where necessary

Summary of some recommendations

Areas of concern	Recommendations
<p data-bbox="307 1271 564 1391">RIGHT TO WORK</p> <p data-bbox="383 1415 817 1644">The Committee is concerned about the significantly high rates of unemployment and underemployment, particularly among young people and women, and the difficulties faced by indigenous peoples, persons with disabilities and English-speaking persons in accessing the labour market.</p>	<p data-bbox="890 1247 1185 1276">The Committee recommends:</p> <ul data-bbox="890 1295 1477 1692" style="list-style-type: none"> › the effective implementation of a national employment strategy with an action plan with clear targets giving priority to groups that are disproportionately affected by unemployment and underemployment › To improve the quality of educational and technical and vocational training programmes, tailoring them to the needs of the labour market, as well as to the needs of the most disadvantaged and marginalised individuals and groups › To eradicate forced labour and ensure fair and favourable working conditions for all workers, including indigenous peoples, and to ensure that independent investigations are carried out into such cases.

Summary of some recommendations

Areas of concern

RIGHT TO EDUCATION

The Committee is concerned about:

- the decline in primary school enrolment rate
- the low enrolment rate of girls and the persistent difficulties in getting and keeping them in school
- the lack of adequate educational infrastructure, marked by inadequate access to clean water and sanitation facilities
- the costs of primary education due to indirect and unofficial costs
- the obstacles to the achievement of the right to education for indigenous peoples due, in part, to the lack of cultural appropriateness of educational programmes and the limited availability of education in indigenous languages
- the violence against teachers, pupils and parents and damage to educational infrastructure in areas affected by security crises

Recommendations

The Committee recommends:

- › Measures to increase enrolment in primary and secondary education
- › To address the persistent difficulties and barriers to girls' access to education on an equal basis with boys
- › To ensure access to drinking water and adequate sanitation facilities in educational facilities
- › To ensure the effective implementation of free school at the primary level
- › To ensure access to quality and culturally appropriate education for indigenous peoples
- › Urgent measures to ensure that children in crisis areas have access to education. Thoroughly investigate acts of violence against teachers, students and parents, as well as damage to educational infrastructure, to bring the authors of such acts before the court

Other recommendations

1. RATIFICATION OF INSTRUMENTS

- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights
- 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
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

2. ACHIEVING THE SUSTAINABLE DEVELOPMENT GOALS

- To establish independent mechanisms to monitor the achievement of the SDGs with respect to the principles of participation, accountability and non-discrimination

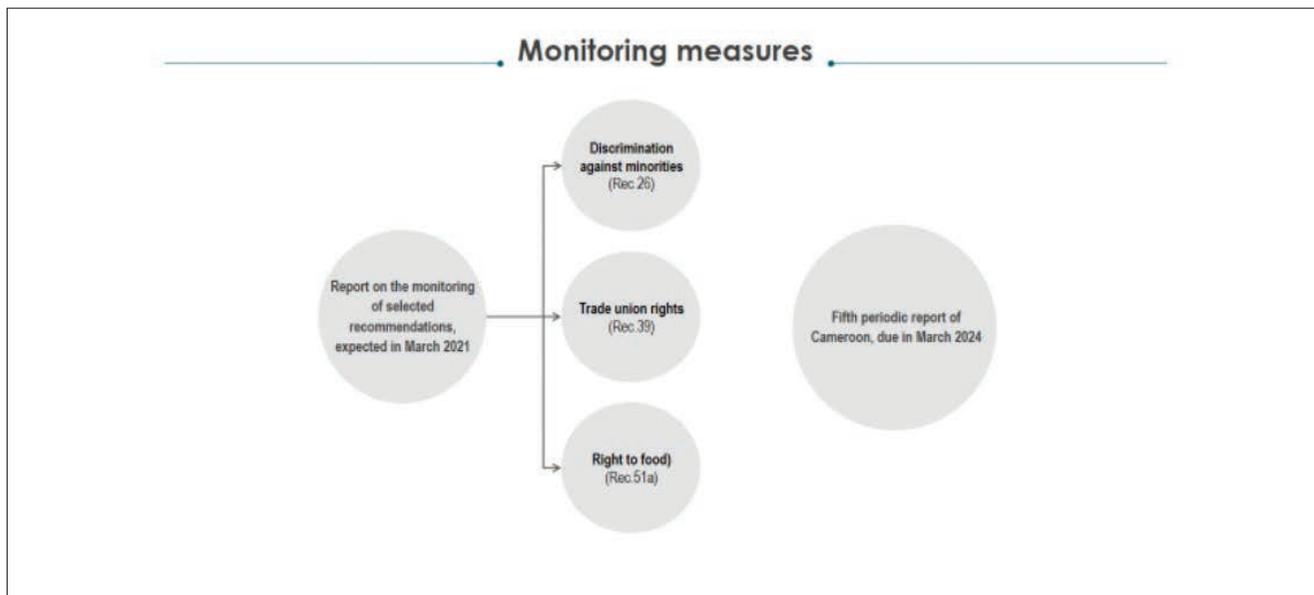
3. DEVELOPMENT AND APPLICATION OF INDICATORS OF ACHIEVEMENT OF THE ESC RIGHTS

- To refer to the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights

4. POPULARISING THE RECOMMENDATIONS ON ESC RIGHTS

- To widely disseminate the recommendations to members of the National Assembly and Senate, public officials and legal authorities, and civil society
- To include the National Commission on Human Rights and Freedoms and non-governmental organisations in the recommendations and national consultation process prior to the submission of its next periodic report.

Figure 20 - Elements of the cycle of the Committee on ESC rights



b. The Committee Against Torture (CAT) (Follow-up and reminder letter of 4 June 2019)

On 4 June 2019, the Committee against Torture sent a follow-up letter to Cameroon because the State was expected, following its review before that Committee in December 2017, to further inform the Committee on the steps taken to implement recommendations 12, 18, 20 and 40, relating respectively to the widespread use of torture in incommunicado detention centres, forced returns to the Far North of Cameroon, the security situation in the North-West/North-West and South-West Regions, and the deposit of instruments of ratification of the OPCAT.

The State was also required to communicate its plan for the implementation of all the recommendations made by the Committee against Torture. This information was due from Cameroon by 6 December 2018. As of 31 December 2019, Cameroon had not yet provided the expected information.

The State finally submitted the report in 2020. Its content and the observations that will be made by the Committee after review will be analysed in the Commission 2020 Annual Report.

c. The CERD Committee

Cameroon submitted its 22nd and 23rd periodic reports to the Committee on the Elimination of Racial Discrimination (CERD) on 18 July 2019. This report, for which the Commission participated in the validation meetings organised by the Ministry of Justice in 2018, was expected by the CERD Committee on 24 July 2017 to review the implementation status of the 27 recommendations that were made in September 2014 by that Committee.

In the report that the state submitted in July 2019, it is stated, in response to recommendation No. 8 on strengthening the independence and autonomy of the NCHRF that the latter benefits from a budget line in the Finance Act. Even if it remains insufficient, such a budget is increasing and should enable the NCHRF, with the desired easing of procedures for releasing funds, to carry out its missions more effectively.

The State has also proposed response to Recommendation No. 13 on efforts to fully and effectively implement the official policy of Bilingualism in Cameroon, and measures to combat the inequalities that the people of the North-West and South-West allege to be victims of. On this point, the report states that despite the actions taken by the Government in terms of bilingualism and to take on board the interests of the citizens of the two regions of the North-West and South-West, some challenges remain. To minimise these challenges, the report mentions measures taken in favour of employment, education, access to justice and promotion of bilingual education.

The State will have to defend its report before the experts of the CERD Committee at a date to be determined by the Committee so that the concluding observations are known.

C.- The press release of Mrs Michelle BACHELET further to her visit to Cameroon in May 2019

Mrs Michelle BACHELET, United Nations High Commissioner for Human Rights, in her opening statement at the 41st session of the Human Rights Council, spoke of her mission to Cameroon conducted in May 2019. In a few words, she spoke of the working sessions held with the President of the Republic, the various government and parliamentary authorities, leaders of political parties, representatives of civil society organisations, administrative authorities and other independent public institutions, such as the Commission. She appreciated Cameroon's determination to cooperate in combating human rights violations after the worsening security situation in the North-West and South-West Regions.

Her statement called on the authorities to further guarantee freedom of expression and freedom of peaceful assembly as per existing laws and procedures. She also encouraged them to consider opposition actors as partners in the inclusive dialogues that will be essential to lay the foundations for lasting peace in Cameroon, and investigate promptly into all alleged cases of human rights violations, specifically those involving the defence and security forces. Finally, she recalled the terms of the new UN Strategy and Plan of Action on Hate Speech, which argues that the misuse of restrictions on freedom of expression can lead to serious human rights violations that are difficult to control in the long term.

Following the High Commissioner's visit, a team of technical experts from the OHCHR undertook a field mission to identify areas of strengthened cooperation between Cameroon and the OHCHR to address problems and improve human rights protection. The NCHRF received the team. The Commission presented to the team the difficulties they encounter in the course of conducting their missions, before defining their training needs. The Commission thus indicated that the main difficulties encountered in the execution of its mandate were:

- the qualitative and quantitative insufficiency of human resources
- insufficient financial and material resources
- the weak human rights culture at the level of administrative authorities and among the people.

Apart from these major factors that hampered the functioning of the NCHRF, specific difficulties in monitoring the current security situation include:

- the non-involvement of the NCHRF in some important initiatives aimed at finding a lasting solution to the security problems in the North-West and South-West Regions, such as the Humanitarian Emergency Plan, the National Committee for Demobilisation, Disarmament and Social Reintegration of ex-combatants of armed groups (CNDDR), etc.
- the lack of cooperation from certain authorities in fulfilling the NCHRF's mandate, particularly in monitoring respect for human rights concerning security issues or those relating to the punishment of offences falling within the jurisdiction of military courts.

The NCHRF also expressed the need for capacity building of staff and members on a few issues, namely:

- Human rights monitoring during armed conflict (transitional justice, mediation, peacemaking)
- Monitoring of human rights violations in armed conflict zones (security precautions and effectiveness of actions taken)
- Communication in times of crisis (strategic communication plan, production of communication tools, such as documentaries, etc.)
- protection of victims and witnesses of serious crimes
- the amicus curiae action for alleged cases of human rights violations.

SECTION 3: TAKING ON BOARD THE RECOMMENDATIONS OF HUMAN RIGHTS MECHANISMS IN NATIONAL PUBLIC POLICIES

To ensure the full enjoyment of certain rights, states are often required to take policy, legislative and institutional measures. Between 2013 and 2020, Cameroon has adopted several strategic plans on human rights issues, which are summarised in the table below (paragraph 1). As part of its monitoring activities and insofar as it is not necessarily involved in implementing these plans, the NCHRF has monitored the implementation of certain strategic documents (paragraph 2).

Paragraph 1 - Summary of national action plans on human rights issues

The strategy documents listed below were raised as part of presenting the State's periodic reports to certain human rights monitoring mechanisms. They were mentioned to demonstrate the State's efforts to implement the recommendations these mechanisms addressed to it.

Table 24: National Human Rights Action Plans

SECTOR	ACTION PLAN	ACTORS	TURNAROUND TIMES
Education	Education and Training Sector Strategy Paper ¹⁵⁴	MINEDUB, MINESEC, MINEFOP, MINESUP, MINJEC	2013 / 2020
Multisectoral	National Action Plan for the Promotion and Protection of Human Rights ¹⁵⁵	MINJUSTICE, MINSANTE, MINADER, MINAS, MINEE, MINEDUB, MINESEC, MINDEF, MINPROFF	2015 / 2019
The security situation in the North-West and South-West Regions	Emergency Humanitarian Assistance Plan in the North-West and South-West Regions ¹⁵⁶	MINAT, MINREX, MINSANTE, MINADER, MINEPIA, MINAS, MINEE, MINDDEVEL, MINCOM, MINEDUB, MINESEC, MINDEF	2018 / 2019
Youth	National Action Plan for Youth Employment (Panej) ¹⁵⁷	Interdepartmental working group	2016 / 2020
	Special three-year plan for young people ¹⁵⁸	MINJEC	2017 / 2020
Health	Health sector strategy ¹⁵⁹	MINSANTE	2016 / 2027
	National multisectoral strategic plan to combat maternal, newborn and child mortality	MINSANTE ¹⁶⁰	2014 / 2020

¹⁵⁴ Global Partnership for Education, <https://globalpartnership.org>

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Women and gender	A national strategy to combat gender-based violence ¹⁶¹	MINPROFF	2017 / 2020
	National Action Plan for the Elimination of Female Genital Mutilation ¹⁶²	MINPROFF	2017 / 2020
	National Action Plan for UN Security Council Resolution 1325 and related resolutions on women, peace and security ¹⁶³	MINPROFF	2018 / 2020
	Multi-sectoral action plan for the implementation of the national gender policy	MINPROFF	2015 / 2020
Vulnerable persons	Policy document and action plan for people with disabilities in Cameroon ¹⁶⁴	MINAS	2017-2021
	Pygmy Peoples Development Plan (PPDP)	MINAS	2015 / 2019
Children	National Action Plan for the Elimination of the Worst Forms of Child Labour (PANETEC)	MINSANTE	2016 / 2027
Nationality / citizenship	Strategic Plan for the Rehabilitation of the Civil Registry in Cameroon ¹⁶⁵	MINEPAT, MINAT, BUNEC	2018 / 2022

Source - NCHRF

Paragraph 2 - Monitoring the implementation of certain strategic documents

In the following, progress in implementing some of the national plans listed in the table above will be discussed.

A.- Education and Training Sector Strategy Paper (2013-2020)

The annual review of the education and training sector was held from 11 to 12 July 2019 at the Mont Féré Hotel in Yaoundé, under the patronage of the Minister of Basic Education. This meeting allowed stakeholders to assess the progress made to implement the Education and Training Sector Strategy 2013-2020. Some challenges were identified when evaluating the implementation of the Strategy, including limited funding, the shortage of teachers and the impact of emergencies on the provision of education.

The review, which was held as a prelude to the development of the new Strategy for this sector for the period 2020-2025, made it possible to formulate some recommendations to strengthen these two sectors, namely:

- the adoption of a new recruitment policy and the annual integration of teachers
- forward-looking management of territorial jobs and skills
- the development of the Education Management Information System (EMIS), including the inclusion of lines for EMIS.

This meeting also allowed the preparation of a training guide on WASH in School and Menstrual Hygiene Management (MHM) in schools.

¹⁶¹ MINPROFF

¹⁶² MINPROFF

¹⁶³ <https://wilpf.org>, December 2017.

¹⁶⁴ Minjustice report on the state of human rights in Cameroon in 2019, p. 280

¹⁶⁵

The Steering Committee responsible for coordinating and monitoring/evaluating the implementation of the Education and Training Sector Strategy has been set up to implement the new strategy.

B.- Emergency Humanitarian Assistance Plan in the North-West and South-West Regions (2018-2019)

The persistence of the worrying security situation led the Head of State to instruct the Prime Minister to create, by order of 22 November 2018, the Coordination Centre of the Emergency Humanitarian Assistance Plan in the North-West and South-West Regions.

On 3 June 2019, the Minister of Territorial Administration proceeded to the double ceremony of the official launching and installation of the officials of the North-West Regional Centre. It is placed under the central coordination based in Yaounde, in the premises of the Ministry of Territorial Administration (MINAT), under the regional supervision of the Governor and the coordination of the Secretary-General of his Office. It aims to receive, coordinate and monitor the distribution of humanitarian aid, in close collaboration with the Governor, SDOs and DOs, to facilitate the deployment of international partners, the United Nations system and NGOs to the communities that are victims of the exactions of the terrorist and separatist movements whose activities are rampant there.

The NCHRF notes that it is useful to report on the impact of implementing this plan in the regions affected by the security situation, and impact of its contribution to improving the living conditions of the people, and whether or not it should be renewed.

C.- National Action Plan for Youth Employment (2016-2020)

The National Action Plan for Youth Employment (PANEJ) 2016-2020 is a social programme that aims to address the problem of youth unemployment in Cameroon, through the creation of decent jobs to fight poverty and further promote social justice.

In December 2019, the launch of the Youth Connekt initiative by the Ministry of Youth and Civic Education, in partnership with the United Nations Development Programme (UNDP) promoted the creation of opportunities for young people for their socio-economic inclusion, empowerment and full participation in economic development in several regions of the country.

The employment situation of young people remains no less worrying. The results of a study on the effectiveness of youth employment policies, presented at a symposium organised by the University of Yaoundé II¹⁶⁶, easily attest to this. This study conducted by the Centre for Study and Research in Management Economics (CEREG) describes the following situation: 10 per cent of the young population is unemployed and 70 per cent of young people are underemployed in Cameroon due to precarious conditions of employment.

D.- National multi-sector strategic plan to combat maternal, new-born and child mortality (2014-2020)

The efforts made as part of the National Strategic Plan to combat maternal, neonatal and infant mortality have enabled maternal mortality in Cameroon to be significantly reduced by 40 per cent between 2018 and 2019. Progress has also been made in child health.¹⁶⁷

The African Union, in its 2019 Report on the Health Status of Mothers, Newborns, Children and Adolescents, acknowledges that the situation has improved concerning the Prevention of Mother-to-Child Transmission of HIV (PMTCT), and reports that according to the Office of the United Nations High Commissioner for Refugees (UNHCR) Annual Global Health Snapshot,

More than 10,000 eligible refugees were placed on antiretroviral treatment worldwide as part of the country operations it supported in 2017. About 85% of women who received antenatal care were tested for HIV as part of efforts to eliminate mother-to-child transmission of HIV. [...] Several African countries where UNHCR works in ongoing humanitarian settings are meeting HIV-related targets in 2017. In terms of PMTCT coverage, several African countries provided PMTCT services to 100% of refugees, including Burkina Faso, Cameroon, Kenya and Uganda¹⁶⁸.

E.- National strategy to combat gender-based violence (2015-2020)

In an activity carried out jointly by UN-WOMEN and BUCREP on the promotion of equality and the protection of women's rights by 2020: evaluation of Cameroon's progress 25 years after Beijing, aimed at studying trends in

¹⁶⁶ Colloquium held in Yaoundé from 20 to 24 July 2020.

¹⁶⁷ Source: Workshop on the results of the mid-term review of the Investment Package for the improvement of reproductive health, maternal, new-born, child and adolescent/youth health

¹⁶⁸ African Union, 2019 Report on the Health Status of Mothers, New-borns, Children and Adolescents in Humanitarian Emergencies, 'Specialised Technique on Health, Population and Drug Control, Increasing Domestic Financing for Universal Health Coverage and Health Security in the Best Interest of all African Citizens, including Refugees, Returnees, IDPs and Forcibly Displaced Persons', Cairo, Egypt, 29 July-02 August 2019, p. 35.

indicators for the fight against gender-based violence, it emerged that the situation of women has improved, although considerable efforts remain to be made. These indicators cover various areas, the most revealing of which are:

➤ Women and politics

Women's political participation is best observed through their registration on electoral lists, their representation in parliament, municipal councils and government.

Table 25: Women's political participation

AREAS OF WOMEN'S POLITICAL PARTICIPATION	PERCENTAGE OF WOMEN'S PARTICIPATION RATE BEFORE 2019	TPERCENTAGE OF WOMEN'S PARTICIPATION RATE IN DECEMBER 2019	OBSERVATIONS
Women's participation in electoral operations	47,9%	48%	Slight increase of 0.1%.
Percentage of women in parliament	13% of women MPs ;	31% of women MPs;	The percentage of women parliamentarians has improved considerably between the 2013 and 2019 elections. This could be the result of advocacy with the electoral body and political parties for a better consideration of gender in electoral processes.
	21% of women senators	26% of women senators	
	7.4% women mayors	8.3% women mayors	
	19.8% of women deputy mayors	31.8% of women deputy mayors	
Ministers and others	15,2%	16,4%	The 1.2 per cent increase in the percentage of women holding office as ministers and similar positions reveals that the gender approach is taken into account in the appointment of members of the Government. However, there is a glaring absence of women it is referred to as sovereign departments.
Command	00 women governors	00 women governors	The low percentage of women in territorial leadership positions illustrates the low representation of women in administrative management.
	2 women prefects	2 women prefects	

Source: UNWOMEN, BUCREP, 35th International Women's Day, Study on trends in the promotion of equality and protection of women's rights by 2020: Evaluation of Cameroon's progress 25 years after Beijing, Pp 13-16.

➤ Women, peace and security

In regions experiencing instability, such as the North-West, South-West and the Far North, women as well as children and the elderly, are more exposed to violence and are therefore passive actors in the prevailing situation. They are subjected to various physiological and psychological attacks, the most recurrent of which are rape, attacks on their physical integrity, kidnapping, racketeering, ransoming, etc. The table below shows the percentage of women made vulnerable to such violence by the conflicts in two troubled regions.

Table 26: Women victims of insecurity in two regions

REGIONS	CATEGORIES	PERCENTAGE OF WOMEN (2019)
Far North	Displaced	49 %
	Refugees	53,33 %
	Returned	49 %
North-West and South West	Displaced	51,33 %
	Refugees	45,78%
	Returned	51,81%

Source: UNWOMEN / BUCREP, 35th edition of International Women's Day. Study on trends in the promotion of equality and protection of women's rights by 2020: an assessment of Cameroon's progress 25 years after Beijing, p. 18.

Despite the worsening of their vulnerability in such contexts, women play an important role in the search for solutions to conflicts and consolidation of peace, particularly in the North-West and South-West Regions, as evidenced by the various demonstrations organised by women during 2019. The aim was to call for a cessation of hostilities, a return to peace, education and economic, cultural and political life in these Regions.

A. National Action Plan for the Elimination of the Worst Forms of Child Labour (2018-2025)

Convention No. 138 of the International Labour Organisation (ILO) on minimum age and Convention No. 182 on the worst forms of child labour were respectively ratified by the State of Cameroon on 13 August 2001 and 5 June 2002. It is to implement the provisions of these Conventions that Cameroon renewed, in 2018, its National Action Plan for the Elimination of the Worst Forms of Child Labour.

Despite efforts to carry out the activities included in this Plan, the Commission observed, during 2019, the non-application of certain clauses of the said conventions, particularly concerning the employment of children under the minimum age for admission to employment, including for dangerous work. In addition, the de-schooling of children increases their exclusion from school environments, as well as their trafficking.

Furthermore, the NCHRF recalls that the International Labour Committee, at its one hundred and ninth (109th) session, indicated that Cameroon was late in submitting five reports, particularly those relating to implementing Conventions No. 138 on the minimum age and 182 on the worst forms of child labour. Insofar as these reports could enhance Government efforts to implement the actions provided for in the PANETEC, the National Committee for the Fight against Child Labour should work towards producing those reports.

B. Strategic Plan for the Rehabilitation of the Civil Registry in Cameroon (2018-2022)

In 2019, implementing the Strategic Plan for the Rehabilitation of Civil Status in Cameroon (2018-2022) involved the statistical collection of civil status facts recorded during the year 2018. This activity carried out by BUNEC was decided by the chairman of the Steering Committee of the Cameroon Civil Status Rehabilitation Programme, in the person of the Minister of Decentralisation and Local Development. However, it could not be completed. Fortunately, the capacities of BUNEC staff have been strengthened to pursue this activity more consequentially.

The Commission recalls the need to provide adequate means for implementing this Plan, in particular, to avoid the risks of statelessness. In this regard, the Strategic Plan for the Rehabilitation of Civil Status in Cameroon (2018-2022) should include the conduct of a qualitative study on the risks of statelessness, as per the commitment made by the State in 2019, as part of the High-Level Segment on Statelessness organised by the UNHCR.

GENERAL RECOMMENDATIONS

As general recommendations, the NCHRF invites the State to evaluate the National Plan of Action for the Promotion and Protection of Human Rights 2015-2019 and to adopt a new Plan, which will reflect Cameroon's national policy in this area.

More specifically, the NCHRF makes the following recommendations.

A- Recommendations on the effective implementation of the law on the creation, organisation and functioning of the CHRC

The NCHRF recommends, completing the reform process that concerns it and the effective implementation of its mandate

1. the adoption of the implementing decree and the organisation chart ;
2. the appointment of the members of the new institution;
3. the provision of sufficient financial, material and human resources to the CHRC from the moment its members take up their duties.

B- Recommendations on the protection of identity and citizenship rights and citizenship

The NCHRF recommends:

1. accelerating the computerisation of birth registration procedures
2. the production of vital statistics
3. the effective application of the provisions of Law No. 2011/011 of 6 May 2011 reforming Ordinance No. 81/002 of 29 June 1981 on the organisation of civil status and various provisions relating to the status of natural persons
4. the reorganisation of civil status services and centres
5. the continuation of the reform of litigation procedures related to civil status to make them lighter and more accessible to the public
6. the multiplication of training and awareness campaigns for all actors and the collective awareness of all citizens.

C- Recommendations on the protection of the right to life and physical and moral integrity and recommendations on preventing and combating torture, cruel, inhuman and degrading treatment

While recalling the role of the National Mechanism for the Prevention of Torture (NMPT) that the new law assigns to the CHRC, the NCHRF recommends:

1. the establishment of commissions of enquiry into all alleged cases of torture, illegal incommunicado detention and enforced disappearance in all detention facilities
2. The systematic publication of the reports of the said commissions of enquiry.

To combat hostage-taking and kidnappings in certain large cities, the NCHRF recommends: strengthening and formalising the various platforms for collaboration between local populations, law enforcement agencies and local authorities.

D- Recommendations on the respect of the right to a fair trial

The NCHRF recommends:

1. the in-depth reform of the judicial system based on the general recommendations
2. the effective and diligent functioning of the Commission for the Compensation of Victims of Police Custody and Abusive or Arbitrary Pre-trial Detention, to provide claimants with fair, adequate and effective compensation as soon as possible.

E- Recommendations for better respect for freedoms

The Commission recommends respect by all actors of the legal framework relating to the freedoms of assembly, public demonstration, association and expression.

F- Recommendations on the right to education

The Commission recommends:

1. the mobilisation of all national and international social actors to demonstrate respect for the right to education of children, pupils and students, and the protection of the staff of the education system and infrastructures against terrorist attacks in the Far North, North-West and South-West Regions
2. the official inclusion of human rights education at all levels of education (primary, secondary, higher and vocational)
3. linking pedagogy, teaching methods and textbooks to human rights principles
4. the improvement of teaching conditions, the firm maintenance of the ban on the establishment of drinking establishments, gaming rooms, gambling kiosks and other sources of distraction and school wastage, as well as the construction and equipment of infirmaries within schools;
5. further development of educational infrastructure in urban and rural areas;
6. the promotion of excellence in schools and academia, as well as the upgrading of the status of teachers;
7. the harmonisation of the French and English-speaking education sub-systems;
8. linking educational programmes to local realities and labour market demand.

G- Recommendations on the integration of human rights in business

The Commission recommends:

1. compliance by multinational companies with their specifications regarding the improvement of employees' living and working conditions and the application of the recommendations of environmental and social impact studies, with priority given to respect for the right to housing of local communities
2. the identification, compensation and resettlement of local populations expropriated from their land
3. Continuing the dialogue with stakeholders to remove any misunderstanding of the legal provisions on expropriation for the public utility;
4. the systematic involvement of agents of the Ministry of Labour and Social Security (MINTSS), workers' representatives and representatives of trade union confederations in the negotiation of collective agreements in companies
5. the adoption of environmental conservation measures.

H- Recommendations on the rights of persons deprived of their liberty

The NCHRF recommends:

1. the adoption of new measures to reduce prison overcrowding
2. speeding up the judicial proceedings of persons in pre-trial detention and facilitating the release of suspects detained for minor offences.

I- Recommendations on the protection of the rights of women and girls

The NCHRF recommends:

1. Better awareness among communities of the national and international legal framework on women's and girls' rights
2. the inclusion of women's perspectives in peaceful conflict resolution
3. Intensifying awareness raising against early and forced marriages
4. Encouraging women's participation in governance
5. the repression of speeches and acts that are based on the abusive argument that customs and traditions justify violations of women's rights.

J- Recommendations on the protection of the rights of indigenous peoples

The NCHRF recommends:

1. the conduct of in-depth reflection on effective mechanisms for resolving conflicts between the Bakas and Bantus, in particular by formalising traditional chieftaincies in Bakas communities, to ensure equal access to justice, including customary justice, and adequate remedies for violations of human and peoples' rights of which they are victims
2. the dissemination of information aimed at combating the use of drugs and other narcotics, the cause of school dropout among young people in indigenous communities
3. the effective protection of the land rights of all indigenous peoples in Cameroon

4. the realisation of the right to political participation of all indigenous peoples in the country in municipal, regional, legislative and senatorial elections

5. monitoring by the State and the CTDs of compliance by multinationals and national companies with their commitments to indigenous peoples.

K- Recommendations on the preservation of peace and security

The NCHRF recommends:

1. the abandonment of the armed struggle by separatists and terrorists in the North-West and South West

2. the relentless fight against the Boko Haram terrorists

3. the intensification of demobilisation, disarmament and reintegration campaigns to bring all combatants in the Far North, North-West and South-West to accept the peace offer of the President of the Republic

4. the continuation of judicial proceedings against suspects arrested since 2017 as part of the situation in the North-West and South-West Regions

5. the strengthening of security measures in the East, Far North, North, North-West and South-West Regions

6. accelerating the implementation of the recommendations of the Great National Dialogue.

GENERAL CONCLUSION

The constant in the human rights situation in Cameroon in 2019 is that it remains worrying in general. Firstly, because of the persistence of indiscriminate attacks and heinous crimes by armed secessionists against civilians, the defence and security forces and various infrastructures, the boycott of schools and courts, and the recurrent orders for dead cities and lockdowns in the North-West and South-West Regions, and the resurgence of terrorism and organised crime in the Far-North Region.

Secondly, the failure to respect democratic principles and the rule of law by certain political actors who contest the results of elections without proof, the attacks on the country's institutions abroad (the President of the Republic and certain embassies), failure by some to respect enactments relating to freedom of assembly and demonstration and the right to a fair trial continually raised the attention of the national and international public, and especially the Commission. These include the abusive arrests and confinement, and even the cruel, inhuman or degrading treatment reported or suffered by some MRC activists.

As regards economic, social and cultural rights (ESCR), there are persistent problems of unemployment, aggravated by the closure of many businesses, especially in the North-West and South-West Regions, due to the prevailing situation there. Public investment efforts, particularly in the construction of infrastructure for the African Cup of Nations (CAN), have had a marginal effect on the overall unemployment rate. The particularly high rate of underemployment provides sufficient information on the low level of enjoyment of ESC rights, a weakness that is even more pronounced for vulnerable groups, particularly IDPs, women and children.

The Commission stresses the importance and needs for the greater appropriation of the recommendations made in this Report by all the actors concerned, for an effective implementation aimed at the full achievement of human rights in our country and, therefore, for the improvement of the quality of life of all Cameroonian people.

