



Cameroon Human Rights Commission
Commission des Droits de l'homme du Cameroun

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The law establishing the INDH: Law no. 2019 / 014 of 19 July 2019

Statement by the Cameroon Human Rights Commission (CHRC)

The Chairperson of the African Commission on Human and Peoples' Rights,

Excellencies, distinguished State Representatives,

Your Excellencies, distinguished Representatives of States

Honourable Commissioners,

Distinguished Representatives of International Organisations

Distinguished representatives of National Human Rights Institutions

Representatives of National Human Rights Institutions, Representatives of Non-Governmental Organisations and Civil Society Organisations,

Ladies and Gentlemen, all protocols observed,

I am eager to express my enthusiasm as the Cameroon Human Rights Commission (CHRC) participates for the 5th consecutive time, since its inception on 29 April 2021, in our African Human Rights arena.

I am especially honoured to speak at this 75th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) at a time when the African Union has declared 2023 as the year to "*Accelerating AfCFTA implementation*". For the National Human Rights Institutions (NHRIs) that we are, it is first and foremost a matter of highlighting the interdependence between human rights and trade, to *put the human being at the heart of trade transactions* by ensuring the safeguarding the rights of all, especially those of vulnerable groups, since the resources derived from trade enable human rights to be realised, while *human rights enable inclusive trade and the equitable distribution of gains and benefits, and the fight against mass unemployment*.

I am now familiar with the functioning of the ACHPR and I am pleased with the great networking opportunities it offers during its sessions. I am confident that the collaboration between the ACHPR and the CHRC - which I am privileged to chair - will rapidly increase and our two structures will derive maximum benefit from this collaboration to improve the human rights situation in Cameroon and Africa.

I would also like to extend my heartfelt encouragement to the honourable members of the ACHPR for the intense work of the Special Rapporteurs and the special mechanisms such as the Committees and Working Groups. This level of activity is also impressive because of the wealth of contributions and discussions that take place in thematic conferences organised during the regular sessions, and because of the number and *high quality of the documents produced by each of them, which are very useful documentary sources for all aspects of the CHRC's activities*.

I will speak successively about the main activities of the CHRC during the inter-sessional period, the progress of human rights in Cameroon, and then the challenges, before ending with the recommendations.

The CHRC's main activities during the inter-sessional period

The CHRC has endeavoured to fulfil its three missions of human rights promotion and protection, and prevention of torture in all detention facilities during the period under review.

Despite the scarcity of resources, the institution still contributed to the development of a human rights culture through the wide dissemination of statements to mark 12 human rights days during the inter-sessional period. These statements are performative in nature and include relevant recommendations to authorities prepared with the contribution of its in-house focal points, the focal points of the administrations and CSOs. The authorities usually undertake to implement them. For example, between November 2022 and March 2023, the CHRC received 15 positive feedbacks from relevant government bodies following the release of its Statements.

The CHRC's advocacy role was also shaped during the period under review by the assessment of accessibility to public buildings for persons with disabilities, and a series of awareness-raising activities:

- i) the socio-economic integration of persons with disabilities
- ii) the prevention of disability, and
- iii) rehabilitation of persons with disabilities.

These activities were held in the wake of the International Day of Persons with Disabilities, observed on 3 December 2022. The follow-up of these activities is scheduled for the coming months.

In terms of human rights protection, since November 2022, the CHRC has handled 219 complaints, including 58 at the head office and 161 in its 10 branches, and 1163 calls received through its toll-free number, 1523. The handling of these cases helps to put an end to human rights violations, actively combat impunity and promote the rule of law.

Among the cases successfully handled during the period under review, the CHRC wishes to share with the ACHPR two cases concerning the safeguarding of the rights of Cameroonians abroad, under the personal jurisdiction of the State. The first is the action taken by the CHRC on alleged cases of abuses against Cameroonians expelled from Equatorial Guinea in November 2022. It entailed taking measures *to collect data on the ground and guarantee the*

respect, in all circumstances, of the rights of the citizens concerned, fight against misinformation on this delicate issue and preserve the peace and quality of relations with this neighbouring and friendly country.

The investigations by the CHRC and the information obtained from the Cameroonian authorities (Ministry of External Relations, administrative authorities of the Vallée-du-Ntem Division where the border with Equatorial Guinea is located and the head of the Emi-immigration post in Kye-Ossi, a border town with Equatorial Guinea), as well as the statements obtained from Cameroonians who were repatriated or expelled, met at the border in Kye-Ossi and Douala International Airport, enabled the CHRC, on the one hand, to refute, including through its interventions in the media, the allegations of torture and ill-treatment, of violations of the right to life and massive exactions against Cameroonian nationals living in Equatorial Guinea. On the other hand, the CHRC gathered sufficient evidence to suggest that many Cameroonians were deprived of their liberty in Equatorial Guinea in the context of these operations of control of illegal aliens, in conditions where their rights were not always respected. The CHRC, therefore, envisaged continuing its investigation in Equatorial Guinea as soon as the conditions for such a mission are fulfilled.

The CHRC's statements in various media outlets, backed by the information it gathered on the subject, also enabled it to counter misinformation and hate speech against nationals of that neighbouring country which flourished in the Cameroonian media at the time, thus contributing to promoting a culture of peace, according to a prerogative conferred on it by the terms of its founding law (Section 4).

The same approach prevailed during the repatriation of Cameroonians living in Tunisia.

The second case is that of a compatriot who had been in pre-trial detention since October 2020 at the Maison d'arrêt et de correction d'Abidjan, in Côte d'Ivoire, as part of a legal procedure pitting him against his ex-companion on the custody of their child. A case in which she was charged with disturbing public peace. The intervention of the Chairperson of the National Council of Human Rights of Côte d'Ivoire, whom the CHRC Chairperson referred to, led to the obtaining, by the victim, of a presidential pardon that enabled her release on 12 January 2023.

Concerning the prevention of torture, the third pillar of the CHRC's mission, the focus was on the new detention facilities. Thus, it is noted that between November 2022 and May 2023, the Sub-Commission on the Prevention of Torture and the 10 CHRC branches conducted 223 visits to detention places, including 11 visits by the Head Office and 212 by the branches. Concerning visiting the new detention places, priority was given to hospitals, transit areas at port and airport borders, and closed centres for the supervision of young people.

To conclude on its activities during the period under review, it will be added that the CHRC checked the compliance with Human Rights of the process that led to the Senate elections of 12 March 2023, then the electoral dispute relating to it, to ensure respect for the right to a fair trial. In addition, for the first time, the CHRC deployed its prerogatives in the observation of human rights consideration during elections without recourse to the accreditation of the Ministry of Territorial Administration, contrary to election observers and contrary to the practice of the former INDH of Cameroon.

Now let me give you an update on the positive developments as well as on the worrying aspects of Human Rights in Cameroon since November 2022. I will conclude with a few recommendations.

Positive human rights developments in Cameroon between November 2022 and May 2023

During the inter-sessional period, the public authorities undertook to strengthen the realization of Human Rights, particularly as part of improving the living conditions of workers, the fight against intolerance, hate speech and incitement to violence, the fight against gender-based violence and violence in schools, and in the context of greater inclusion of people with visual impairments, as shown in the illustrations below.

- ***As part of improving the living conditions of workers, mention should be made of, inter alia:***
 - the upgrading of basic monthly pay for civilian and military staff members to an average rate of 5.2 per cent by Presidential Decree No. 2023/158 of 6 March 2023
 - the revaluation of the Guaranteed Inter-professional Minimum Wage (SMIG) by decree of the Prime Minister, Head of Government n° 2023/00338/PM of 21 March 2023 which fixes it at:

- 41,875 CFA francs for state agents under the Labour Code;
 - 45,000 CFA francs for the agricultural sector and the like;
 - 60,000 CFA francs for other sectors of activity per month, throughout the national territory.
- ***As part of fighting against discrimination, intolerance, hate speech and incitement to violence***, the publication of the press release of 18 March 2023 in which the mayor of the city of Douala condemned “acts of intolerance and gratuitous violence perpetrated outside the country by a group of activists known as the ‘Brigade Anti-sardinard (BAS)’ whose discourse and actions are a frontal attack on human rights and a threat to harmonious living in Cameroon.
- ***In the fight against gender-based violence and school-based violence, the following should be particularly mentioned:***
 - the validation, by the Ministry for Women's Empowerment and the Family, of the National Strategy to Combat Gender-based Violence in Cameroon 2022-2026 and that of the National Action Plan for the Elimination of Female Genital Mutilation 2022-2026
 - the organization of an international conference on school violence by the Ministry of Secondary Education in collaboration with the United Nations System from 20 to 21 December 2023
 - raising awareness of the ban on corporal punishment in schools, according to Section 5 of Law No. 98/004 of 14 April 1998 to lay down Guidelines on Education in Cameroon through the publication of the Radio-Communiqué press no. 03/23/MINESEC/CAB of 16 January 2023 by the Ministry of Secondary Education.
- ***As part of considering the Rights of Persons with Visual Disabilities***, we note the inclusion in the new CEMAC range banknotes put into circulation on 15 December 2022, of signs of security and written

communication, notably, curved lines printed in relief for recognition by the visually impaired and the blind.

Human Rights Challenges in Cameroon Since November 2022,

Public opinion is certainly still marked by the appalling images of the lifeless body of journalist ZOGO MBANI Arsène, alias Martinez ZOGO, found on 21 January 2023. The assassination of a rare and odious barbarity gravely violated the fundamental right to life, the right to physical and moral integrity, and the right to freedom of opinion, freedom of expression and freedom of the press protected by the Preamble of the Cameroonian Constitution and by African and universal instruments duly ratified by our country.

In its Press Release issued on January 23, 2023, the CHRC strongly and unreservedly condemned such a barbaric and retrograde act. It welcomed the promptness with which the authorities ordered the investigations, as much as it called upon the competent authorities to seek even more actively and find as soon as possible all the sponsors, authors and accomplices of such a despicable crime. The Commission commended the joint Police-Gendarmerie investigation which the Head of State commissioned and that led to the arrest and subsequent pre-trial detention of about 20 suspects of this assassination on charges of shadowing, torture, complicity in torture by facilitation of means, failure to render assistance, aggravated arrest and sequestration in co-action, and violation of instructions in co-action, as part of the proceedings pending before the Yaounde Military Court. Among them, is the head of the country's intelligence services.

I must specify that in Cameroon, sanctions against uniformed men for human rights violations are so severe that the CHRC had to refer the matter to the Minister of Defence, the Delegate General for National Security, the Secretary of State for the Gendarmerie and the Minister of State for Justice, regarding the prison administration, to ensure that the rights of the families of the sanctioned officers were respected: right to food, housing, education, health, etc.

Subsequently, the CHRC referred the matter to the Minister of State, Secretary General of the Presidency of the Republic on 14 February 2023, requesting that the State pay compensation to Martinez ZOGO's dependents as a gesture of compassion, to make reparation for the serious harm suffered by his

family, even though this was not a State crime. The CHRC is counting upon the interest generally accorded to its recommendations to ensure that this request is favourably treated.

Furthermore, the CHRC deplores the upsurge in cases of femicide in Cameroon in recent months - 28 cases have been recorded in the last 75 days. The CHRC is equally alarmed by the resurgence of hate speech. These are expressed in language that directly violates human rights and undermines the sense of belonging to a single nation.

The CHRC recommendations

The CHRC reiterates its 95 recommendations addressed to all human rights stakeholders in its 12 statements issued during the inter-sessional period. The 15-page document containing these recommendations was transmitted to the ACHPR Secretariat. For example,

- ***in the protection of children's rights and the fight against violence in schools***, the Commission recommends :
 - *the Government* to put in place modern monitoring mechanisms to prevent and combat violence and drug trafficking in schools
 - *the Ministries of Basic Education and Secondary Education* to ensure the effective implementation of inclusive schooling, to definitively overcome illiteracy and the stigmatisation of children with disabilities
 - *Human rights defenders* to carry out more advocacy activities aimed at holding parents accountable for obvious negligence and setting up specific monitoring mechanisms for child protection.

- in terms of the protection of workers' rights, the Commission recommends:
 - *the public authorities* to reform the laws protecting workers, from recruitment to retirement, as the majority of them are dated from the 1960s
 - *civil society actors* to raise workers' awareness of the social protection they should enjoy.

- ***In the area of combating discrimination, intolerance, hate speech and incitement to violence***, the Commission recommends:

- *to the State, particularly the National Communication Council, to ensure that ethics and all the rules governing media activity in Cameroon are respected, to investigate such acts and to punish the perpetrators*
- *to media professionals and opinion leaders not to lose sight of their role in shaping public opinion*
- *to victims of hate speech, intolerance or discrimination, to denounce the perpetrators of these acts, so that they can be brought to justice and deter all those who might be tempted to commit the same acts.*
- ***in combating gender-based violence, the Commission recommends :***
 - *the Government to provide appropriate funding and material resources to encourage female circumcisers to pursue other income-generating activities instead of female circumcision*
 - *traditional leaders to change customary practices that support and condone female genital mutilation and to eliminate stereotypes that legitimise violence against women*
 - *that the role of boys, men and local communities be further explored and strengthened, including by faith-based authorities.*
- ***in the context of greater inclusion of persons with disabilities,*** the Commission recommends that the Ministry of Decentralisation and Local Development, as well as all local authorities, ensure that disability is considered at the local level by providing access to information at the level of the Regions and Municipalities.

In addition, the CHRC suggests that the State should adopt special measures to invest in human rights education sustainably. Indeed, human rights education seems to be a guarantee to prevent and counter the violence observed in Cameroonian society.

Finally, the CHRC recommends that the ACHPR actively disseminate the activity reports of the members of the Commission and those of the special mechanisms to the entire African and world human rights community, as these valuable documents are full of data and analyses of crucial importance for the advancement of the noble cause of human and peoples' rights.