



**Official Opening Ceremony of the International Seminar on the
Appropriation of Legal Instruments for the Promotion and Protection
of the Rights of Persons with Disabilities**

Yaoundé, 21 September 2022

SPEECH BY THE CHRC CHAIRPERSON

Prof James MOUANGUE KOBILA

- **The Minister of Social Affairs,**
- **The Minister Delegate to the Minister of Justice,**
- **The Governor, here represented, (of the Centre Region),**
- **Distinguished Commissioners of the CHRC,**
- **The representative of the Minister of Higher Education,**
- **The representative of the Minister of Public Health,**
- **The Director General of the National Centre for the Rehabilitation of Persons with Disabilities Cardinal Paul Emile Léger,**
- **The Vice-President of the *Voir ensemble* association in France,**
- **The President of the *Aveugles sans frontières* association in France,**
- **The President of the National Association of the Blind of Cameroon and President of the *Union francophone des aveugles*,**
- **The President of Angel Music and Administrator of the *Union Francophone des aveugles*,**
- **Distinguished guests,**
- **Ladies and Gentlemen, all protocols observed,**

I am humbled by the honour bestowed upon me to speak in this sumptuous hall of the Hilton Hotel on the occasion of the solemn opening ceremony of the International Seminar on the Appropriation of Legal Instruments for the Promotion and Protection of the Rights of Persons with Disabilities ratified by the State of Cameroon.

I would like to express my deepest gratitude to Commissioner Paul TEZANOU, **President of the National Association of the Blind of Cameroon** (ANAC) and **President of the *Union francophone des aveugles*** (UFA) for the initiative of this important workshop which will certainly contribute to ensuring that the rights of persons with disabilities are further promoted, protected and guaranteed to enable them to flourish harmoniously in the society.

I also wish to offer my infinite gratitude to ANAC and UFA for having kindly associated the Cameroon Human Rights Commission (CHRC) with this important event that it has co-sponsored with the Ministry of Social Affairs (MINAS).

This is also the place to express our deepest gratitude to the Minister for her active support which enabled the holding of this international seminar.

As gratitude is the only thing that cannot be overemphasized, I feel that this is a suitable occasion to express my gratitude to the Commissioners and to the CHRC staff members who have participated actively and with commitment in preparing the seminar that opens today.

The Minister of Social Affairs,

The Minister Delegate to the Minister of Justice,

Ladies and Gentlemen,

The rights of persons with disabilities are specially recognised and protected at the national, regional and international levels, especially because of their vulnerability and social difficulties.

Hence the particular interest of the Commission in the holding of this *International Seminar on the Appropriation of Legal Instruments for the Promotion and Protection of the Rights of Persons with Disabilities ratified by the State of Cameroon*. The seminar is particularly important because it fuels the flame for the full and effective participation and inclusion of persons with disabilities in the development of our society, which is increasingly being called upon to push the boundaries of exclusion and discrimination. People with visible or invisible disabilities do not always enjoy the benevolence of other members of society. Hence the difficulties they encounter in their daily lives, despite the constitutional and international protection of their rights.

The Preamble to the Cameroon Constitution of 18 January 1996 states that "*the Nation shall protect [...] persons with disabilities*". In addition, it proclaims that "[a]ll people are equal in rights and duties".

Article 18(4) of the African Charter on Human and Peoples' Rights, adopted on 27 June 1981, signed on 23 July 1987 and ratified on 20 June 1989 by our country, states that "*persons with disabilities shall have the right to specific protection measures commensurate to their needs*".

The Convention on the Rights of Persons with Disabilities adopted on 13 December 2006, signed on 1 October 2008 and ratified on 28 December 2021 by Cameroon, commits States Parties, in its Article 11, to take "*all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters*".

I wish to commend the efforts of His Excellency Paul BIYA, the Head of State, and the Government in recent years, to strengthen the legal and institutional framework relating to the rights of persons with disabilities in Cameroon and, consequently, to improve their conditions. In this regard, I wish to mention:

- the Law of 13 April 2010 on the protection and promotion of persons with disabilities

- the Decree of 26 July 2018 to lay down the procedures for the application of the law of 2010 on the protection and promotion of persons with disabilities
- the Decree of 26 July 2018 to lay down the reorganisation of the National Committee for the Rehabilitation and Socio-Economic Reintegration of Persons with Disabilities
- the Joint Order of 13 August 2018 to lay down the procedures for establishing and issuing the special medical certificate for persons with disabilities
- the Decree of 14 August 2018 to set up the terms and conditions for establishing and issuing the national disability card
- the Decree of 27 April 2021 ratifying the Marrakesh Treaty aimed at facilitating access to printed texts and published works for the blind, the visually impaired and people with other reading difficulties
- the Decree of 28 December 2021 on the ratification of the UN Convention on the Rights of Persons with Disabilities, adopted on 13 December 2006
- the Decree of 28 December 2021 ratifying the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities, adopted on 29 January 2018
- the Decree of 19 May 2022 setting the terms and conditions for granting age exemptions to persons with disabilities in public examinations and recruitments in the State Public Service, etc.

These enactments and many others reflect the State's demonstrated desire to promote a more inclusive society. They also constitute major progress that Commissioner Paul TEZANOU proudly calls "victories" to celebrate. He is quite correct. Indeed, the legal framework for the promotion and protection of the rights of persons with disabilities has been substantially improved. These laws create, undoubtedly, the necessary conditions to **enable persons with disabilities to enjoy the same rights as other members of society**, in an inclusive approach based on the principles of **non-discrimination, participation and accessibility**. The adoption of these instruments demonstrates the State's firm commitment to promote, protect and ensure the full and equal enjoyment of all human rights by all persons with disabilities and guarantee respect for their inherent dignity.

However, we should never lose sight of the fact that the determination of some actors to work against the legal and ethical requirements of non-discrimination, participation and accessibility does not disappear merely because of legal standards.

Despite the double quantitative and qualitative leap made by the legal framework in force, the CHRC remains concerned about the many obstacles people with disabilities encounter, especially inequalities in access to information, education, health care, decent employment, public or private buildings, or the little consideration they are given in the management of public affairs. The Commission also remains concerned about the persistence of "*discrimination based on disability*", understood, according to the African Charter on Democracy, Elections and Governance ratified by Cameroon, as "*any distinction, exclusion or restriction based on disability whose purpose or effect is to impair or nullify the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field [...] including the denial of reasonable accommodation*".

There is a long way to go concerning street markings for persons with disabilities and particularly those who are visually impaired. There is also work to be done on road accessibility, including the introduction of audible traffic lights and low pavements to allow wheelchair access.

This is why the CHRC is determined to ensure that the rights of persons with disabilities are promoted, protected and guaranteed to the fullest extent possible, now more than ever before.

However, the Commission's role as a National Human Rights Institution in promoting and protecting the rights of persons with disabilities is to:

- monitor the respect for their rights by conducting thorough investigations and enquiries into cases of violations, including in all detention facilities
- provide special protection to vulnerable groups, particularly persons with disabilities, women who are very often the silent victims of

various forms of violence, including gender-based sexual violence, and children, and to defenders of their rights within society

- prevent violations of the rights of persons with disabilities, especially by setting up early warning mechanisms
- respond to violations of their human rights by providing all forms of assistance to victims to ensure that they seek remedies and obtain effective compensation, where appropriate
- accompany the government by providing advice, supporting institutional reforms, building the capacity of actors, supporting the establishment and strengthening of accountability mechanisms and working closely with all entities on the ground
- raising awareness on the rights of persons with disabilities
- taking up alleged cases of violations of the rights of persons with disabilities on its own motion and referring them to any authority in charge of handling such cases.

Concerning this role, the CHRC was recently informed, on 6 September 2022, through social media, of the alleged violation of the right to work of a young Cameroonian living with a physical disability, involving some agents of the Ministry of Public Service and Administrative Reform (MINFOPRA). The case was based on the MINFOPRA Order of 25 July 2022 on the launching of a competitive entrance examination for the recruitment of student teachers and assistant teachers of physical education and sports at the National Institute of Youth and Sports (INJS) for the academic year 2022/2023. The officials in question had informed him that his application had been rejected on the grounds that his physical disability would be an obstacle to any training at the INJS. The CHRC took up the matter on its own motion and the actions undertaken by the Observation, Investigation and Alert Unit under the Division of Protection and Promotion, with the active collaboration of the MINAS Directorate for the Protection of the Disabled and Elderly, culminated in the consideration of the candidacy of this person with a disability, whose name was included in the list of candidates authorised to take the physical tests on 20 and 21 September 2022.

As a national human rights institution, the CHRC, according to the law that establishes it, organises it and governs its functioning, "shall contribute to developing a human rights culture based on the ideals of peace, equal rights and responsibilities, mutual respect and sustainable development, particularly:

- by popularising human rights legal instruments
- by raising public awareness on various human rights topics, including gender issues, as well as the rights of vulnerable groups [...]
- by advocating for the improvement of the legal and institutional framework for human rights promotion".

In this regard, the Commission issued its first Statement to mark the 5th International Sign Language Day on 23 September 2021. It will celebrate the 6th International Sign Language Day on 23 September 2022. It also issued its first Statement to mark the 30th International Day of Persons with Disabilities on 3 December 2021. It is preparing to celebrate the 31st International Day on 3 December.

I applaud the recent admission of five associations for the rights of persons with disabilities to the Cameroon Freedoms Observatory, which the CHRC set up as part of implementing the Project to Improve the Conditions for Exercising Freedoms, which received funding from the European Union. The project includes:

- the National Association of the Blind of Cameroon (ANAC)
- the Inclusive Society for Persons with Disabilities Platform
- the Association *Handicapés unis pour le développement et la solidarité au Cameroun* (HADUSC)
- the National Association of the Deaf of Cameroon (ANSCAM) and
- the National Association of Persons with Leprosy in Cameroon.

These associations are among the 19 disability rights CSOs affiliated with and collaborating with the CHRC.

Based on its founding law and the State's commitments to respect the right to education and the rights of persons living with disabilities, the

CHRC has undertaken to ensure that disability is mainstreamed in the official primary and secondary school examinations for the 2021-2022 school year, through visits to examination centres in all regions of the country. The Commission received a letter of congratulations from the President of the National Association of the Blind of Cameroon who is also the President of the Francophone Union of the Blind and a prominent member of the Cameroon Human Rights Commission.

Ladies and gentlemen,

The law of 13 April 2010 on protecting and promoting persons with disabilities defines a person with disabilities as "any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life, as a result of deficiency, either congenital or not, in his or her physical or mental capabilities". Sections 25(1) and 27(3) of the same law provide respectively that "the State, the regional and local authorities [...] shall set up inclusive education structures and training institutions for trainers by type of disability" and that "the socio-economic integration of the disabled person includes access to education and vocational training; access to information and cultural activities; access to infrastructure, housing and transport; access to sport and leisure; access to employment". Section 38(3) of the law prohibits discrimination on the basis of disability, stating that "disability may not constitute a ground for rejection [...] or discrimination. Section 27(2) prescribes affirmative action for persons with disabilities, including access to inclusive education, quality and affordable health care, decent employment, public buildings and governance".

Dear Minister,

Ladies and gentlemen,

Although it is true that respect for human rights is a constant mission for the Commission, I am pleased to note that it is, in this instance, a common denominator, even an ideal shared by all the parties involved in the organisation of this seminar.

I would like to share with you here a recommendation of the United Nations, which calls on all States to integrate the disability approach into public policy-making. This approach is mainly based on the notion of accessibility, which is the major obstacle for persons with disabilities to be integrated into their environment.

The notion of accessibility is defined by Article 9 of the United Nations Convention on the Rights of Persons with Disabilities. This Article states that "To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.

These measures, shall include the identification and elimination of obstacles and barriers to accessibility:

- (a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces
- (b) Information, communications and other services, including electronic services and emergency services.

However, bearing in mind the efforts that ANAC and its partners (including the CHRC) are making on a day-to-day basis to ensure that the disability approach is effectively considered in developing, implementing and evaluating public policies in our country, including accessibility for persons with disabilities in all spaces and activities in their environment, I am convinced that the training modules that will be developed during the next two days will help to further improve the condition of people with disabilities. I, therefore, call on the participants to devote sustained attention to the discussions at the seminar which opens today, to help achieve all the objectives set.

The CHRC is aware that developing a human rights culture in Cameroon will be the result of a process and not a conversion. It is the responsibility of the Commission, as the guarantor of human rights enshrined in the Preamble of the Constitution of Cameroon, to contribute to the establishment of an ecosystem conducive to respect for human rights. The aim is to raise public awareness of the need to respect all human rights: the right to life, the right to physical integrity, the right to health, and the right to education whose importance for human and national development no longer needs to be demonstrated, the right to information, the right to a fair trial, the environmental protection, the rights of the worker... in short, it is a matter of creating a Human Rights reflex in all sectors of activity and in the whole country so that our society today is more equitable, sustainable and inclusive.

I cannot conclude without informing you of the availability of the CHRC **toll-free number, 1523**, which facilitates the denunciation of alleged human rights violations irrespective of the telephone operator.

Long live the National Human Rights Institution,

Long live Cameroon, one and indivisible!