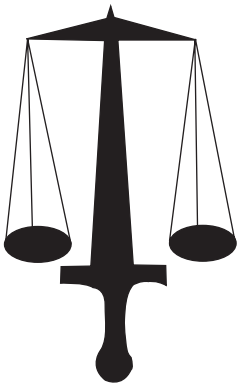
Rapport 2006 English 8/11/07 11:52 Page 1

REPUBLIQUE DU CAMEROUN
PAIX-TRAVAIL-PATRIE

REPUBLIC OF CAMEROON
PEACE-WORK-FATHERLAND



REPORT BY THE MINISTRY OF JUSTICE ON HUMAN RIGHTS IN CAMEROON IN 2006

Yaounde, October 2007

SUMMARY

SUMMARY.....i
FOREWORD vii
ADMINISTRATIVE MAP OF CAMEROON viii
LIST OF ACRONYMS AND ABBREVIATIONS.....ix
PREFACE xv

GENERAL INTRODUCTION 1

PART ONE : PROTECTION OF CIVIL AND POLITICAL RIGHTS 7

CHAPTER 1 : FIGHT AGAINST IMPUNITY.....10

CHAPTER 2 : HUMAN RIGHTS DEFENDERS.....29

CHAPTER 3 : HOMOSEXUALITY 37

CHAPTER 4 : FREEDOM OF COMMUNICATION 41

CHAPTER 5 : RIGHT TO FAIR TRIAL.....53

CHAPTER 6 : FREE AND FAIR ELECTIONS.....64

**PART TWO : PROTECTION OF ECONOMIC,
SOCIAL AND CULTURAL RIGHTS.....75**

CHAPTER 1 : GOOD GOVERNANCE AND COMBATING CORRUPTION.....78

CHAPTER 2 : RIGHT TO ADEQUATE STANDARD OF LIVING 98

CHAPTER 3 : RIGHT TO HEALTH.....116

CHAPTER 4 : RIGHT TO EDUCATION.....128

CHAPTER 5 : RIGHT TO WORK.....159

CHAPTER 6 : RIGHT TO A HEALTHY ENVIRONMENT.....174

PART THREE : CROSS-CUTTING ISSUES ON HUMAN RIGHTS PROTECTION 185

CHAPTER 1 : DETENTION CONDITIONS 188

CHAPTER 2 : STRIKE BY SOME PRISON ADMINISTRATION PERSONNEL.....204

CHAPTER 3 : PROTECTION OF THE RIGHTS OF WOMEN
AND THE GIRL CHILD 210

CHAPTER 4 : PROTECTION OF THE VULNERABLE 216

CONCLUSION OF PART THREE.....233

GENERAL CONCLUSION.....234

ANNEX.....235

TABLE OF CONTENT

Foreword ..... *vii*
Administrative map of Cameroon *viii*
List of acronyms and abbreviations *ix*
Preface ..... *xv*
Introduction..... *1*

PART ONE : PROTECTION OF CIVIL AND POLITICAL RIGHTS ***7***

CHAPTER 1 : FIGHT AGAINST IMPUNITY ***10***
Section 1- Judicial Sanctions 10
§1- Judicial Proceedings in the 2005 Report 10
§2- Cases Prosecuted in 2006 13
Section 2- Disciplinary Sanctions 21

CHAPTER 2 : HUMAN RIGHTS DEFENDERS ***29***
Section I- Legal Framework *29*
Section 2- Human Rights Defenders *30*
§1- Diversified Group 30
§2- Harassment of Human Rights Defenders 32

CHAPTER 3 : HOMOSEXUALITY ***37***
Section 1- Events on Homosexuality *37*
§1- Arrest and Conviction of eleven Presumed Homosexuals in Yaounde 37
§2- Arrest of Four Presumed Lesbians in Douala 38
§3- Publication of Lists of Personalities Presumed to be Homosexuals 38
Section 2- Cameroon Law on Homosexuality 39

CHAPTER 4 : FREEDOM OF COMMUNICATION ***41***
Section 1- Capacity Building of Journalists *41*
§1- Enhancing the Intellectual Ability of Journalists 41
§2- Strengthening the Operational Ability of Press Organs *42*
Section 2- Repression of Press Offences *45*
§1- Accusations *45*
§2- Trials of Alleged Homosexuals and Wealthy Politicians 48
Section 3- Professional Ethics *50*
§1- Call to Order of Journalists by the CMB 50
§2- Law on Mass Communication 52

CHAPTER 5 : RIGHT TO FAIR TRIAL ***53***
Section 1- Jungle Justice *53*
§ 1- Acts of Jungle Justice *54*
§2- Government Reaction *54*
Section 2- Human Rights Education *56*
§1- Actions by the NCHRF *56*

§2- Popularisation of the CPC by the Ministry of Justice 57
Section 3- Annulment of Proceedings 62

CHAPTER 6 : FREE AND FAIR ELECTIONS 64
Section 1- Political Parties 64
Section 2- Computerisation of the Electoral Process 67
Section 3- Electoral Laws 68
§1- Election of Senators 68
§2- Election of Municipal Councillors 69
§3- Election of Regional Councillors 70
§4- Election of Members of Parliament 70
§5- Elections Cameroon (ELECAM) 71

PART 2 : PROMOTION AND PROTECTION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS 75

CHAPTER 1: GOOD GOVERNANCE AND COMBATING CORRUPTION 78
Section1- Improving Good Governance 78
§1- Government Effort 78
§2- The National Assembly 81
§3- More Respect of Human Rights 81
Section 2- Intensifying the Fight against Corruption 84
§1- Preventive Phase 84
§2- Repressive Phase 88

CHAPTER 2 : RIGHT TO ADEQUATE STANDARD OF LIVING 98
Section 1- Right to Food Sufficiency 98
§1- Agricultural Development and Food Security 98
§2- Drop in Prices of some Basic Products 100
Section 2- Right to Decent Housing 101
§1- Improving Housing 101
§2- Eviction from Etetak (Yaounde): Violation of the Right to Housing? 105
Section 3- Right to Energy and Water 106
§1- Water Sector 107
§2- Energy Sector 109

CHAPTER 3 : RIGHT TO HEALTH 116
Section 1- Improvement of the Health System 117
§1- Improvement of the Managerial Process 117
§2- Institutional Development 119
§3- Improvement of Health Care and Services 121
§4- Improvement of Access to Drugs 122
§5- Health Financing 123
Section 2- Control of Health Programmes 123
§1- Disease Control 123
§2- Reproductive Health 126

CHAPTER 4 : RIGHT TO EDUCATION **128**
Section 1- New Organisation of Primary Education 128
§1- Access to Primary Education 128
§2- Education Quality 130
§3- Budget Increase 135
§4- Basic Education Data 136
Section 2- Reform of Secondary Education *141*
§1- Execution of Reform Programme 141
§2- Pedagogy in MINESEC Activities 142
§3- Multimedia Centres 143
§4- Infrastructure 144
§5- Care for Handicapped Persons 144
§6- Protection of Pupils at School 145
Section 3- Higher Education *151*
§1- Innovation in Higher Education 151
§2- Right to Education in a Healthy Environment 155

CHAPTER 5 : RIGHT TO WORK AND TO SOCIAL SECURITY **159**
Section 1- Promotion and Protection of the Right to Work *160*
§1- Employment 160
§2- Trade Unions 163
§3- Negotiation of Collective Agreements 168
§4- Settlement of Labour Disputes 169
§5- Better Working Conditions 169
§6- Professional Training 170
§7- Right to Strike 171
Section 2- Social Security Reforms *171*

CHAPTER 6 : RIGHT TO A HEALTHY ENVIRONMENT **174**
Section 1- International Protection Framework of the Right to Healthy Environment *174*
§1- Ratification of Relevant International Conventions 174
§2- Specific Strategies for the Implementation of the Right to Healthy Environment and Publication of a Forestry Guide 175
§3- Seminars on the Environment 178
§4- Multilateral and Bilateral Cooperation 179
Section 2- New Institutional Framework and Concerted Environmental Management Structures *180*
§1- New Institutional Framework for Environmental Protection 180
§2- Concerted Environmental Management Structures 181

PART 3 : CROSS-CUTTING ISSUES ON HUMAN RIGHTS PROTECTION **185**

CHAPTER 1 : DETENTION CONDITIONS ***188***
Section 1- Disturbing Situation *188*
§1- Overpopulated Prisons 189
§2- Accusations against the State 192

Section 2- Improvement of Detention Conditions 196
§1- Protecting the Rights of Detainees 196
§2- Treatment of Detainees 198

CHAPTER 2 : STRIKE BY SOME PRISON ADMINISTRATION PERSONNEL 204
Section 1- Violation of the Special Rules and Regulations of Prison Administration Personnel 204
§1- Facts 204
§2- Rules and Regulations to Govern Prison Administration Personnel 205
Section 2- Judicial and Disciplinary Measures 207
§1- Judicial Measures 207
§2- Disciplinary Measures 208

CHAPTER 3 : PROTECTION OF THE RIGHTS OF WOMEN AND THE GIRL CHILD 210
Section 1- Improvement of Some Fundamental Rights of the Woman and the Girl Child 210
§1- Right to Education 210
§2- Violence against Women 211
Section 2- Promotion of Women 213
§1- Protection of Women's Right to Work and to Posts of Responsibility 213
§2- Equal Right to Inheritance 215

CHAPTER 4 : PROTECTION OF THE VULNERABLE 216
Subchapter 1- Rights of the Child 216
Section 1- Promotion and Protection of the Rights of the Child 216
§1- Right to Health 216
§2- Right to Education 219
§3- Protection of Children against Poor Treatment and Violence 222
Section 2- Effective Implementation of the Rights of the Child 223
§1- Committees 223
§2- Awareness of Children's Rights 224
§3- Infrastructure 225
Subchapter 2- Rights of the Handicapped and the Elderly 226
Section 1- Rights of the Handicapped 227
§1- Legal Framework 227
§2- Measures to Support Handicapped Persons 228
Section 2- Rights of the Elderly 229
Subchapter 3- Promotion and Protection of the Marginalised 230
Section 1- Policies and Programmes 230
Section 2- International Seminars and Meetings 232
General conclusion 234

FOREWORD

"Until every single Cameroonian is able to eat fully, have access to education, receive the health care he is entitled to, our task would not have been completed".

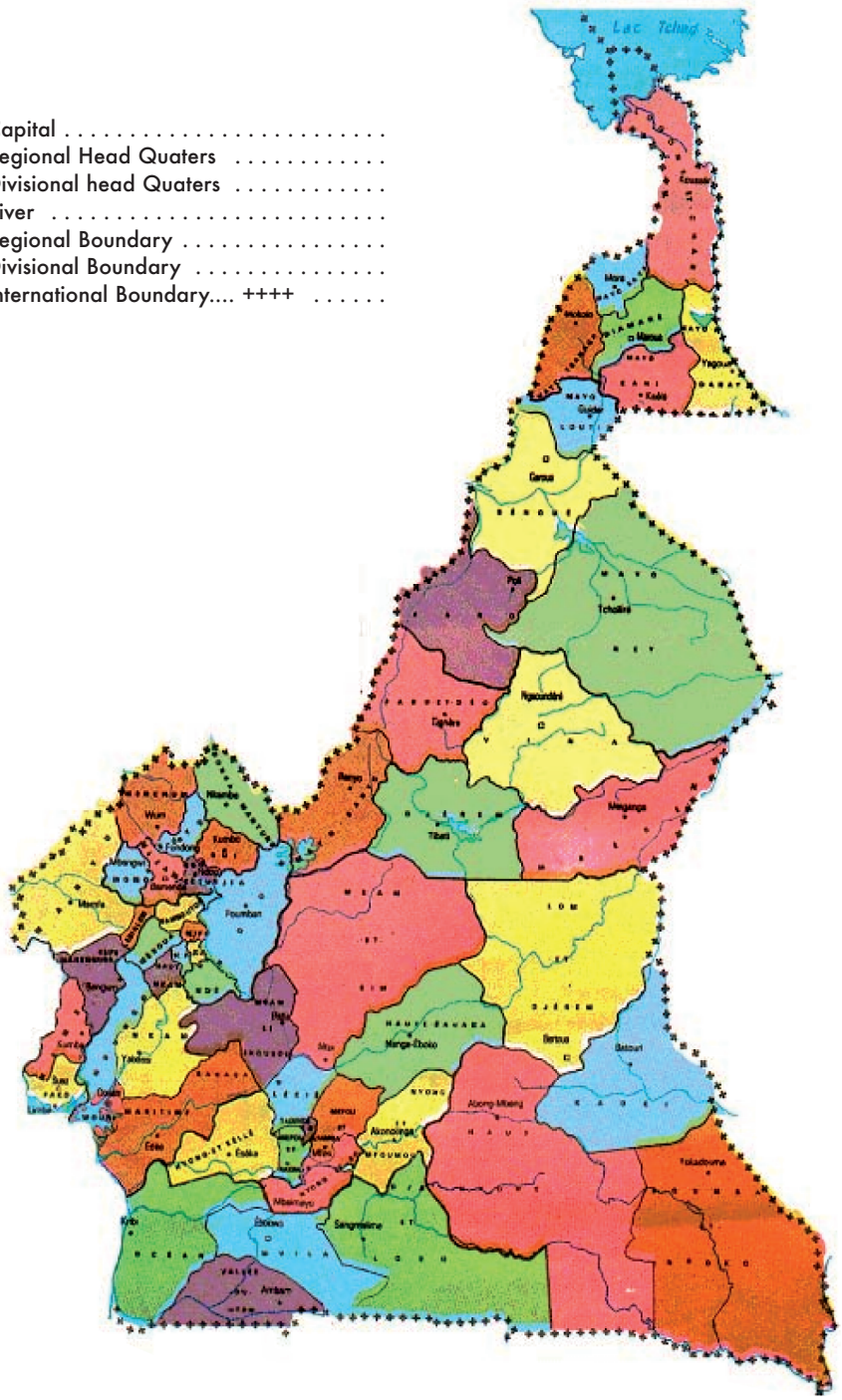
Paul Biya
5 July 2001

Opening speech at the extraordinary congress of the CPDM, in Anthology of Speeches and Interviews of the President of the Republic of Cameroon, 1982-2002, Vol. II, SOPECAM, Yaounde, p. 383

Rapport 2006 English 8/11/07 11:52 Page viii

ADMINISTRATIVE MAP OF CAMEROON
Scale 1 500 000

Capital . . . . . .
Regional Head Quaters . . . . . .
Divisional head Quaters . . . . . .
River . . . . . .
Regional Boundary . . . . . .
Divisional Boundary . . . . . .
International Boundary.... ++++ . . . . . .



LIST OF ACRONYMS AND ABBREVIATIONS

ACAFEJ : Cameroon Association of Female Jurists
ACHPR : African Charter on Human and People's Rights
ACT : Artemisinin-Based Combination Therapy
ADB : African Development Bank
AER : Rural Electricity Agency
AIF : International Agency of the Francophonie
ANC : Antenatal Consultation
ANIF : National Financial Investigation Agency
APC : Competence-Based Approach
APOC : African Programme for Onchocerciasis Control
ARA : Adminstrative Research Authorisation
ARCH : Associated Rehabilitation Centre for the Handicapped
ARH : Adolescent Reproductive Health Programme
ARMP : Public Contracts Regulatory Agency
ARSEL : Electricity Sector Regulatory Board
ARV : Anti-Retro Viral
ASBAK-Cameroon : Cameroon Baka Association
ATC : Approved Treatment Centres
AU : African Union
AWARE : Action for West African Region
BEONC : Basic Emergency Obstetrical Noenatal Care
BHP : Basic Health Package
BSRA/OIT : Central African Subregional Bureau of the International Labour Organisation
BTS : Brevet de Technicien Supérieur (Higher National Diploma) (HND)
C2D : Health Debt Relief and Development Contact
CA : Court of Appeal
CCAF : Commission for Central African Forests
CIDA : Canadian International Development Agency
CAMWATER : Cameroon Water Utilities Corporation
CAP-ASSUR : Association of the Coalition for the Promotion of Urban Hygiene
CAPIEPM : Teacher's Grade I Certificate
CAPP : Provincial Drug Supply Centre
CCP : Compagnie Camerounaise Pharmaceutique
CCPC : Civil and Commercial Procedure Code
CDC : Centre for Disese Control
CDD : Community Directed Distribution
CDIM : Child Disease Integrated Management
CDMT : Medium Term Expenditure Framework
CDNIPEC : National Steering Committee for the Implementation of the International Programme for the Abolition of Child Labour

CED	: Centre for Environmental Development
CEDAW	: Convention on the Elimination of All Forms of Discrimination Against Women
CERD	: Convention on the Elimination of Racial Discrimination
CFI	: Court of First Instance
CEMAC	: Central African Economic and Monetary Community
CEP	: Certificat d'Etudes Primaires (First School Leaving Certificate for the French-speaking Subsector)
CENAME	: National Centre for the Supply of Drugs and Essential Medical Consumables
CER	: Common External Rate
CFA	: African Financial Community Franc
CIAP	: National Police Academy
CIC	: Code d'Instruction Criminelle
CIG	: Common Initiative Group
CIMA	: Conférence Inter-Africaine des Marchés d'Assurance (InterAfrican Conference for Insurance Markets)
CIRCB	: Chantal Biya International Reference Centre
CMB	: Cameroon Media Board
CMPJ	: Multifunctional Centres for the Promotion of Youths
CNCT	: National Labour Consultative Board
CNIC	: Cameroon Shipyard and Industrial Engineering
CNRH	: National Centre for the Re-education of Handicapped Persons
CNSS	: National Commission for Labour Health and Security
CONAC	: National Anti-Corruption Commission
CPC	: Criminal Procedure Code
CPDM	: Cameroon Peoples' Democratic Movement
CPO	: Criminal Procedure Ordinance
CRC	: Convention on the Rights of the Child
CRES	: Centre for the Re-education of Deaf Children
CTB	: Belgian Technical Cooperation
DDHCI	: Department of Human Rights and International Co-operation
DED	: Deutsche Enwicklung Dienst
DGSN	: General Delegation of National Security
DHP	: Department of Health Promotion
DHS III	: Demographic and Health Survey III
DPPHPA	: Social Protection of the Handicapped and the Elderly
DROS	: Division of Operations Research
DRSSP	: Declaration on the Implementation of the Reorientation of Primary Health Care
DTC	: Diagnosis and Treatment Centres
ECA	: Economic Commission for Africa
ECAM I	: Cameroon's Household Survey (1996)
ECAM II	: Cameroon's Household Survey (2001)

ECAM III	: Cameroon's Household Survey (had to be published in 2006)
ECCAS	: Economic Community of Central African States
EITI	: Initiatives for Transparency in the Mining Industries
ELECAM	: Elections Cameroon
ENAM	: National School of Administration and Magistracy
ENIEG	: General Education Grade I Teacher Training College
EPC	: Eglise Presbytérienne du Cameroun (Presbyterian Church in Cameroon)
ESCR	: Economic, Social and Cultural Rights
ESS	: Education Sectoral Strategy
EVC	: Extended Vaccination Campaign
FAD	: Development Aid Fund
FEICOM	: Special Council Support Fund
FENTECAM	: National Federation of Decentralised Local Councils Trade Unions of Cameroon
FIDA	: International Federation of Woman Lawyers
FLE	: Family Life Education
FSLC	: First School Living Certificate
GAVI	: Gobal Alliance for Vaccination and Immunization
GDI	: Global De-worming Initiative
GNP	: Gross National Product
GTZ	: Deutsche Gesellschaft fûr Technische Zusammenarbeit
HACI	: Hope Project for African Children Initiative
HBP	: High Blood Pressure
HC	: High Court
HD	: Health District
HDHDP	: Health District Health Development Plan
HIPC	: Heavily Indebted Poor Country
HIPC-I	: Heavily Indebted Poor Country Initiative
HJC	: Higher Judicial Council
HKL	: Hellen Keller International
HSDP	: Health Sectoral Declaration Policy
HSS	: Health Sectoral Strategy
ICCPR	: International Covenant on Civil and Political Rights
ICESCR	: International Covenant on Economic, Social and Cultural Rights
ICSC	: Integrated Care for Sick Children
ICT	: Information and Communication Technology
IHC	: Integrated Health Centre
IHL	: International Humanitarian Law
ILO	: International Labour Organisation
IMCI	: Integrated Management of Childhood Illnesses
IMF	: International Monetary Fund
INTERPOL	: International Police
IPAVIC	: Poultry Farmers Association of Cameroon
IPT	: Intermittent Preventive Treatment

IRS	: Initiative to Reading Section
ITN	: Insecticide-Treated Mosquito Nets
JP	: Junior Primary
JPO	: Judicial Police Officer
LANACOME	: National Drug Control Quality and Valuation Laboratory
LUTRENA	: Subregional Programme for the Fight against Child Slavery and Labour in West and Central Africa
MAGZI	: Industrial Areas Development and Management Authority
MBOSCUDA	: Mbororo Social and Cultural Development Association
MCPY	: Multifunctional Centres for the Promotion of Youths
MDDHL	: Movement for the Defence of Human Rights and Freedoms
MDG	: Millennium Development Goals
MDRI	: Multilateral Debt Relief Initiative
MINADER	: Ministry of Agriculture and Rural Development
MINAS	: Ministry of Social Affairs
MINATD	: Ministry of Territorial Administration and Decentralization
MINCOM	: Ministry of Communication
MINDEF	: Ministry of Defence
MINEDUB	: Ministry of Basic Education
MINEFOP	: Ministry of Employment and Vocational Training
MINESEC	: Ministry of Secondary Education
MINJUSTICE	: Ministry of Justice
MINMEE	: Ministry of Water Resources and Energy
MINPLAPDAT	: Ministry of Planning, Programming and Regional Development
MINPROFF	: Ministry of Women Empowerment and the Family
MINREX	: Ministry of External Relations
MINSANTE	: Ministry of Public Health
MINTSS	: Ministry of Employment and Social Security
MINUH	: Ministry of Town Planning and Housing
MIPROMALO	: Mission for the Promotion of Local Material
MTEF	: Medium-Term Expenditure Framework
NCB	: National Communication Board
NACC	: National Aids Control Committee
NAP	: New Pedagogic Approach
NCHRF	: National Commission on Human Rights and Freedoms
NEF	: National Employment Fund
NEO	: National Elections Observatory
NEP	: National Employment Policy
NGO	: Non Governmental Organization
NGP	: National Governance Programme
NIE	: National Inspectorate of Education
NLP	: National Literacy Programme
NPEM	: National Mechanisation Experimentation Programme
NRHP	: National Reproductive Health Programme
NSC	: National Statistics Council

NSIF	: National Social Insurance Fund
OHADA	: Organization for the Harmonisation of Business Law in Africa
ONEFP	: National Employment and Vocational Training
ONLC	: National Obsevatory for the Fight Against Corruption
PAD	: Ports Authority, Douala
PANE	: National Action Plan for Education for All
PANERP	: National Poverty Reduction Energy Plan
PANIFD	: National Action Plan for the Integration of Women in Development
PC	: Penal Code
PC	: Preparatory Class
PCA	: President of the Court of Appeal
PCC	: Presbyterian Church in Cameroon
PCPT	: Pilot Centre for the Promotion of Tiles
PDER	: Rural Electrification Master Plan
PEV	: Extended Vaccination Campaign
PG	: Procureur General
PGM	: Postgraduate Diploma
PGSD	: Postgraduate Specialised Diploma
PIB	: Public Investment Budget
PLWHA	: People Living with HIV/AIDS
PMTCT	: Prevention of Mother-to-Child Transmission
PNVCA	: National Popularisation and Agricultural Counseling Programme
PPP	: Priority Programme for the Promotion of SME
PPSC	: Provincial Pharmaceutical Supply Centres
PRSP	: Poverty Reduction Strategic Paper
PTA	: Parents Teachers Association
PS	: Public Security
RECEWAPEC	: Regional Centre for the Welfare of the Elderly in Cameroon
RESEN	: Report on National Education System
SC	: Supreme Court
SIC	: Cameroon Housing Corporation
SME	: Small and Medium-Sized Enterprises
SMIG	: Minimum Guaranteed Interprofessionnal Wage
SNEC	: Cameroon National Water Corporation
SNH	: National Hydrocarbons Corporation
SONECAM	: Cameroon International Trade Company
SOPECAM	: Cameroon News and Publishing Cooporation
SSE	: Education Sectoral Strategy
STD	: Sexeually Transmitted Diseases
SWAp	: Health Sector-Wide Approach
UDHR	: Universal Declaration of Human Rights
UNCAC	: United Nation Convention Against Corruption

UNDP	: United Nations Development Programme
UNESCO	: United Nations Education, Scientific and Cultural Organisation
UNFPA	: United Nations Fund for Population Activities
UNICEF	: United Nations Children's Fund
UPT	: Tiles Promotion Pilot Unit
WACAP	: Water for African Cities Project
WFP	: World Food Programme
WHO	: World Health Organisation
WOAT	: World Organisation Against Torture
WRJHCP	: Walter Reeds John Hopkins Cameroon Programme
WTO	: World Trade Organization

PREFACE

Cameroon reached the completion point of the Heavily Indebted Poor Country Initiative (HIPC-I) in 2006. This success is the fruit of the political will of the Head of State, President Paul Biya. It is also the result of Government effort including that of the Ministry of Justice and sacrifices made by Cameroonians. Cameroon's hope for sustainable development is so dependent on this initiative that resources accruing from debt servicing should be managed judiciously by State authorities at all levels. The Head of State whose main ambition is to provide a decent standard of living for his fellow country men is determined on waging a merciless war against this monster, corruption. He declared on 11 November 2005 while launching the national head count that, the fight against corruption will be intensified. He reiterated his determination in his speech to the Nation on 31 December 2005 by declaring that: "... there is something more serious. I am referring to corruption which I have often denounced but which is still rife. There is a clear mismatch between the effort to alleviate poverty and the scandalous enrichment of a few individuals...this must stop"

This message was decoded and since then the judiciary has tried senior officials accused of misappropriation of public funds, an offence considered as corruption by the United Nations Convention against Corruption to which Cameroon is party since February 2006.

Generally, Cameroon's effort to promote and protect human rights was recognised at the universal level by her election into the United Nations Council on Human Rights for three years. This election is a legitimate source of satisfaction for Government. However, the State is required to show more respect for fundamental human rights and to be more transparent in its inherent action.

This report, like that of 2005, serves as a barometer of the positive measures taken by State officials and the civil society to promote and protect human rights.

While adopting the drafting style of the previous one by systematically referring to international and national instruments on human rights protection, this report uses a more factual and distinct approach. It focuses on human rights facts, activities and relevant actions which attracted international and national attention. The following issues can therefore be mentioned:

- *homosexuality;*
- *detention conditions and the work of prison personnel;*
- *jungle justice;*
- *harassment of human rights defenders;*
- *free and fair elections;*
- *popularisation campaign of the Criminal Procedure Code;*
- *fight against corruption;and*

- demolishing of huts in some neighbourhoods of Yaounde.

These issues are not restricted to humanitarian problems but embrace political, social and cultural considerations with obvious consequences on the effective enjoyment of rights. The universality of human rights does not exclude cultural specificities. It should draw from these specificities rather than reject them. The controversial issue of homosexuality should unequivocally be considered within the purview of African cultural values referred to in the African Charter on Human and Peoples' Rights.

This document should provide an objective view - for observers interested in our country's progress - of the Head of State and Government relentless effort to make Cameroon a country where the rule of law and human rights prevail.

AMADOU ALI
VICE-PRIME MINISTER, MINISTR OF JUSTICE,
KEEPER OF THE SEALS

INTRODUCTION

General Considerations

1- The Ministry of Justice published in 2006, an English and French version of its first Report on the State of Human Rights in Cameroon in 2005.

2- The initial report was an account of the successes and failures in the promotion and protection of human rights in Cameroon since independence.

3- This second report focuses on measures taken by the State of Cameroon in 2006 to respect, protect and implement[1] human rights principles enshrined in international instruments to which she is party.

4- 2006 was marked by the following topical issues: denunciation of the homosexuality of some personalities from the political and economic strata, arrest of presumed homosexuals, free and fair elections, strike by some prison administration staff, detention conditions, expulsion from and demolition of houses by the city council in some neighbourhoods in Yaounde, curbing corruption culminating in "*Opération Epervier*" (Operation Sparrowhawk).

5- Certainly, problems relating to human rights in Cameroon were not restricted to these issues only. The rule of law and human rights culture are gradually taking root and impunity is being stamped out.

6- However, this report gives them pride of place because of their importance or their exploitation by some associations and human rights defence NGOs. It is therefore necessary to conceptualise the facts in order to give observers of good faith reliable bases for a most objective evaluation of the issues raised above.

7- The Heavily Indebted Poor Country (HIPC) Initiative was attained in April 2006. Thus, there are prospects for greater achievement of economic, social and cultural rights which are obviously inseparable from civil and political rights. Pierre Sane, Secretary General of Amnesty International said in 2000 that, it is henceforth essential to curb the imbalance between economic rights and the other human rights given that deliberations on fundamental rights increasingly take place in the economic sphere[2].

[1] As regards the conceptualisation of these three obligations, see the two International Covenants on Civil and Political Rights as well as Economic, Social and Cultural Rights and Henri SHUE in *"Basic Rights: Subsistence, Affluence and US Foreign Policy"*, 1980,pp.35-64 (2nd ed. 1996). Note that for the UNDP, the evaluation of the State's respect of its human rights obligations consists in determining if the latter respects, protects and fulfils rights in keeping with its means, history, and natural conditions. Respect of rights entails abstaining from infringing on the rights of others by torture, arbitrary arrest, and expelling individuals from their homes or fixing healthcare costs that the poor cannot afford. The protection of rights encompasses the prevention of the violation of these rights by other stakeholders. By ensuring that employers, for instance, meet elementary labour norms and by preventing parents from keeping their children out of school. Fulfilling these rights involves taking especially legislative, budgetary and judicial measures. Adopting a law, for example, that provides equitable salary for similar type of work or increasing expenditure for underprivileged regions. UNDP, World Report on Human Development 2000 in Droits de l'homme et devéloppement humain, Paris et Bruxelles, De Boeek et Larcier, 2000, p. 93.

[2] « Garantir les libertés individuelles » (Guaranteeing individual freedoms) in Manière de voir 52, Le Monde diplomatique, July-August 2000, p. 60.

8- For this reason, this report discusses elaborately the right to an adequate standard of living[3], encompassing the right to a balanced diet, the right to health, the right to water and the right to decent housing, especially as the Head of State, President Paul BIYA[4] , is determined to achieve this goal.

PROMOTION AND PROTECTION OF HUMAN RIGHTS IN CAMEROON IN 2006

9- The extension and intensification of the framework for the promotion and protection of human rights was presented in the 2005[5] Report. These have been implemented in 2006 as manifested by the signing, ratification and the deposit of ratification instruments of some universal and regional legal instruments. They are further illustrated by the adoption of national statutory and regulatory instruments. Several promotion activities were also carried out in partnership with international bodies for the protection of human rights.

Signature, ratification and deposit of ratification instruments of international conventions

10-At the universal level, the following instruments can be mentioned:

- adherence on 4 August 2006 to the UNESCO Convention on the Protection and the Promotion of the Diversity of Cultural Expressions;
- deposit of ratification instruments in February 2006 of the:
  - United Nations Convention against Transnational Organised Crime[6] of 15 December 2000;
  - Additional Protocol to the United Nations Convention against Transnational Organised Crime of 15 December 2000 to prevent, crackdown and punish slavery, especially of women and children[7];
  - Protocol against the Smuggling of Migrants by Land, Sea and Air, additional to the United Nations Convention against Transnational Organised Crime adopted on 15 December 2000 in Palermo[8];
  - United Nations Convention against Corruption, adopted on 31 October 2003 at Merida (Mexico)[9]; and
  - Optional Protocol of 6 October 1999 of the United Nations Convention of 18 December 1979 on the Elimination of All Forms of Discrimination Against Women.

[3] Art. 25 para. 1 UDHR and Art. 11 para. 1 of ICESCR.

[4] See Foreword of the report

[5] Pp. 5-12 of the 2005 report

[6] Ratified by Decree No. 2004/125 of 18 May 2004

[7] Ratified by Decree No. 2004/120 of 18 March 2004

[8] Ratified by Decree No. 2004/121 of 18 May 2004

[9] Ratified by Decree No. 2004/124 of 18 May 2004

11-At the regional and the subregional levels, the following instruments can be mentioned:

- the signing on 25 July 2006 of the :
  - Protocol relating to the African Charter on Human and Peoples' Rights to set up an African Court of Human and Peoples' Rights adopted on 9 June 1998 at Ouagadougou;
  - Protocol on the African Union Treaty to set up the African Union Court of Justice;
  - African Union Convention on Preventing and Combating Corruption, adopted in Maputo, Mozambique on 11 July 2003;
  - African Union Non-aggression and Common Defence Pact;

- the signing at the subregional level on 19 July 2006 of the Convention adopted in March 2006, on judicial co-operation between Member States of the Economic Community of Central African States (ECCAS);
- the ratification by Decrees Nos. 2006/48, 2006/49, 2006/50 and 2006/51 of 30 January 2006 respectively on the:
  - Judicial Cooperation Agreement between Member States of the Central African Economic and Monetary Community (CEMAC), adopted in Brazzaville on 28 January 2004;
  - Extradition Agreement between CEMAC Member States adopted on 28 January 2004 in Brazzaville;
  - Non-aggression, Solidarity and Mutual Assistance Pact between CEMAC Member States, adopted on 28 January 2004 in Brazzaville; and
  - Convention to Govern the CEMAC Parliament adopted on 28 January 2004 in Brazzaville.

Adoption of Statutory and Regulatory Instruments

12-The following important instruments can be mentioned:

the promulgation on 25 April 2006 of Law No. 3/2006 relating to the declaration of assets;
the setting up of the National Anti-Corruption Commission by Decree No. 2006/8 of 11 March 2006[10]; and
the appointment by Decree No. 2006/275 of 6 September 2006 of members of the National Commission on Human Rights and Freedoms (NCHRF)[11].

[10] Members were appointed by Decrees Nos. 16 and 17 of 15 March 2007 by the President of the Republic and sworn in before the Supreme Court on 30 May 2007.

[11] They were sworn in before the Full Bench of the Supreme Court of 9 November 2006.

Human Rights Promotion

13-The main activities include:

- transmission in January 2006, to the United Nations High Commission for Human Rights, of Cameroon's report on the implementation of the recommendations by Sir Nigel RODLEY, former Special Rapporteur against Torture and other Cruel, Inhuman or Degrading Treatment at the end of his visit to Cameroon;
- validation in Yaounde, from 7 to 9 February 2006, of the teaching guide drafted by the National Commission on Human Rights and Freedoms (NCHRF), for teaching human rights in primary and secondary schools, universities and professional schools in collaboration with the United Nations system and all ministries concerned;
- organisation of seminars on "The Independence of the Judiciary" and " Combating Corruption" in Yaounde, on 22 and 23 March 2006 by the Commonwealth, for Legal and Judicial Officers of the Supreme Court, Heads of Court of Appeal and Directors in the Ministry of Justice;
- organisation in Yaounde, from 8 to 11 May 2006 of a seminar for Judicial Police Officers and Prison Administration personnel on the *"Inclusion of Human Rights in their Syllabus";*
- defence of Cameroon's first periodic report relating to the African Charter on Human and Peoples' Rights during the 39th Session from 9 to 23 May 2006 in Banjul (Gambia);
- organisation in Yaounde from 24 to 25 May 2006, of the West African colloquium by the Commonwealth Secretariat in collaboration with the Ministry of External Relations (MINREX) , Ministry of Women's Empowerment and the Family (MINPROFF) and Cameroon Association of Female Jurists (ACAFEJ) on the theme: *"Gender, Culture and the Law";*
- validation of Cameroon's first periodic report relating to the Convention on the Elimination of All Forms of Discrimination Against Women;
- visit to Yaounde from 9 to 16 June 2006, of Reine ALAPINI NGANSOU, Lawyer, Special Rapporteur on Human Rights in Africa, of the African Commission on Human and Peoples' Rights;
- holding in Yaounde from 13 to 16 September 2006 in partnership with the African Commission on Human and Peoples' Rights, of a *"Regional Sensitisation Seminar on the Rights of Natives and Communities in Central Africa"*;
- holding in Yaounde from 4 to 6 December 2006 of a seminar on *"Traditional Justice in the Francophone World"* jointly organised by the United Nations Subregional Centre for Human Rights and Democracy in Central Africa, the Federal Department of Foreign Affairs of the Swiss Confederation and the Ministry of Foreign Affairs of the French Republic;
- organisation in Yaounde from 6 to 7 December 2006 of a workshop for the internalisation of the United Nations Convention against Corruption organised

by the Government of Cameroon with the funding of the United Nations Development Programme (UNDP); and

- organisation in Yaounde from 18 to 19 December and from 20 to 21 December 2006 of two training workshops for trainers (National Pedagogic Inspectors) from the Ministry of Basic Education and the Ministry of Secondary Education on the use of the Teaching Guide on human rights education produced by the National Commission on Human Rights and Freedoms (NCHRF).

METHODOLOGY

Data collection

14- This report, like the previous one, is the fruit of collaboration between the Ministry of Justice, the following ministries and related structures that submitted written and oral contributions in their respective areas of competence:

- Ministry of Social Affairs;
- Ministry of Communication;
- Ministry of Basic Education;
- Ministry of Women's Empowerment and the Family;
- Ministry of External Relations;
- Ministry of Labour and Social Security;
- Ministry of Scientific Research and Innovation;
- General Delegation of National Security;
- Secretary of State for Defence; and
- National Commission on Human Rights and Freedoms.

15- Information provided by the technical services of the Ministry, Legal Departments of Courts of the Republic were equally very useful notably to attest the decline in impunity.

Focus on 2006 Data

16- This report is essentially based on data collected in 2006. However, when necessary, references are made, in footnotes, to information contained in the 2005 report and to some data of 2007 with a view to providing current information at the time of its publication.

Participatory Approach

17- To ensure transparency, the civil society participated in producing this document as was the case with the drafting and validation of the 2005 report.

Structure of the Report

18- The structure of this report is slightly different from that of 2005. The latter was mainly binary and based on a horizontal and general separation of rights (political and civil rights - economic, social and cultural rights).

19- Given that some issues cut across the board, they are discussed specifically in a part added to the classical division stated above.

20- The report is structured as follows:

- Protection of Civil and Political Rights (Part one);
- Protection of Economic, Social and Cultural Rights (Part two);
- Cross-cutting Issues relating to Human Rights Protection (Part three).

PART ONE

PROTECTION OF CIVIL AND POLITICAL RIGHTS

INTRODUCTION

21- The fight against the impunity of personnel in charge of applying the law and traditional rulers was raised[12] in the 2005 report. This is a permanent challenge in a State where the rule of law prevails. Considering that this fight has been intensified, this issue is therefore included in the 2006 report.

22- During this same year, urgent appeals by both UN and African Union mechanisms, as well as, allegations by Non Governmental Organisations (NGOs) claimed that the judiciary harassed human rights defenders in Cameroon.

23- Homosexuality, which was taboo and discussed only in private, became topical. Lists of homosexuals from the cream of the political and economic strata of the country were published. The arrest and detention of such persons rendered issues relating to sexual orientation and freedom of communication equally topical. The promulgation of the law on the Criminal Procedure Code underscored the need to guarantee fair trial of persons charged with a criminal offence.

24- As regards political freedoms, Government, the civil society and international partners, including the Commonwealth, courageously and decisively handled, within the framework of elections envisaged in 2007, the issue of free and fair elections to guarantee the right of citizens to participate in the management of state affairs enshrined in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). In this context, Karel VASAK observed that, free and fair elections are the basis of true democracy which guarantee a political regime that respects human rights[13].

25- All these issues are discussed in the following chapters:

Chapter 1: Fight against Impunity;
Chapter 2: Human Rights Defenders;
Chapter 3: Homosexuality;
Chapter 4: Freedom of Communication;
Chapter 5: Right to Fair Trial; and
Chapter 6: Free and Fair Elections.

[12] See 2005 report pp. 19-50

[13] « *Libertés et observation des élections* » in *La coopération judiciare, l'observation des élections et la coopération militaire,* éd. Karthala, Paris, 1977, p. 51.

CHAPTER 1: FIGHT AGAINST IMPUNITY

26- The fight against impunity is a major concern of the international community. In the Action Plan presented by the United Nations High Commissioner for Human Rights to the Secretary General of the United Nations, impunity is mentioned as one of the six challenges to be taken up by the Community of Nations. The following diagnosis is made: "*Laws that are consistently breached without consequences are unlikely to be respected. This, regrettably, is the case with many international human rights provisions at the national level. Where cases of torture go unpunished, where general amnesty laws allow perpetrators to go free, where investigations of excessive use of force drag on without result, where court orders demanding redress for victims of discrimination are not enforced and where economic and social rights cannot be defended in court, human rights loses its credibility*[14] ".

27- Government effort to respect or cause human rights to be respected by implementing the principles or sanctions provided for by instruments to protect Human Rights have very often been put to question by both the international community and public opinion. Indeed, the State of Cameroon is often suspected of leaving some personalities found guilty of violating fundamental human rights unpunished.

28- However, although the fight against impunity covers almost all aspects of human rights, it was very intensive as regards torture and other inhuman and degrading treatment, especially where such violations were perpetrated by civil servants or auxiliaries of the central administration as illustrated by the many judicial and administrative sanctions meted out in 2006.

Section 1- Judicial Sanctions

29- This section focuses on the state of legal proceedings mentioned in the 2005 report that involve prison administration personnel, policemen, gendarmerie officers, other civil servants and traditional rulers, as well as, sanctions meted out in the fight against impunity in 2006.

§1- Judicial Proceedings in the 2005 Report

[14] A/59/2005/Add.3 p.11 especially

[15] See 2005 report, p. 38, para 105 and ff

Court of Appeal, Littoral[15] Province

30- Several judgments can be mentioned.

High Court (HC), Wouri

- In The People vs Police Constable Mpacko Dikoume, the above High Court, by judgment of 12 December 2006, found the accused guilty of assault occasioning death and sentenced him to 3 years imprisonment, suspended for 3 years. He was ordered to pay damages of CFA 12,000,000;

- In The People vs Police Constable Ndiwa Joseph, the above High Court, by judgment of 12 December 2006, found the accused guilty of assault occasioning death and sentenced him to 3 years imprisonment suspended for 3 years. He was ordered to pay a fine of CFA 400,000 and damages of CFA 8,000,000[16];

Court of First Instance (CFI), Douala-Bonanjo

- In The People vs Police Officer Ndzomo Mouna Claude, the accused was found guilty of unintentional killing and ordered to pay a fine of CFA 10,000 and damages of CFA 8,542,976[17].

CFI, Mbanga

- In The People vs Police Constable Mandjek, the accused was prosecuted for torture, breach of trust, grievous and simple harm. By a judgment of 30 November 2005, this matter was extinct as a result of the death of the accused in the course of the proceedings;

- In The People vs Senior Police Inspector Ambata Hermès René and Police Constable Ngoumba Jean Dejoli Major, the accused were prosecuted for oppression, invasion of residence, torture, false arrest, simple harm and other offences. By a judgment in default of 14 December 2005, the accused were found guilty and ordered to pay a fine of CFA 50,000 each[18].

CFI, Edea

- In The People vs Bidjeke Mathias, the latter, a Third Class Quarter Head, accused of oppression, was by judgment of 17 October 2006, discharged and acquitted.

[16] Both judgments have become final.

[17] The accused filed an appeal against this judgment.

[18] The Legal Department filed an appeal against this judgment.

Court of Appeal, North Province

31- The following cases may be mentioned:

CFI, Guider

- In The People vs Boubakari Hamadou[19], the Lamido of Dazal was prosecuted for theft and false arrest. By a judgment of 5 April 2006, the above Court discharged and acquitted him for the benefit of doubt.

CFI, Tchollire

- In The People vs Abdou Hamayadji Mayo[20], the accused, representative of the Lamido of Rey Bouba in Touboro was charged with false arrest, false pretences and conditional threats. The case was extinct following the death of the accused.

C- Court of Appeal, North West Province

32 - In the matter involving the Fon of Balikumbat, Fon Gah Gwanyin, referred to in the 2005 report[21], he and his alledged co-offenders were tried before the HC Ndop. By judgment of 12 April 2006, the Court sentenced him to 15 years imprisonment. He appealed against the judgement and applied for bail before the CA, North West Province. On 18 August 2006, the said Court granted bail to the Fon and four others to the sum of CFA 4,000,000 and two sureties. Five other accused persons who were not granted bail appealed before the Supreme Court.

D- Court of Appeal, South Province

33- In the case of Maigougoudoum Bello Japhet[22], Boubakari Modibo was found guilty of murder and Maigougoudoum guilty of oppression and abetting murder[23]. They were both sentenced to 10 and 15 years imprisonment respectively with hard labour, as well as damages of CFA 20,000,000. Seven other accused persons were discharged and acquitted.

34- Following an appeal by the convicts, the Court of Appeal, South Province by judgment No. 23/crim of 8 March 2007, quashed in part the judgement of the lower court. It re-classified the charge of murder to assault occasioning death, found the accused, Boubakari Modibo, guilty of the new charge and sentenced him to 2 years imprisonment with hard labour suspended for 5 years. He was ordered to pay damages of

[19] See 2005 report, p. 49.
[20] See 2005 report , p. 49.
[21] See 2005 report, p. 49, para 130-132.
[22] See 2005 report, p. 37, para 103.
[23] Judgment No. 1/crim of 27 October 2006.

CFA 10,500,000. Maigougoudoum Bello Japhet on the other hand, was not found guilty of abetting assault occasioning death. The General Delegation of National Security (DGSN) was found vicariously liable for the pecuniary sentences[24].

§2- Cases Prosecuted in 2006

35- Several cases were brought before the ordinary courts and the military tribunals which ascertain that cases are effectively prosecuted.

A- Ordinary Courts

1- Court of Appeal, Adamawa Province

CFI, Ngaoundere

- In The People vs Young Pome Yves (Police Officer), the accused who was prosecuted for oppression was released for lack of evidence[25];

- In The People vs Young Pome Yves (Police Officer), the accused who was prosecuted for false arrest, was released for lack of evidence[26];

- In The People vs NJINZEU André (sergeant in the Ngaoundere motorised squad), the accused who was prosecuted for oppression was discharged and acquitted for want of diligent prosecution;

- In The People vs Djaoro Hamadou (the village Head of Nyassar), the accused who was prosecuted for false arrest, was sentenced to 6 months imprisonment suspended for 3 years;

- In The People vs Alim Garga (Principal of Bilingual High School Ngaoundere), the accused who was prosecuted for oppression, was discharged and acquitted for lack of evidence[27];

- In The People vs Mbassi Yanna Edouard (Brigade Head at the Ngaoundere Provincial Labour Inspectorate), the accused who was prosecuted for refusal to render service, was discharged and acquitted for lack of evidence.

[24] The decision is final.

[25] The Legal Department and the victim lodged an appeal on 4 April 2006.

[26] The Legal Department and the victim lodged an appeal on 4 April 2006.

[27] The plaintiff filed an appeal.

- CFI, Banyo

- In The People vs Nganni (District Head for Nyamboya-Banyo), the accused who was prosecuted for murder, was found guilty of manslaughter.

HC, Tibati

- By judgment No. 21/ Crim of 21 March 2007, The People vs Abbo Bakar (traditional ruler), the accused who was prosecuted for false arrest, was discharged and acquitted.

C- Court of Appeal, Centre Province

36- **Only one decision could be mentioned here.**

HC, Nyong and So'o

In The People vs Warder Otabela Otabela Laurent, the accused who is prosecuted for murder was remanded in custody on 22 December 2005. The matter is pending before the trial court.

A disciplinary file concerning the above accused person is under examination.

C- Court of Appeal, Far North Province

37- The Far North Court of Appeal heard and determined cases which illustrate the fight against impunity.

HC, Maroua

- In The People vs Mezedjo Eric, Ngamessi, Tsapi, Njoya Zenz Emile Ndoumbe (all gendarme officers attached to the 30th squadron of the Gendarmerie Headquarters, Maroua), the suspects were charged with false arrest, theft, slight harm and failure to assist. Preliminary inquiry is going on.

CFI, Kaele

- In The People vs Kaele Malloum (the Mayor of the Moutourwa Rural Council), the accused is prosecuted for oppression and disturbance of quiet enjoyment. The matter is pending.

- In The People vs Wangso Mathieu (Stores Accountant at the Touloum Rural Council), the accused is prosecuted for refusal to render service. The matter is pending.

CFI, Mokolo

- In The People vs Viche Taga (Mayor of Mozogo Rural Council), the accused who was prosecuted for oppression, usurpation of qualification, destruction of public highway, dangerous activities and defamation was discharged and acquitted. See judgement No. 295/cor of 6 February 2006;
- By judgment No.115/cor of 13 November 2006, The People vs Wakou Bassai (Commander of the Roua–Souleyde Gendarmerie Brigade), the accused who was prosecuted for oppression, false arrest, invasion of residence and conditional threats was sentenced to 10 months imprisonment and ordered to pay a fine of CFA 15,000;

- In The People vs Metomo Minfomo Telesphore (Commander of the Bourrha Gendarmerie Brigade), Alwa Etienne, Pakagne Andre (Assistants to the said Brigade commander), the accused are prosecuted for oppression and co-offender. The matter is pending;

- In The People vs Lawan Youssoufa (the traditional ruler of Liri-Mogode), the accused is prosecuted for false arrest. The matter is pending.

4- Court of Appeal, Littoral Province

38- The case of the illegal detention of a detainee by the Superintendent of the Prison of Mbanga can be mentioned. On the strength of information received at the Ministry of Justice, Prison Administrator FONGOH Divine was relieved of his duties after an administrative inquiry for abuse of office concerning the illegal detention of a detainee in June 2006.

5- Court of Appeal, North Province

39- Several courts within the jurisdiction of the Court of Appeal, North Province, heard and determined matters relating to the fight against impunity.

Military Tribunal (MT), Garoua

- In The People vs Gendarme Officer Abdoulaye Moussa, the accused is prosecuted for oppression. The matter is pending.

CFI, Garoua

- In The People vs Ava Gabriel (Inspector of Police), the accused was prosecuted for torture. At the hearing of 18 April 2006, he was found guilty of the offence and sentenced to 6 months imprisonment, suspended for 3 years and ordered to pay damages of CFA 150,000. This judgement has become final;

- In The People vs Enguene Malgloire (Superintendent of Police attached to the

Garoua Emi-Immigration Police Station), the accused was charged with slight harm and false arrest. The matter is under judicial inquiry;

- In The People vs Moussa Aboubakar (Lamido of Tcheboa), the suspect was charged with false arrest and battery. The matter is under judicial inquiry;

- In The People vs Moussa Aboubakar (Lamido of Tcheboa), the suspect was charged with false arrest and poor treatment. The matter is under judicial inquiry;

- In The People vs Tiwa Pierre (Senior Superintendent of Police, Head of the Department of Judicial Police of the North Province), the accused was prosecuted for torture. The matter was declared a non-suit; and

- In The People vs Memena Goua Markus (Police Constable attached to the Garoua GMI No. 4), the accused is prosecuted for oppression. The matter is pending.

HC, Benoue

- In The People vs Baina Dedaidandi (village Head of Dore-Tongo), the accused was prosecuted for false arrest. He was found guilty by judgement No.13/crim of 16 August 2006 and sentenced to 10 years imprisonment with hard labour and ordered to pay damages of CFA 1,000,000. A warrant of arrest was issued against him[28].

CFI, Guider

- In The People vs Ouseini Hamadou (the Lawan of Badadji), the accused was prosecuted for false arrest. By judgement No. 101/cor of 29 November 2006, he was found guilty of abetting arrest, credit by fraud and fraudulent retention and sentenced to 12 months imprisonment suspended for 3 years and ordered to pay damages of CFA 360,000;

- In The People vs Seke Colomban (Senior Superintendent of Police), the suspect is charged with abuse of office, false arrest, slight harm and torture. Judicial inquiry is going on.

CFI, Poli

- In The People vs Mbock Mbock Jean (Civil Engineering Technician), the accused was prosecuted for oppression. By judgement No. 63/cor of 17 February 2006, he was found guilty of oppression and interest in concern and

[28] His counsel filed an appeal on 2 February 2007.

sentenced to 1 year imprisonment and a fine of CFA 30,000[29].

CFI, Tchollire

- In The People vs Edjidi Ela Remy Charles, the accused was charged with oppression. The matter was closed on 15 June 2006.

6- Court of Appeal, North West Province

40- Two matters referred to the CFI, Bamenda can be mentioned

CFI, Bamenda

- In The People vs Police Constable Belomo Joseph and Police Officer Epanda Richard, the accused are prosecuted for simple harm. The matter is pending before the court.

- In The People vs Police Constable Minkolou Essomba, the accused is prosecuted for slight harm. The matter is pending before the court.

7- Court of Appeal, South Province

41- The following matters were heard and determined:

HC, Ocean Division

- In The People vs Mani Essama Bienvenue Joseph, Kemnang Nana Jules Hubert and Aoudou Ibrahim Kossingo (Chief Warder and Warders respectively), the accused were remanded in custody on 25 January 2006 and are prosecuted for torture and abetting torture before the High Court, Ocean Division. Judgment is pending.

Disciplinary procedures have been instituted against the above-mentioned accused persons.

CFI, Sangmelima

- In The People vs Safinda Joachim (Senior Prison Superintendent and Superintendent in charge of the Sangmelima prison), the accused was prosecuted for oppression and torture. He was found not guilty by judgement No. 81/cor of 5 December 2006. Disciplinary proceedings have been instituted against him.

[29] The Legal Department and the Counsel for the accused lodged an appeal against this judgement.

B- Military Tribunals

42- Proceedings were instituted before the military tribunals of Douala, Buea and Garoua.

Military Tribunal, Douala

- The People vs Sergeants FOUDA Alain and NDJOCK Michel, prosecuted for torture and transport fraud. By judgment No. 8/6 of 9 February 2006, the Tribunal found FOUDA Alain guilty of torture, granted him mitigating circumstances and sentenced him to 6 months imprisonment suspended for 3 years and to pay a fine of CFA 50,000;
- The People vs BANNEM Anatole and Others, prosecuted for torture, violation of orders, tolerance of violation of individual and other rights. By judgment No. 20/6 of 21 March 2006, the Tribunal found Warrant Officer (class 1) DOMO Athanase, Sergeant MINKENG and MBIAKOP Jean guilty of acts of torture, granted them mitigating circumstances and sentenced them to 9 and 8 years imprisonment respectively;
- The People vs Sergeant NKAM ONANA, prosecuted for abuse of office and false imprisonment. By judgment No. 23/6 of 22 March 2006, the Tribunal found him guilty of the charges against him, sentenced him and ordered his immediate arrest in court;
- The People vs Warrant Officer NJIKI Adolphe, prosecuted for arbitrary arrest and sequestration. By judgment No. 32/6 of 11 May 2006, the Tribunal found him not guilty of abuse of office and discharged him for want of evidence. However, the Tribunal found him guilty of arbitrary arrest and false imprisonment, slight harm, sentenced him to 2 years imprisonment suspended for 3 years and ordered him to pay a fine of CFA 500,000. The sum of CFA 900,000 was awarded as damages;
- The People vs Gendarme-Major ESSOCK and PONE KOPA, prosecuted for arbitrary arrest and sequestration, and co-offender. By judgement No. 65/6 of 23 August 2006, the Tribunal found the accused not guilty and discharged them for want of evidence;
- The People vs Warrant Officer (Class 1), TECHOUA TOKO Jules, prosecuted for violation of orders, arbitrary arrest and false imprisonment. By judgment No. 67/6 of 6 October 2006, the Tribunal found him not guilty and discharged him for want of evidence;
- The People vs Warrant Officer, ETEME Hubert, prosecuted for abuse of office and false imprisonment. By judgment No. 81/6 of 4 October 2006, the Tribunal found him not guilty and discharged him for want of evidence;

- The People vs Sergeants ZO'OBO ABOSOLO Joseph and BEBEN Justin, prosecuted for violation of orders and torture. On 22 July 2006, NZEUJOUO Alain, a taxi driver who had been missing for one week was discovered by his

boss at the Gendarmerie research Brigade, Douala II where he was detained following a complaint filed against him. He was found hanging in the cell on his belt in the presence of two other detainees who had tried in vain to stop him. Investigations revealed acts of violation of orders and torture inflicted on NZEUJOUO by Sergeants ZO'OBO ABOSOLO Joseph and BEBEN Justin. By Order No. 296 of 7 September 2006 by the Minister Delegate at the Presidency in charge of Defence, they were charged to court. The matter was called for the first time on 21 November 2006 before the Military Tribunal, Douala and adjourned several times[30] at the request of their Counsels.

2) Military Tribunal, Buea

- The People vs DIKALA Richard, prosecuted for violence on a junior staff. By judgment No. 21/6 of 7 March 2006, the Tribunal found him guilty, sentenced him to 1 year imprisonment and ordered his immediate arrest in court[31];
- The People vs Sergeant YAYA, prosecuted for violence on a junior staff. By judgment No. 57/6 of 4 July 2006, the court found him guilty, sentenced him to 2 years imprisonment and ordered his immediate arrest in court;
- The People vs WANAMOU Victor, prosecuted for violence on a junior staff. By judgment No. 60/6 of 4 July 2006 the court found him guilty and ordered him to pay a fine of CFA 100,000;
- The People vs Sergeant MBENG Jean prosecuted for violence. By judgment No. 62/6 of 4 July 2006, the court found him guilty and sentenced him to 1 year imprisonment suspended for 3 years;
- The People vs Seaman AMADOU BOUARI, prosecuted for violence on a junior staff. By judgment No. 78/3 of 3 October 2006, the Court found him guilty, granted him mitigation circumstances and ordered him to pay a fine of CFA 20,000.

3) Military Tribunal, Garoua

- The People vs Gendarme Officer ABDOULAYE MOUSSA, prosecuted for abuse of office. The matter is pending;
- The People vs TAIWE Augustin, prosecuted for violence on a senior staff. By judgment No. 1/6 of 5 January 2006, the court found him guilty, sentenced him to 18 months imprisonment and ordered his immediate arrest;
- The people vs NDOUNGANE Robert, prosecuted for acts of indecency on a 16 years old minor and abandonment of post of service. By judgment No. 2/6 of 5 January 2006, the court declared the matter extinct due to the death of the accused;
- The People vs DJOGODO, prosecuted for abuse of office and extortion. By judgment No. 17/6 of 2 February 2006, the court discharged him for benefit of doubt.

[31] The decision was appealed against.

- The People vs MEONTA ALHADJI and MOUSSA SAMBO, prosecuted as co-offenders in aggravated theft, threats and illegal possession of firearms. By judgement No. 30/6 of February 2006, the Court found them guilty, sentenced them to 15 years imprisonment each and ordered them to pay a fine of CFA 500,000 each;
- The People vs NOUMIN MAMDOU, prosecuted as co-offender in attempted aggravated theft, simple harm and illegal possession of fire arms and munitions. By judgement No. 43/6 of 1 June 2006, the tribunal found him guilty, sentenced him to 10 years imprisonment and ordered him to pay a fine of CFA 200,000;
- The People vs GRACIA BALANBA and NGADAM KAMPETE, prosecuted as co-offender in aggravated theft, murder and illegal possession of firearm. By judgment No. 48/6 of 1 June 2006, the Court found them guilty, sentenced them to 10 years imprisonment each and ordered them to pay a fine of CFA 200,000;
- The People vs MASSA GARBA, prosecuted for abuse of office and corruption. By judgment No. 56/6 of 12 June 2006, the court found him not guilty and discharged him for the benefit of doubt;
- The People vs MAMAI VICHE, prosecuted for abuse of office, indulgence and false imprisonment. By judgment No. 67/6 of 3 August 2006, the Court found him not guilty and discharged him for benefit of doubt;
- The People vs NDOBO François, prosecuted for indecency to a child of 15 and violation of orders. By judgment No.76/6 of 16 October 2006, the Court dismissed the matter on the bases of res judicata;
- The People vs MULEN Jacques, prosecuted as co-offender in attempted aggravated theft, unintentional harm and illegal possession of firearm and munitions. By judgment No. 90/6 of 31 October 2006, the court found him guilty, granted him mitigating circumstances and sentenced him to 6 months military imprisonment suspended for 3 years;
- The People vs ZERAF and NEBA Charles, prosecuted for murder and co-offenders of murder. By judgment No. 104/6 of 7 December 2006, the Court found him guilty and sentenced him to 6 months imprisonment and ordered him to pay a fine of CFA 200,000;
- The People vs IBRAHIM YAYA, prosecuted for co-offence in aggravated theft, assault and grievous harm. By judgment No. 105/6 of 7 December 2006, the Tribunal found him guilty and sentenced him to 6 years imprisonment and ordered him to pay a fine of CFA 200, 000.

Section 2- Disciplinary Sanctions

43- The Tables below show sanctions effectively taken in 2006 against some civil servants of the Police Corps and the Gendarmerie.

- Police Personnel

No.	Name	Grade	Service unit	Service number	Offence and date of commission	Protective measures taken	Final sanction
1	Eta Etoundi Jacques	Police Inspector 1st Grade	Department of Internal Security	375 928 –T	Fighting in a state of drunkenness	/	Demotion i incremental position
2	Tsala Louis	Police Inspector 1st Grade	Bafia PS	358 115 -U	Serious misconduct	/	Demotion i incremental position
3	Zogo Junior Christophe	Police Superintendent		600 011-X	Misconduct compromise	3 months suspension	Dismissal
4	Kergbine Kerbai Didier	Police Superintendent	DSES	600 132 M	Misconduct compromise	3 months suspension	Dismissal
5	Ebene Albert Leopold	Police Superintendent		600 019-H	Misconduct compromise	/	Delayed increment for one year
6	Fotso Jean Pierre	Assistant Superintendent of Police (1st Grade)	Mfou PS	080 170 -Z	Misuse of firearms on 14 December 2000	/	Delayed increment for one year
7	Eyete Z'obo Eduard	Police Inspector 1st Grade	7th District Police Station Yaounde		Use of firearm contrary to the law on 14 July 2000	/	Delayed increment for one year
8	Mfoumou Richard Collins	Senior Police Inspector	Mvila PS		Assault and battery on a suspect brought to the station	/	Reprimand
9	Yiwe Musa	Senior Police Inspector	Central Police Station /Douala	/	Illegal withdrawal of identification documents of an individual on 12 July 2001		Reprimand
10	Siwo Japhet	Senior Police Inspector	Kumbo PS	123 442 -T	Assault of a suspect brought to the station		Reprimand
11	Essomba Boma Joël	Senior Police Inspector	Kumba PS	/	Assault of a suspect brought to the station		Reprimand
12	Moukouri Bilong Marcel	Senior Police Inspector	Central Police Station /Douala		Assault of a suspect brought to the station		Reprimand
13	Alim	Police Constable (1st Grade)	General Delegation of National Security	582 037	Illegal withdrawal of identification documents on 1 July 2002		Reprimand
14	Yakana Désiré	Police Constable (1st Grade)	Special Operations Squad	571 347 –N	Seizing another person's property and belongings on 26 October 2001		Reprimand
15	Mrs Yamb Ekedi Julienne	Police Constable (1st Grade)	Edea PS	526 284 -S	Assault and battery on a suspect brought to the station		Reprimand
16	Saboa Jules François	Police Constable 2nd Grade	Abong Mbang PS		Violence and assault on a suspect brought to the station on 30 October 2002		Delayed increment for one year
17	Ebozoa Benoit	Police Constable 2nd Grade	CAMRAIL		Violence and assault on a suspect brought to the station on 20 July 2002		Delayed increment for one year
18	Djibring Garba	Senior superintendent of police	GMI 2 Douala		Violence on an individual on 29 December 2001		Reprimand

19	Mboula David	Police Constable 2nd Grade	Garoua Boulai PS	503 794 - P	Illegal use of firearm		Delayed increment for one year
20	Lafon Emmanuel	Police Inspector 1st Grade	Department of Public Security	147 133 - L	Violence and assault on a public officer on 16 December 2001		Reprimand
21	Eloundou Mvondo	Assistant Superintendent of Police (1st Grade)	8th District Police Station Yaounde		Illegal withdrawal of identification documents from an individual on 5 August 2002		Reprimand
22	Mbozo'o Armand Thierry	Police Constable (1st Grade)	GMI No. 4		Violence and seizure of another person's property on 30 September 2004		10 day suspension
23	Bassauguen Hervé	Police Inspector 1st Grade	Special Operations Squad	571 230-Z	Seizure of another person's property on 26 October 2001		10 day suspension
24	Ntone Kwedi	Police Constable (1st Grade)	Special Operations Squad	571 741 Y	Seizure of another person's property		10 day suspension
25	Ngong Paul	Police Inspector 1st Grade	CPSNI/DG	356 788-D	Illegal withdrawal and retention of identification documents from an individual on 16 July 2003		Reprimand
26	Bassahag Paul	Police Inspector 1st Grade	Tiko P S	/	Assault on a public officer on 31 May 2004		Reprimand
27	Ntamack Daniel	Police Constable (1st Grade)	GMI No 2	570 733 -M	Misuse of firearm on 18 October 2003		Reprimand
28	kamang Marcel B	Police Constable (1st Grade)	GMI No. 10	/	Misuse of firearm on 8 October 2004		Reprimand
29	Mvondo Betty	Police Constable (1st Grade)	GMI No. 3	596 883 – M	Assault on a public officer		Reprimand
30	Alah Stanley Ewan e	Police Constable (1st Grade)	Provincial Delegation of Judicial Police, North Province	582 492 – K	Illegal withdrawal of identification document from an individual		Reprimand
31	Atangana André Roger	Police Inspector 1st Grade	8th District Police Station Yaounde	570 539 -V	Illegal withdrawal of identification documents from an individual		8 day suspension
32	Betty Betty Leopold	PC	8th District Police Station		Fighting with an individual on 22 February 2005		Reprimand
33	Tsala Awono Ndongo	Assistant Superintendent of Police (1st Grade)	BCN/Yaounde	570 375 -X	Theft and retention of another's property		Advancement delaye for one year
34	Ngomou Theophile	Police Constable (1st	GMI No.4		Illegal use of a firearm		20 day suspension

		Grade)					
35	Eloundou Vincent B	Police Constable (1st Grade)	Central Police Station, North West Province		Illegal use of a firearm		20 day suspension
36	Belle Eyoumbwe Moïse	Police Constable (1st Grade)	Mbengwi Public PS		Illegal withdrawal and retention of identification documents from an individual		20 day suspension
37	Bessome Assiga R	Senior Police Inspector	E/I Douala		Illegal withdrawal and retention of an identification documents from an individual		20 day suspension
38	Elakou Guy Roger	Police Inspector 1st Grade	3rd District Police station Yaounde	606 483 -E	Assault and battery on an individual on 27-28 November 2005		Reprimand
39	Bissene Amougou	Police Inspector 1st Grade	Dschang public PS	369 901 -S	Assault and battery of a member of the public		Reprimand
40	Manguele Jean	Police Constable 2nd Grade	Wum PS Police station	582 992 – P	Assault and battery on a member of the public		10 day suspension
41	Minleus Jean Claude	Police Constable 2nd Grade	Kumbo PS police station	584 409-M	Assault and battery on a member of the public		20 day suspension
42	Tambe Bisong Samuel	Police Inspector 1st Grade	Central Police Station /Buea	360 150 –J	Assault on his colleagues		Reprimand
43	Bobga John	Police Inspector 1st Grade	14th District police station Yaounde	606 843- E	Assault on an individual		20 day suspension
44	Tchokwi Jean	Police Inspector 1st Grade	PFSN Mouanko	158 628 –E	Infringement of prescription and assault on an individual on 5 July 2005		Reprimand
45	Mengolo Cyrille	Police Inspector 1st Grade	9th District police station Douala		Illegal use of a firearm on 9 March 2002		Reprimand
46	Ekouma Fils François	Assistant Superintendent of Police (1st Grade)	2nd District police station Dschang	356 218 – T	Violence on a person brought to the station on 9-10		Reprimand
47	Embolo Fidèle	Police Constable (1st Grade)	GMI No. 6	598 374 - N			15 day suspension

- Gendarmerie Personnel

Non-commissioned Officers

No.	Name	Grade	Service unit	Service number	Offence and date of commission	Final sanction

2- Rank and File

1	ESSOLA Etienne	Staff sergeant	LL	12,700	Threats with arms	20 days of imprisonment (JAR)[32] Decision No. 94/LL of 16 May 2005
2	Bell II Eugène	Staff sergeant	ACB Kolmaya	15,452	Violence on a superior	20 days of imprisonment (JAR) Decision No. 836/DC/LC of 13 April 2004
3	TCHENGANG Pierre	Chief Warrant Officer	Djeleng Territorial Brigade	10,824	Abuse of office Report No. 5/6 of 16 February 2006	Pending
4	Nkoa Emile	Warrant Officer	LO	12,213	Abuse of office Report No. 5/6 of 16 February 2006	Pending
5	MBOH ENONE	Chief Warrant Officer	LL Command	13,770	Assault on a sentinel	Ter. No. 1292 of 9 November 2006
6	SAMBA SAMBA Paul	Chief Warrant Officer	Ebolowa Brigade	9,259	Lack of self-control and violence on a user	15 JAR Decision No. 80/LS of 3 April 2005
7	ASHU TATA	Sergeant	LL	6,199	Violence on his element	15 JAR Decision

[32] **JAR** : Imprisonment

	WEBOT Francis					No. 980/LL/ BPC of 28 October 2005
8	ESSOMBE ETTA Auguste	AT	Akwa North Brigade	9,153	Assault	30 JAR Decision No. 60621 of 28 April 2006
9	DAYBAY ANSOU Gaston	Chief Warrant Officer	Yagoua Territorial Brigade	13,471	Violence occasioning the death of a detainee	30 JAR Decision No. 1387/4-DC/GN of 28 September 2005
10	NGATCHOU Jean	Warrant Officer	Yagoua Territorial Brigade	12,193	Violence occasioning the death of a detainee	30 JAR Decision No. 1387/4-DC/GN of 28 September 2005
11	GANA ADOUM	Chief Warrant Officer	Yagoua Territorial Brigade	LEN	Violence occasioning the death of a detainee	30 JAR Decision No. 1387/4-DC/GN of 28 September 2005
12	VONDOU Joël	Staff sergeant	Yagoua Territorial Brigade	10,390	Violence occasioning the death of a detainee	30 JAR Decision No. 1387/4-DC/GN of 28 Septemb

						er 2005
13	EKORO OLO Euggène	Staff sergeant	LL	10,928	Abuse of office, assault and battery. Report No. 33 of 8 December 2005	Pending
14	NDOU'OU NGANA Robert	Chief Warrant Officer	Mobile Squad, Garoua	12,185	Indecency to child 16	20 JAR Decision No. 27/LN/GN of 19 January 2006
15	ZEMBIA Elie	Staff sergeant	Gendarmerie Brigade, Tiko	9,245	Assault on a secretary of a high school of this locality	20 JAR Decision No. 13/LSO of 9 March 2006
16	NDONGO ESSOLA	Chief Warrant Officer	Territorial Brigade, Limbe	15,251	Lack of self-control engaging in a scene leading to a fight against an inspector of the locality	15 JAR Decision No. 26/LSO of 1 March 2006
17	YAP KOUNBOU ABDOU	Staff sergeant	LNW	8,623	Assault and Battery	20 JAR Decision No. 328 of 23 May 2006
18	BEBEN JUSSIN	Chief Warrant Officer	LO	13,402	Assault and Battery	Pending

2- Rank and File

No.	*Name*	Grade	Service unit	Service number	Offence and date of commission	Final sanction
1	DOCKO Léopold	Gendarme Major	Territorial Brigade, Fundong	15,482	Violence and contempt of civil servant	Pending
2	OUMAR MAHAMAT	Gendarme	Brigade, Bokito	16,966	Contempt of superior and threats with use of arms	20 days imprisonment (JP) Decision No.1071/4-DC/LC of 18 August 2005
3	NSOBO ATEME Henri	Gendarme	DRG	16,274	Armed robbery TO No. 917 of 3 August 2006	Territorial Disciplinary Board No. 1170 of 16 October 2006
4	ZANG Luc René	Gendarme Major	701 Mobile Squad, Ebolowa	15,408	Contempt of superior	20 JP Decision No.438/LS of 22 June 2006
5	CHEWA NDIFOR Louis	Gendarme	Squad No. 142, Nkoteng	15, 889	Violence on a superior	20 JP Decision No.1180/4-DC/LC of 28
						September 2005

Source: Secretariat of State for Defence

44- From what precedes, it is evident that impunity is no longer tolerated in Cameroon. Above all, this report highlights the firm determination by Government to institute proceedings against persons who violate human rights. Although some persons were discharged and acquitted, the fight against impunity was effective even in such cases, given that criminal proceedings were instituted against all the suspects. However, personnel responsible for implementing laws need further education in this domain.

CHAPTER 2: HUMAN RIGHTS DEFENDERS

45- The State, civil society and especially human rights defenders are all responsible for ensuring the supremacy of the rule of law and the rooting of a human rights culture. It is thus, the duty of the State to put in place an appropriate legal framework to enhance a dynamic civil society. Human rights defenders implement the international and national instruments relating to human rights and fundamental freedoms. To review the situation of human rights defenders in Cameroon in 2006, it is necessary to state the legal framework to govern their activities.

Section I- Legal Framework

46- Pursuant to Article 19 of the UDHR adopted by Article 19 of the ICCPR *" Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".*

47- Cameroon's commitment to respecting fundamental human rights emanates from the Preamble of the Constitution[33]. It is expressed especially by the commitment of the State to guarantee the activities of human rights defenders in accordance with Article 12[34] of the Declaration of Human Rights Defenders.

48- Article 12(2) and (3) provide that the State shall take measures to ensure that competent authorities protect all persons, individually or in association with others, from violence, threat, reprisals, de jure and de facto discrimination, pressure or any other arbitrary action in the legitimate exercise of their rights referred to in this declaration. In this regard, each one has the right, individually or in association with others to appropriate protection by national law when they carry out peaceful manifestations against violations of human rights by the State, groups or individuals.

49- By guaranteeing fundamental freedoms, the lawmaker equally recognises the role of human rights defenders. The legal instruments, which govern the activities of human right defenders, referred to in the previous report reflect this state of affairs[35].

50- To this end, Cameroon's obligation derives from Article 26 of the ACHPR which provides: *"States parties to the present Charter shall have the duty to guarantee the independence of the Courts and shall allow the establishment and improvement of appropriate national institutions entrusted with the promotion and protection of the rights and freedoms guaranteed by the present Charter".*

[33] See 2005 report p. 5 para. 19-23.

[34] (1). Every person shall have the right to, individually or in association with others, participate in peaceful activities to fight against the violation of human rights and fundamental freedoms.

[35] See 2005 report p.8 , para 22.

51- Cameroon has liberalised the defence of human rights in accordance with the provisions of Article 2 of the Declaration on Human Rights Defenders. Section 1(3) of Law No. 90/53 of 19 December 1990 provides: *"freedom of association shall be enjoyed by all natural persons and corporate bodies throughout the national territory"*.

52- Pursuant to Section 4 of the same law, the only exception to the above provision shall be a cause or a purpose contrary to the Constitution, the law, public policy, security, integrity of the national territory and national unity.

Section 2- Human Rights Defenders

53- Human rights defenders constitute a much diversified group in Cameroon. Some of its members allege that they are victims of judicial harassment.

§1- Diversified Group

54- Human rights defenders in Cameroon include men and women who are often journalists, lawyers, medical officers, trade unionists, committed intellectuals, member of religious bodies and the laity. This group also often includes ordinary citizens who are committed to denouncing the abuse of the dignity of the human person and to cause the respect of fundamental rights.

55- This group equally includes State and independent or civil society organisations.

State Organisations

56- These include especially the National Commission on Human Rights and Freedoms (NCHRF)[36] set up by Law No. 2004/16 of 22 July 2004, the National Communication Council, the National Elections Observatory set up by Law No. 2000/16 of 19 December 2000 as amended[37], the National Anti-Corruption Commission (CONAC) set up by Decree No. 2006/88 of 11 March 2006 by the President of the Republic[38].

57- Significant progress was made in 2006 to increase the working ability of the NCHRF especially by the appointment and the swearing in of its members, the specific inclusion of its budget in the finance law and the inauguration of its agency for the South West Province in Buea on 13 October 2006. This institution examined 350 petitions relating notably to the violation of the following rights:

- right to personal security (32 cases)[39];
- right to physical and moral integrity (21 cases);
- fundamental rights of detainees (9 cases);

[36] Read 2005 report p. 12, paras. 38-41.

[37] NEO shall be replaced by Elections Cameroon. Read chapter on Free and Fair Elections.

[38] The members of CONAC were recently appointed by Decrees No. 2007/17, 2007/18, 2007/19 of 15 March 2007 by the President of the Republic. Read chapter on Good Governance.

[39] Source: Contribution by NCHRF.

- right to fair trial (137 cases);
- right to property (78 cases); and
- right to work (73 cases).

B-Civil Society Organisations and Associations

58- They constitute the majority and include non-governmental organisations (NGO) and other associations.

59- A favourable and liberal legal framework accounts for the boom of associations as the following statistics illustrates:

- foreign associations: 223;
- religious associations : 79 catholic religious congregations and 46 religious denominations;
- NGO: 15 NGOs which are associations and 3 uni-personal NGOs;
- Professional trade unions: 596 private professional trade unions[40] and 5 professional trade unions for civil servants; and
- Political parties: 206 legalised political parties[41].

60- These associations operate freely and contribute to rooting human rights culture. This is exemplified by their activities extensively covered by the 2005[42] report.

61- Some associations help persons in distress. They assist them to seise legal institutions to protect their rights when they are victims of abuse.

62- It is necessary to emphasise the role and place of civil society associations in the protection and promotion of human rights. The law governs the framework under which they are set up and operate. Section 1(2) of Law No. 90/53 of 19 December 1990 to govern freedom of association defines freedom of association as *"...the right to set up an association and to be or not to be a member of an association"*. Section 1(3) adopts the principle of non-discrimination in enjoying this right and adds: *"it shall be enjoyed by all natural persons and corporate bodies throughout the national territory"*. These associations can go to court in accordance with the provisions of section 74(1) of the Criminal Procedure Code, which provides: *"Associations, trade unions and professional organisations may make civil claims in criminal actions only if they invoke specific damages and a collective or professional interest"*[43].

63- Law No. 99/14 of 22 December 1999 to govern non-governmental organisations provides that:

- they may go to court;
- manage and use member's financial contributions;

[40] 46 trade unions were legalised and registered in 2006.

[41] As of 22 April 2002.

[42] See 2005 report, chap 1, p.28, para. 78. In 2006, Cameroon's Association for the Rights of the Youth, in commemoration of its 15th anniversary, presented a report on the state of Cameroon's prisons. See chapter on Detention Conditions.

[43] These provisions introduce innovations and constitute progress with regard to the "CIC" which does not have similar provisions.

- buy premises;
- receive donations and gifts as well as funding from national and international bodies;
- receive subvention from public law corporate bodies; and
- receive remuneration for services rendered.

64- Where they have neither the capacity nor interest to institute action, associations can report all cases of human rights violation brought to their knowledge to judicial authorities or any other competent authority[44].

§2- Harassment of Human Rights Defenders

65- Human rights defenders freely exercise their activities except where they divert from the objective of their association by engaging in activities which violate the rights and freedoms proclaimed by the Universal Declaration of Human Rights. This sometimes leads to many cases of abuse of the rights of peaceful citizens who may seise the courts. Most often, such abuse is at the root of judicial harassment that human rights defenders complain about. A few examples illustrate this state of affairs which has led to the accusation of Cameroon by NGOs[45] and holders of UN or African Union thematic mandates[46].

The following cases may be mentioned:

A - ABDOULAYE MATH

66- ABDOULAYE MATH, "Movement pour la Défense des Droits de l'Homme et des Libertés" (Movement for the Defence of Human Rights and Freedoms) (MDDHL) official for Maroua, was prosecuted for aggravated misappropriation. By Judgment of 21 April 2004, he was convicted for aggravated misappropriation and sentenced to 8 months imprisonment, suspended for 3 years with a fine of CFA 50,000 and damages of CFA 1,400,000 (about 2,153 euros).

67- After ABDOULAYE MATH's conviction, Government was condemned especially by Amnesty International, in its 2005 Report, for its harassment of human rights defenders.

68- It is worth noting that ABDOULAYE MATH was prosecuted for a common law offence which caused prejudice to an individual, and not for human rights activism.

[4] See 2005 report p. 23 para. 67

[45] These include Actions des Chrétiens pour l'Abolition de la Torture (Christian Action for the Abolition of Torture) (ACAT), Observatory for the Protection of Human Rights Defenders comprising the International Human Rights Federation and the World Organisation against Torture, Amnesty International, « Agir ensemble pour les droits de l'Homme » (Let's Act Together for Human Rights »), SOS droit de l'Homme (SOS Human Rights).

[46] For accusations concerning journalists , see chapter on Freedom of Communication infra.

B- ZRA KODJI MAMOUDOU

69- Government was equally condemned for the conviction of ZRA KODJI MAMOUDOU, official of the MDDHL by the CFI, Mokolo.

70- On 15 May 2005, ZRA KODJI MAMOUDOU was summoned following a petition submitted by Mathieu BOYKETE for invasion of residence and objectionable publications. KODJI MAMOUDOU had taken pictures of the latter's son, who was punished by his father.

71- By judgment No. 593/COR of 14 June 2005 of the CFI, Mokolo, Mr. KODJI MAMOUDOU was found guilty of the above offences and sentenced to 3 months imprisonment suspended for three years, and ordered to pay a fine of CFA 10,000 and damages of CFA 30,000. On appeal, the Court of Appeal, Maroua by judgment No. 351/COR of 9 August 2005 quashed the judgment of the lower court, heard and determined the matter de novo, declared ZRA KODJI not guilty of invasion of residence and discharged and acquitted him for lack of evidence. However, the court found him guilty of objectionable publications in accordance with Sections 74 and 266 (4) of the Penal Code (PC), granted him mitigating circumstances as a first offender, ordered him to pay a fine of CFA 10,000, confirmed the judgment on damages and ordered him to pay costs.

72- By publishing the pictures of a minor taken without the authorisation of the State Counsel, KODJI was guilty of objectionable publications. This offence is provided for and punishable under section 266 (4) of the PC, which provides:

> *"Whoever publishes, whether by picture or in any other manner, without the written request of the officer preparing prosecution, the whole or any part of the circumstances of an offence of violence or committed against a child or against morals, shall be punished with fine of from twenty thousand to two hundred thousand francs".*

C- ALHADJI DJAFAROU, Pierre ZRA and OUMAROU DELI

73- Judicial proceedings against ALHADJI DJAFAROU, Pierre ZRA and OUMAROU DELI, human right defenders at Mokolo, are among those which have resulted in strong protests.

74- On 17 June 2006, ALHADJI DJAFAROU, Pierre ZRA and OUMAROU DELI, members of MDDHL, Mokolo, were arrested and remanded in custody for forgery. In 2003, TIZE ELHADJI ISSA requested VANDI TIZE alias ABDOURAMAN to assemble inhabitants of Kila village to designate an Alkali (Customary Court) assessor[47]. Several persons indicated their intention to occupy this position including ZRA Pierre, BOUBA NUOAKE, IDRISSA MAVA, VANDI TIZE alias ABDOURAMAN and TAKOUA KOYE.

[47] Appellation of a customary judge in traditional chiefdoms in the Northern, North West and South West Provinces.

A public meeting co-chaired by TAKOUA KOYE and ZRA Pierre to run for this position was organised in front of the home of VANDI TIZE alias ABDOURAMAN without his knowledge. At the end of the meeting, BOUBA NUOAKE was elected and this fact entered in the minutes. Curiously, TIZE ELHADJI ISSA imposed VANDI TIZE alias ABDOURAMAN as assessor in the stead of BOUBA NUOAKE. This created animosity between ZRA Pierre and VANDI TIZE.

75- During court hearings, it was established that Zra Pierre, who is literate had maliciously collected the National Identity Cards of the presumed signatories of the minutes of the meeting convened by him to authenticate his schemes. He even threatened his rival with death. El HADJ DJAFAROU BOUBA and DELI OUMAROU participated in the controversial meeting and threatened VANDI TIZE who chose VANDI Jean Pierre alias IDRISSA against the wish of the traditional ruler.

76- By Judgment No. 8/COR of 10 October 2005, the CFI, Mokolo found ZRA Pierre guilty of conditional threats and forgery and sentenced him to 12 months imprisonment. EL HADJ DJAFAROU BOUBA and DELI OUMAROU were found guilty of conditional threats and sentenced to 6 months imprisonment with a fine of CFA 50,000 and 5 months imprisonment with a fine of CFA 20,000 respectively. A warrant of arrest was issued against ZRA Pierre and EL HADJI DJAFAROU BOUBA. They appealed and the matter has not yet been entered on the cause list.

Blaise YACOUBOU and AMINOU MOHAMADOU

77- Information was published on the "judicial harassment" and intimidation of Blaise YACOUBOU and AMINOU MOHAMADOU in Maroua.

78- In January 2003, following a tip off concerning the illegal expropriation of some citizens by an inhabitant of Loubou Canton, Blaise YACOUBOU and AMINOU MOHAMADOU members of MDDHL, went to investigate the allegations. Before commencing their investigation, they paid a courtesy visit to the Ndoukoula District Head to inform him of their presence in his jurisdiction and the purpose of their visit. They submitted their mission warrants and National Identity Cards and requested to record statements from the District Head on the land disputes between citizens. The latter refused and the visitors immediately left abandoning their documents.

79- Based on a petition against the above-named for disturbance provided for and punishable under Sections 74 and 185 of the PC, the CFI, Maroua by judgment No. 542/COR of 23 March 2005, discharged and acquitted the accused for lack of evidence. It held that the accused neither temporary halted nor paralysed work.

80- This matter portrays the amateurism of some human rights defenders and the independence of the Judiciary in relation to the Executive. Although the District Head, an administrative authority was involved, the law was respected as evidenced by the mission report submitted by Mr Patrick HERTZIG, pupil lawyer in Geneva.

81- He was in Cameroon from 20 to 26 March 2005 to observe the Judiciary on behalf of the International Federation of Human Rights League, the World Organisation against Torture, the Swiss League for Human Rights (Geneva Section),

and the Geneva Bar Association. While noting the scarce means of the courts, the precariousness of the premises in which magistrates and lawyers work, as well as the connivance between local administrative authorities, which constitute the shortcomings of the Judiciary, he held that the principle of judgment after trial was respected and that the trial was fair[48].

82- This mission is not an isolated case. Holders of the thematic mandate on issues relating to human rights defenders visited Cameroon. Mrs Reine ALAPINI GANSOU, Special Rapporteur of the ACHPR for human rights defenders in Africa paid the last visit in June 2006.

HAMIDOU BAKOUDA

83- In 2006, Government was equally condemned on the proceedings against HAMIDOU BAKOUDA, Divisional Chairperson of "S.O.S Droit de l'Homme" (S.O.S Human Rights) in Mokolo[49].

84- His Royal Highness ABDOURAMANE MOUSSA, Chief of the Moufou South Canton petitioned against Mr. HAMIDOU BAKOUDA for defamation. Mr. HAMIDOU had written to the authorities accusing the Chief of extortions against the people in the interest of the SubDivisional and Judicial Police Officers.

85- The Mokolo CFI found him guilty of defamation and sentenced him to 10 months imprisonment for failure to tender in evidence, a fine of CFA 25,000 and damages of CFA 1. He appealed against this judgment.

ADAMA MAL SALI

86- The conviction of ADAMA MAL SALI by the Maroua CFI led to many accusations[50] against Government.

87- Mr. AMADOU ADOUM HAMAN, Lawane (traditional ruler) of Balaza Lawane village in Maroua, sued Mr. ADAMA MAL SALI, human rights defender, before the Maroua CFI for defamation, insults, threats and false report, in a writ drawn up by Mr. AHMADOU OUMAROU ALHALDJI, bailiff in Maroua. The writ stated that Mr ADAMA MAL SALI had addressed a letter to administrative authorities of the Far North Province and Balaza elite in which he said that Mr. AHMADOU ADOUM HAMAN was a member of an opposition party and consequently working against the ruling party in his locality.

[48] See 2005 report especially chap. on Fair Trial

[49] This matter was the subject of the petition by the chairperson of the NGO SOS Human Rights and Democracy for the release of the person concerned and a press release of 22 November 2005 issued by this association for the same purpose.

[50] The Special Rapporteur for the promotion and protection of the right to freedom of opinion and expression and the Special Representative of the Secretary General accused Government of the judicial harassment of Mr. ADAMA MAL SALI. These accusations were reiterated by INGOs including " Agir ensemble pour les Droits de l'Homme" (Let's Act Together for Human Rights) based in Lyon, France.

88- This traditional ruler added that he was unjustly abused and threatened by Mr. ADAMA MAL SALI.

89- The suit was brought against the above-named person by an individual and not by the Legal Department of Maroua as claimed.

90- Mr. AMADOU ADOUM HAMAN directly seised the Maroua CFI by virtue of Section 182 of the "Code d'Instruction Criminelle" (CIC) which provides that, the court shall be seised to hear and determine a criminal matter either as stipulated in Sections 130 and 160 of the said Code, or by a summons served by the civil party directly on the accused or on persons who are vicariously liable for the offence...

91- Mr ADAMA MAL-SALI was prosecuted for false report and defamation punishable under Sections 304 and 305 of the PC respectively and on the strength of Section 182 of the CIC referred to above. The matter was entered on the cause list for the hearing of 4 May 2005 and adjourned several times for relevant reasons. By judgment of 3 May 2006, the court found ADAMA MAL-SALI not guilty of threats and insults. He was however, found guilty of false report and sentenced to 6 months imprisonment with a fine of CFA 50,000. He was granted mitigating circumstance as a first offender.

92- He was equally ordered to pay CFA 1 as damages.

93- Mr ADAMA MAL-SALI appealed against the decision on 4 May 2006 and was granted bail on 7 June 2006 pending judgment on the merits by the Court of Appeal.

94- The judicial harassment suffered by the above-named person mentioned by both the Special Rapporteur for the Promotion and Protection of the Right of Freedom of Opinion and Expression and the Special Representative of the UN Secretary General is yet to be established.

95- More so, the Legal Department did not prosecute Mr ADAMA MAL-SALI given that he was prosecuted directly before the court.

96- Mr ADAMA MAL-SALI was not brought to court for providing his legal and/or professional expertise to a third party as he claimed. Rather, he was sued by an individual whose rights were abused. Moreover, the facts in the charge differ from those communicated to the national and international communities. There is clearly a deliberate distortion of facts.

Nelson NDI

97- Nelson NDI, human rights defender, was rough handled by policemen from the Mobile Intervention Unit of the Police in Bamenda, when he came to the help of a victim of police brutality.

98- The assault on Nelson NDI on 3 February 2005 is an isolated illegal act condemned by Government and investigated by the Provincial Delegate of National Security, North West Province. The results of the investigation ordered by the Procureur General, North West Province have been forwarded to him for legal action.

99- Human rights defenders are an important component for the rooting of human rights culture in Cameroon. They must raise awareness on the promotion and protection of human rights and take up several challenges including credibility. Their reports must be done in good faith and sincerity.

100- In any case, human rights defenders do not have immunity from criminal prosecution. The law guarantees them freedom in the exercise of their activities provided they respect the rights of others and do not disturb public peace.

CHAPTER 3: HOMOSEXUALITY

101- Homosexuality, a human rights issue, which sparked off passionate debate and stirred up controversy, was a topical judicial issue in Cameroon in 2006. This chapter will dwell on the events which exposed this less-talked-about phenomenon and Cameroon law on this sensitive issue.

Section 1- Events on Homosexuality

102- The following three major events were at the centre of debates on homosexuality:

- the publication of lists of personalities presumed to be homosexuals;
- the arrest of eleven presumed homosexuals in Yaounde; and
- the arrest of four girls in Douala presumed to be lesbians.

§1- Arrest and Conviction of eleven Presumed Homosexuals in Yaounde

103- On 26 April 2005, the Quarter Head of Djoungolo II, Yaounde submitted a report to the Divisional Officer of Yaounde I Sub-Division, to denounce assaults and homosexual activities by some residents of the Ntaba-Nlongkak neighbourhood.

104- Following an investigation ordered by the said Divisional Officer, eleven persons were remanded in custody on 1 June 2005 within the framework of proceedings instituted against them for homosexuality by the Legal Department at the CFI, Yaounde, Administrative Centre. This offence is provided for and punishable under Section 347 bis of the PC which provides: *"whoever has sexual relations with a person of the same sex shall be punished with imprisonment for from six months to five years and fine of from 20,000 to 200,000 francs"*.

105- By judgment No. 3476/COR of 12 June 2006, the Court discharged and acquitted LAMBA Marc Lambert and AYISSI François for lack of evidence, found MBASSI TSIMI, ANGOULA Christian, BALA ADAMOU, ATANGANA OBAMA, NOUBAGA Stéphane, ALIM MONGOCHE, YANKEU YANKAM Blaise, guilty of homosexuality and sentenced them to 10 months imprisonment and ordered them to pay costs[51].

§2- Arrest of Four Presumed Lesbians in Douala

106- Four girls in a private college in Douala were questioned for lesbianism. On 10 March 2006, Mrs KWEDI Alice submitted a complaint to the police authorities in Douala against Mrs MVIE MANGA ETERE Julie for having sexual relations with her grand daughter EBOLLO Elisabeth whom she had caused to leave school. She stated that in February 2006, she found love letters from Mrs MVIE in the belongings of EBOLLO. More so, she took them by surprise in an indecent posture and had warned Mrs MVIE.

107- Similarly, in February 2006, during a heated argument at "Collège EYENGUE NKONGO" between SADEY EBENYE Véronique and another female student, the former declared publicly that she will have sexual relations by all means with the latter. She told the Warden that she was a lesbian and that she was ready to provide a list of students who were lesbians.

108- At the end of judicial inquiry carried out in this matter, evidence of homosexuality was adduced against EBOLLO ELONGUE Elisabeth, MVIE MANGA ETERE Julie, SADEY EBENYE Véronique and MOUDIKI NDOUTOU Marie who were then remanded in custody on 30 March 2006.

109- The accused were found guilty by judgment of 7 June 2006 delivered by the CFI, Douala-Bonanjo. EBOLLO ELONGUE Elisabeth and SADEY EBENYE were granted mitigating circumstances as minors. They were all sentenced to 6 months imprisonment suspended for 3 years, a fine of CFA 20,000 and costs.

§3- Publication of Lists of Personalities Presumed to be Homosexuals

110- In his homily during the feast of the nativity in 2005, the Archbishop of Yaounde vehemently condemned homosexuality in Cameroon. The Islamic Cultural Association did same on 3 March 2006 during its 4th Extraordinary Session. Similarly, the Council of Protestant Churches in Cameroon denounced this practice at its meeting in Bafoussam from 19 to 23 April 2006. This unanimous condemnation by the religious was echoed by some print media which published a list of political, religious and economic personalities, as well as, artists presumed to be homosexuals.

[51] Barrister Alice Kom filed an appealed on 14 February 2006 on behalf of the accused.

111- A political figure whose name was included in the list by the newspaper *"L'anecdote"* seised the CFI, Yaounde Administrative Centre against this press organ and its publisher. This was followed by an avalanche of suits for defamation by a press organ[52].

112- The above-mentioned cases stirred up a debate on the incrimination of homosexuality in Cameroon.

Section 2- Cameroon Law on Homosexuality

113- The purported members of *Amnesty International*, the *National Gay and Lesbian Task Force and the International Gay and Lesbian Human Rights Commission* addressed many correspondences[53] to the Ministry of Justice. They denounced the arrest in Yaounde of eleven presumed homosexuals (see para 102 and ff above).

114- The Ministry of Justice was equally seised by personalities from human rights associations to denounce the arrest of students of a private college in Douala[54] (see para 105 above).

115- The letters stated on the one hand, that homosexuality is not a criminal offence in Cameroon and on the other, that by incriminating this act Cameroon violates Article 26 of the ICCPR which provides: *"All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status"*.

116- In addition to the reaction of the Archbishop of Yaounde, more arguments were equally presented to condemn homosexuality and to maintain it as a crime. To this end, the reaction of the Cameroon Association for Family Development is unequivocal. In a letter of 17 February 2006, with copies to the national and international media, the Association recalled that homosexuality is an offence in accordance with Cameroon law, an abomination and a curse on a culture, an obstacle to family cohesion and an active cause of the decadence of our youth. This was in reaction to a request by a diplomatic representation to Government to celebrate same sex marriages in Cameroon.

[52] Read chapter on Right to Communication below.

[53] 1049 correspondences were received on 2 April 2007 in English, French, German and Spanish. In its 2006 Report, Amnesty International talks of "illegal detention of persons because of their sexual orientation". The Special Rapporteur of the working group on arbitrary arrest questioned Government on this matter.

[54] 41 letters were registered in the Ministry of Justice on 3 April 2007 within the framework of this matter with certain letters signed by several petitioners. They request the release of persons arrested and the decriminalisation of homosexuality.

117- Without engaging in unnecessary controversy, the presumed homosexuals were detained by virtue of a formal arrest warrant for an offence determined by law[55]. They benefited from the presumption of innocence and no one pried into their privacy. The prescriptions of Articles 9, 10 and 11 of the UDHR and 9, 14 and 17 of the ICCPR were observed.

118- The incrimination of homosexuality under Cameroon law is not contrary to the provisions of Article 12 of the UDHR and 26 of the ICCPR in that such persons are not deprived of their rights or any service because of their presumed sexual orientations. They are prosecuted for breach of the law in force and what is considered good moral standards in Cameroon.

119- Moreover, Cameroon law is backed by the relevant provisions of Articles 29(2) of the UDHR and 29(7) of the ACHPR, which can be invoked by every democratic society based on its moral specificity. According to the above provisions, a State may:

- restrict a right or freedom *"for the purpose of securing...the just requirements of morality, public order and the general welfare of a democratic society";*
- require individuals *"to preserve and strengthen positive African cultural values...".*

120- According to African culture, Cameroon cannot tolerate homosexuality which is generally considered as moral decadence that must be stamped out.

121- Although some societies recognise[56] homosexuality as a normal phenomenon, other highly democratic societies reject it and strongly oppose laws that promote it[57]. Africa in general and Cameroon in particular advocate the maintenance of African traditional values of a classical family[58] from which they draw strength, communal values and generosity[59].

[55] Concerning the debate on Section 347 bis of the PC that incriminates homosexuality, it should be recalled that this offence was inserted in this Code with the promulgation of Ordinance No. 72/16 of September 1972. This instrument, which was promulgated by the President of the Republic, is perfectly in line with the Constitution of 1972 (Article 20 (3) and its amendment of 16 January 1996 (Art. 28). Both Articles provide: " However, with regard to the subjects listed in Article (20 of the Constitution of 1972 and 28 of the Constitution of 1996), Parliament may empower the President of the Republic to legislate by way of ordinance for a limited period and for given purposes". Conferring such power on the President of the Republic is not specific to Cameroon. For example, the President of the French Republic (Article 38 of the Constitution) or the President of the Republic of Senegal, have similar powers.

[56] See Godwin vs. UK.

[57] See judgment by Supreme Court of the United States of America, Lawrence and Others vs. The State of Texas of 26 June 2003.

[58] See Preamble of the Constitution of Cameroon.

[59] See African Charter in which the word "people" refers more to the community rather than to "people" as stated in the English version of the Charter.

CHAPTER 4: FREEDOM OF COMMUNICATION

122- Political, economic, social and cultural emancipation is partially dependent on the development of the media with its corollary, freedom of expression and communication.

123- Cameroon media landscape in 2006 was characterised by intensive repression of press offences due to the publication especially of lists of personalities presumed to be rich or homosexuals. This publication rekindled the debate on the ethics of journalists and questioned the impact of the capacity building programmes organised throughout the year for press organs.

Section 1- Capacity Building of Journalists

124- The capacity building of journalists involved the enhancement of the intellectual ability of officials of press organs and financial aid to private communication organs.

§1- Enhancing the Intellectual Ability of Journalists

125- The Ministry of Communication coordinated initiatives in 2006 for the enhancement of the intellectual ability of officials of press organs. These include the following seminars and workshops:

- seminar on "media coverage techniques of economic events and information", 8 to 13 May 2006 in Yaounde and 15 to 18 May 2006 in Douala;

- subregional seminar on "media and ICTs"[60], 28 to 30 June 2006;

- training session for 92 journalists and 8 technicians from the private media on writing techniques for the radio, television and print media as well as rules of law, ethics and hardware mastery, 16 to 30 August 2006 in Yaounde;

- workshop for some 30 editors, heads of economic and social columns, as well as journalists specialised in economic matters from the national print and audiovisual media, 31 October 2006 in Yaounde.

126- Communication organisations equally organised seminars to enhance the intellectual ability of communication professionals.

[60] Information and Communication Technology.

§2- Strengthening the Operational Ability of Press Organs

127- The enhancement of intellectual ability in 2006 was accompanied by financial aid to the press[61] distributed as follows:

1- Subvention for the setting up and running of professional ethics observatories, in-house control organs and other professional associations:

Name of organ	Amount	Remarks
- Cameroon Media Board	4, 000,000	
- Press card Commission	4, 000,000	
-Joint Commission in charge of the preparation and adoption of the National Collective Convention of Journalists and related activities of Cameroon	4,000,000	
- Cameroon Association of Commonwealth Journalists (CACOJ)	677,040	
- Cameroon Association of Newspaper Publishers (ACEP)	677,040	
- The Communication House	18,000,000	Offer of collective services to the private press

2 –Capacity Building of Human Resources

- Training and further training of journalists of the private press.

3 – Subvention for the acquisition of professional equipment and running costs.

3.1 – Written press subsector

Name of organ	Category	Name of Official	Amount	Remarks
The Guardian post	A	Ngah Christian Mbipgo	1 579 760	
Amand'la	A	Lipawing Benjamin	1 579 760	
La nouvelle vision	A	Ngnontsoye Hilaire	1 579 760	
The Nation	A	Asong Ndifor	1 579 760	
La voix du paysan	**A**	Bernard Njonga	**1 579 760**	
L'œil du Sahel	A	Guibai Gatama	1 579 760	

[61] This aid was the purport of Decision No.5/MINCOM/CAB/ of 29 March 2006 to grant public aid to private communication.

Anagsama-Lessomlo	B	Eloundou Alphonse	1 354 000	
Weekly Post	B	Bisong Etahoben	1 354 000	
Renouveau Hebdo	B	Ebobisse A. Moselly	1 354 000	
Le Nouveau Monde	B	Atem Cyrille	1 354 000	
Scores 2000	B	Timamo Tedjon Sylvain	1 354 000	
Le Financier d'Afrique	B	Tchuenkam Boniface	1 354 000	
La Source	C	Emvolo Joseph	1 128 400	
Crises et Solutions	C	Djemo Joseph	1 128 400	
La Lumière	C	Kell David Pierre	1 128 400	
L'Indicateur	C	NdonoMarthe	1 128 400	
Tempête du Renouveau	C	Obama Jules	1 128 400	
L'Ouest Républicain	C	Mombio Michel	1 128 400	
Le Pèlerin	C	Ze Mveng Marc	1 128 400	
Le Héraut National	C	Tankou Thomas	1 128 400	
Diapason	C	Mboke François	1 128 400	
Le réveil Hebdo	C	Mbarga Jean René	1 128 400	
La Une	C	Ango Anne Ermine	1 128 400	
L'Eveil Républicain	C	Etaog T. Henri	1 128 400	
Small no bi sick	C	Embolo Ambroise	1 128 400	
Agenda Setting	C	Ava'a Guy	1 128 400	

3.2 – Audiovisual sub-section

Name of organ	Category	Name of Official	Amount	Remarks
Multi Media Centre	A	Koupele Eyoum Guillaume	1 579 760	
Radio Aurore	A	Sale Charles	1 579 760	
Sky One	A	Angoula Angoula Joseph	1 579 760	

Radio Afrique Nouvelle A	Fouozong Ngouemeta	1 579 760	
Radio Tiemeni Siantou C	Wantou Siantou Lucien	1 128 400	
Magic FM C	Mbida Ndzana Grégoire	1 128 400	pending completion of its file
Abakwa FM C	Yuh Peterson Chia	1 128 400	pending completion of its file
Yoco TV Productions C	Essogo Michel	1 128 400	
Tikiri FM C	Hamadou Paul	1 128 400	
Radio Nka C	Biwol Fanga Henri	1 128 400	
Radio Medumba C	Niat Njifenji Marcel	1 128 400	
Radio Colombe C	Manga Dieudonné	1 128 400	
Nkul Bininga C	Zoua Elanga Delphine	1 128 400	
Radio Femme FM C	Andela Tsimi Félicité	1 128 400	
Radio Communautaire de Développement de la Mvila C	Noah Jean Maurice	1 128 400	
Sava FM C	Oumar Aba	1 128 400	
Radio Communautaire du Noun C	Marc Assamahou	1 128 400	
FM Bénoué C	Youssouf Hadidja	1 128 400	
Odama FM C	Eba Cécile Gladys	1 128 400	
Radio communautaire Jeunesse C	Mgr. Joseph Befe Ateba	1 128 400	

3.3 – printing press sub-sector

Name of organ	**Category**	**Name of Official**	**Amount**	**Remarks**
Imprimerie Mvomberg	A	Mvom Jean Léonard	1 579 760	
Presbyterian Printing Press	B	Koge Ediage Richard	1 354 080	
Imprimerie Camteph	C	Tendong Nangwe Richard	1 128400	

Name of organ	Category	Name of Official	Amount	Remarks
Agence africaine d'information (AIC)	B	Fotso Henri	1 354 080	

3.5 – Advertisement sub-sector

Name of organ	Category	Name of Official	Amount	Remarks
Marcuse Communication	A	Mfoumou Marc	1 579 760	

128- In spite of the technical and capacity building of the media, there was extensive repression of press offences.

Section 2- Repression of Press Offences

129- In 2005, some matters against journalists and press organs pending before Cameroon courts led to the accusation of Government by holders of UN thematic mandates. Consecutive trials on homosexuality of some Cameroon personalities in 2006 gave the feeling that there was a resurgence of the repression of journalists and even the determination to subdue the press.

§1- Accusations

130- Two cases may be referred to: BESSALA AHANDA and GUIBAI GATAMA.

A- BESSALA AHANDA

131- Government was accused of prosecuting BESSALA AHANDA for publishing an article on the misappropriation of a huge sum of money at the Cameroon Postal Services (CAMPOST).

132- Preliminary inquiry was opened following an incident that occurred in April 2005 at the head office of the newspaper *"l'Anecdote"* in Yaounde between Joseph BESSALA AHANDA and AMOUGOU BELINGA Jean Pierre. Joseph BESSALA AHANDA was taken to the Legal Department at the CFI, Yaounde, Administrative Centre on 6 July 2005 and remanded in custody for simple harm, invasion of residence and destruction of property perpetrated against AMOUGOU BELINGA.

133- BESSALA AHANDA[62] wrote an article in the newspaper *"La Nouvelle Presse"* published in Yaounde in which he accused BAYEMI Maurice, General Manager of CAMPOST of massive misappropriation of funds. He stated that AMOUGOU BELINGA Jean Pierre, owner of the private newspaper group *"l'Anecdocte"*, based in Yaounde, was an accomplice.

134- BESSALA went to the head office of *"l'Anecdote"* and requested unsuccessfully to meet AMOUGOU BELINGA. A brawl ensued between him and the security guards of the enterprise. After this violent incident, some of the guards who attempted to send BESSALA out of the building received blows from him. Expelled, Mr BESSALA threw objects at the building causing considerable material damage on the main side.

135- The matter between BESSALA AHANDA and AMOUGOU BELINGA is not related to freedom of opinion and expression. BESSALA is accused of invasion of residence, destruction of property and assault occasioning harm. The Cameroon branch of "Union Internationale de la Presse Francophone" (International Union of the Francophone Press), took the same stance in a press release on 11 July 2005 and called for vigilance by the entire international community to avoid any trouble that could be caused by such umpteenth usurpation.

136- Such situation cannot fall under Article 19 of the UDHR incorporated by Article 19 of the ICCPR.

137- BESSALA was granted bail on 21 July 2005.

B- GUIBAI GATAMA and the Newspaper *"L'oeil du Sahel"*

138- Government attention was drawn to many judicial proceedings including those against Guibaî Gatama as a result of an article published in the newspaper which he is publisher[63].

139- In an article, entitled "Fotokol: les Gendarmes coupent la route" (Fotokol: Gendarmes are Highway Robbers) on page 4 of the newspaper *"L'Oeil du Soleil"* of 15 February 2005, ABDOULAYE OUMATE stated that AHMED ALIOU OUTMAN, Gendarmerie Brigade Commander of Fotokol, learnt that CHETIMA DJIBRINE had to travel with CFA 11,000,000 (about 16,923 euros) through the Fotokol-Kousseri highway. The said Commander instructed his element, Gendarme Major NKOTO Jean Jacques, to arrest and remand the said CHETIMA DJIBRINE in custody and relief him of his money and National Identity Card.

[62] Who is not a journalist but a temporary worker at the Yaounde IV City Council

[63] Allusion of this matter was made in the 2005 report chap2, para. 280.

140- CHETIMA DJIBRINE escaped while his jailers were playing cards and took refuge at the Mayor's residence who took him to the Brigade Commander. The latter kept him throughout the day requesting 50% of the money before releasing him at 9 p.m. on instructions of local administrative authorities.

141- The article equally states that this official demands CFA 32,675 (about 50 euros) prior to the treatment of any matter referred to him.

142- Surprised by the facts in the article, AHMED ALIOU OUTMAN sued ABDOULAYE OUMATE, GUIBAI GATAMA publisher, and the newspaper for defamation before the CFI, Maroua.

143- On 30 April 2005 the court dismissed the criminal action against ABDOULAYE OUMATE for lack of signature, found GUIBAI GATAMA guilty of defamation, sentenced him to five months imprisonment and ordered him to pay costs. The court equally sentenced GUIBAI GATAMA and *"l'Oeil du Sahel"* to pay damages of CFA 5,000,000 jointly and ordered that the judgment be published in Cameroon Tribune and *"l'Oeil du Sahel"*.

144- The author of the offending article was unidentified and the criminal action declared inadmissible. ABDOULAYE OUMATE was therefore, not convicted[64].

145- The following clarifications should be made as concerns press offences:

- Section 83 (1) of Law No.90/52 of 19 December 1990 on mass communication provides: *"in case of offences committed by means of a mass communication organ, the competent court shall rule in normal time, within fifteen days with effect from the date of the first hearing"*.

- In this case, the court was seised by way of a private prosecution on 6 April 2005. At the trial of 20 April 2005, the accused, ABDOULAYE OUMATE was not identified and the court declared the criminal action inadmissible.

- Section 81 of the above law stipulates: *"an accused person who wishes to provide evidence of defamation shall have five days after the summons to inform the Legal Department or the plaintiff of his address for service, as the case may be, of:*

1) The facts described in the summons and which he intends to prove;
2) A copy of the documents;
3) The name, occupation and permanent address of his witnesses;
4) His address for service in the area of the court seised of the matter".

[64] The court is seised on issues relating to facts and persons. Such persons should be identified: name, date and place of birth, affiliation and address. The court must declare the criminal action inadmissible if the identification is incomplete in accordance with the provisions of the « CIC » in force at the time of the offence.

146- In this matter, the publisher served his defence neither on the State Counsel nor on AHMED OUTMAN ALIOU within the time limit. Consequently, he forfeited his right.

147- The local correspondent of the newspaper, appealed against the decision of the CFI by letter of 26 April 2005. The matter was entered on the cause list for hearing on 30 August 2005 and after several adjournments, the Court of Appeal by judgment No. 163/COR of 28 March 2006 quashed the judgment of the lower court for violation of the law, dismissed the criminal action against ABDOULAYE OUMATE, found GUIBAI GATAMA guilty of defamation, ordered him to pay a fine of CFA 150,000 and damages of CFA 1,000,000 and declared *"l'Oeil du Sahel"* vicariously liable. The court further ordered the accused to bear the cost of the proceedings and the publication of the judgment in *"l'Oeil du Sahel"* and *Cameroon Tribune*.

148- On 6 April 2006, counsel for the defence appealed to the Supreme Court.

149- It is important to state that the accused was unable to tender in evidence both before the trial court and the Court of Appeal in support of the allegations made in his newspaper.

150- The only violation of the law raised by the Court of Appeal relates to the fact that, the trial court ordered GUIBAI GATAMA and *"l'Oeil du Sahel"* to pay damages jointly whereas only the person found guilty may be ordered to pay damages which may be borne by the party that is vicariously liable.

§2- Trials of Alleged Homosexuals and Wealthy Politicians

151- Undoubtedly, 2006 was a transitional year for the repression of press offences due especially to the cases dubbed *"the lists"*. These different matters underscored the ambivalence between the right to information and the respect of privacy.

152- These matters equally posed the recurrent problem of the distinction between the public and private lives of public and political figures.

153- In any case, what is remarkable in the examination of these matters is that they refer to the problem of burden of proof of the defamatory facts, which lies with the journalist[65].

154- The "Opération Epervier"[66], the publication of lists of presumed homosexuals[67], the publication of the names of purported rich persons and the dissemination of certain social facts led to judicial proceedings against press organs and their officials. Some personalities whose names were published in newspapers sued officials of the press organs concerned for defamation.

[65] Read supra, the discussion on the matter « l'Oeil du Sahel » et Guibai Gatama

[66] See chapter below on Good Governance and Combating Corruption.

[67] The famous lists were dubbed « Top 50 ». The newspaper « *L'Anecdote* », in its edition No. 255 of Tuesday, 31 January 2006, p. 5 is captioned: « Homosexual is Rife: The Top 50 of Presumed Homosexuals of Cameroon »

155- The following cases may be mentioned;

- In The People and Polycarpe ABAH ABAH vs MANDIO William, the accused, the Newspaper «Le Front» and its publisher MANDIO William were sued before the CFI, Douala–Bonanjo for defamation and insults. By judgment of 8 June 2006, MANDIO William was found guilty of defamation and sentenced to 6 months imprisonment and damages of CFA 600,001. The accused appealed on 9 June 2006;
- In The People and SIYAM SIWE Alphonse vs BISSOA OTTOU Joseph, ABESSOLO Georges alias Guy BESS à ELANGA and the bi-monthly *«Oeil de la Nuit»,* the accused were sued before the CFI, Douala. The matter is pending;
- In The People and MBOMBO MOUBARAK vs EDJANGUE Jean Célestin, Pius NJAWE, *«le Messager»* and the Free Media GROUP Company, the accused were sued before the CFI, Yaounde, Administrative Centre for defamation and insults: The matter is pending;
- In the People and Jean Pierre MAYO vs BILOA AYISSI and *«La Nouvelle Afrique»,* the accused were sued before the CFI, Yaounde Administrative Centre for defamation and insults;
- In The People and Jean Pierre MAYO vs AMOUGOU BELINGA Jean Pierre and the newspaper, *"l'Anecdote",* the accused were sued before the CFI, Yaounde, Administrative Centre for defamation and insults. By judgment of 22 February 2006, the said court nullified the summons filed by Jean Pierre MAYO for failure to state the offences[68];
- In the People and Polycarpe ABAH ABAH vs Michel Michaut MOUSSALA and the weekly, *"Aurore plus",* the accused were sued before the CFI, Yaounde, Administrative Centre for defamation. By judgment of 18 April 2006, Michel Michaut MOUSSALA was found guilty of defamation and sentenced to 6 months imprisonment, suspended for 3 years and ordered to pay damages of CFA 1;
- In The People and Dr. Guillaume WAMBA vs AMOUGOU BELINGA Jean Pierre and the newspaper, *«L'Anecdote»,* the accused were sued before the CFI, Yaounde ,Administrative Centre for defamation. By judgment of 22 February 2006, the said court nullified the summons filed by Jean Pierre MAYO for failure to state the offences;
- In The People and Grégoire OWONA vs AMOUGOU BELINGA Jean Pierre and the newspaper, *«L'Anecdote»,* the accused were sued before the CFI, Yaounde, Administrative Centre for defamation. By judgment of 3 March 2006, AMOUGOU BELINGA Jean Pierre was found guilty of defamation and sentenced to 4 months imprisonment, ordered to pay a fine of CFA 1,000,000 and damages of CFA 1.

[68] Section 80 of the law of 19 December 1990 provides: *« in case of judiciary inquiry or a suit, the offence shall be classified under pain of nullity ».*

156- At least two lessons can be drawn from these cases:

- No prison sentence was pronounced against the journalists prosecuted;
- The focus of Government and professional associations since 2005 on enhancing the intellectual ability of journalists[69] is still relevant[70].

157- These cases enabled journalists and the in-house control organ to condemn amateurism and the violation of professional ethics in treating news.

Section 3- Professional Ethics

158- Journalists were called to order by the Cameroon Media Board (CMB)[71] and the law on social communication reviewed.

§1- Call to Order of Journalists by the CMB

159-The Chairperson of the CMB said that ethics and poverty are not incompatible and summarized the situation as follows: at the outset of 2006 there were some newspapers which observers called "lists journalism". Lists of homosexuals and billionaires were published. It was equally noticed that persons who were abused sued the editors and publishers of the newspapers. The accused editors and publishers were unable to proof their allegations before the courts, which on the whole guarantee freedoms. However, the courts did not sentence them to prison terms. The CMB is obviously saddened by these events. We have published a communiqué to reiterate the respect of privacy and to insist that the job should be carried out professionally by tendering evidence of facts published in a newspaper. CMB deplores the lack of vigilance and denounces ethical ignorance by journalists on the one hand, and press manipulation, which is even more dangerous, although yet to be proven, on the other... But to my mind, values and poverty are not incompatible. There is need for powerful press organs. Seminars on ethics will be equally organized to sensitise press organs to have a charter on ethics. Major press organs do not have such a charter although it is extremely important in order not to overstep bounds[72].

160- Apart from the trial, the CMB called some press organs to order. The Executive Bureau of the CMB including members resident in Yaounde, met on Friday, 8 December 2006, in Yaounde to deliberate on:

- what is now dubbed *"The Tchoubet Affair";*
- the publication by *"Nouvelle Expression"* and *"Popoli"* of unsigned articles on their front pages.

161- The Executive Bureau of CMB considers the title of the article *"Assassination of Djomo Pokam: Paul Biya implicated"*, published in the newspaper *"La Révélation"* No.

[69] See the 2005 report, pp 84-85, paras. 284-285.

[70] A partipant at the validation seminar for the 2006 report stated that, the public strongly supported the publication of the list of homosexuals by the media.

[71] The CMB which is an in-house control organ was set up in February 2005 by the Union of Cameroon Journalists.

[72] Pierre ESSAMA ESSOMBA, President of CMB, in Cameroon Tribune of Tuesday 3 May 2006, p.18.

89 of 15 November 2006, misleading. It remarks that it violates item 5 of the CMB reading grid relating to circulation of false information.

162- *"La Nouvelle Expression"* and *"Popoli"* published the following articles on the front pages of their newspapers of 28 November 2006: *"MTN's Christmas Gift for 2006"* and *"Christmas 2006: MTN Innovates"*. The Executive Bureau of CMB observed that newspapers wrongfully carry flashy headlines on their front pages. This is in violation of both the principle of the separation of information and advertisement recognised universally, and item 7 of the reading grid on unorthodox or reprehensible methods.

163- The Executive Bureau of CMB warned colleagues against the trappings of this festive period and all practices which may tarnish the image of journalism[73].

164- CMB recalled that press freedom is inconceivable without a minimum of rules given that it is practiced in a given society where other individual fundamental freedoms should be preserved. Reference to professional ethics is therefore, necessary irrespective of the position of the person who has the privilege of exercising press freedom.

165- Ethics refers to professional rules, which constitute conditions ordinarily accepted to ensure honest and just communication. The peculiarity of communication is two fold: it draws inspiration from fundamental freedoms and the freedom of expression which it defends and which it confronts with other fundamental freedoms and rights of the person.

166- Proponents of a "code of ethics" base their arguments on the above complex situation. They posit that good communicators should permanently respect rules of ethics, which is an indispensable complement of training, talent, energy, lucidity and curiosity, their fundamental qualities.

167- Thus, the International Federation of Journalism adopted an international declaration at its congress in Istanbul in 1972, to specify the rules of conduct to guide journalists in search of information, broadcast and comment on events. This declaration forms the basis of most of the codes of ethics of contemporary democratic States and comprises the following main elements:

- truth;
- honesty;
- fair criticism;
- getting information from the source;
- unbiased treatment of information; and
- refusal of payment for the publication or suppression of information.

[73] Source: CT Nos. 8745 and 4944 of Tuesday 12 December 2006.

168- The provisions of Sections 47 and 48 of Law No. 90/52 of 19 December 1990 on freedom of mass communication underscore the importance of a code of ethics as an indispensable tool for responsible information management.

169- Mr. Hervé BOURGES said that the press is the mainstay of a society's collective cognition given that conscience and responsibility are inseparable. He said this during the formal lecture he gave at the workshop organised from 18 to 20 April 2005 in Yaounde by the Intergovernmental Agency for the Francophonie on the theme *"Private press and social responsibility"*.

170- In Cameroon, journalists should watch over ethics because they freely choose this moral standard for self-control, defence and preservation of their duties in society.

171- If ethics is seen from this perspective, it could precede or guide the rule of law. This is obvious in the media sector where progress results in new professional practices, new methods of exercising freedom of expression thanks to technological inventions while drifts arising from information and communication technologies constitute a potential threat to other fundamental freedoms which should be protected just as the freedom of expression. Ethics could therefore precede the law.

§2- Law on Mass Communication

172- The Minister of Communication reviewed the law on mass communication and set up the following three commissions:

- print media commission;
- audiovisual and cybernetic media commission;
- commission on cross-cutting matters.

173- On this score, the Minister of Communication tabled, and later withdrew a bill before the National Assembly. This draft instrument aims at preventing the shortcomings identified and to strike a balance between press freedom and the guarantee of individual and collective rights for the preservation of social peace and national cohesion. It introduces a technical and professional regulation relating to mass communication in Cameroon which underscores the scrupulous respect of journalistic ethics. The responsibility of editorial board will be reinforced if the bill was adopted by the peoples' representatives. The draft amendments concern especially declaration formalities prior to the setting up of a print media, improving on the criteria for the identification of journalists and related conditions for exercising the profession, the specification of cases requiring the intervention of administrative authorities concerning control measures in regulating press activities, significant involvement of CMB, and the possibility of the Minister of Communication to suspend a publisher for a maximum period of six months for breach of professional ethics likely to constitute an offence[74].

[74] Source : Cameroon Tribune No. 8627/4826 of 26 June 2006.

174- Rather than give up the idea of a code of ethics, priority should be given to in-house control which would call to order every communication practitioner, especially in this era of communication power, where media and its services should be ethical so that the communication professional, in the Cameroon context, serve as lever for the well-being of the people by contributing considerably to upholding truth and justice, solidly based on independence and integrity.

175- Although drifts were noticed in the treatment of information in 2006, the following remarks by the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression[75] is still necessary. He holds that prying into the private life of an individual, whatever his private status, is incompatible with the promotion and protection of the right to freedom of opinion and expression. The respect of privacy is an essential condition for the full exercise of freedom of expression; protecting the privacy of individuals enables them to exercise their rights freely without fear of being ridiculed or worst still blackmailed.

CHAPTER 5: RIGHT TO FAIR TRIAL

176- Both Government and citizens permanently strife to guarantee the right to fair trial. On the one hand, this is considered Government responsibility because it is its duty to determine the legal and institutional framework[76] for the implementation of fair trial. On the other hand, it is viewed as the duty of litigants since they carry out legal duties and enforce laws and regulations. The right to fair trial is based essentially on the presumption of innocence.

177- 2006 reveals a paradoxical or ambivalent situation: the adoption in 2005 of the Criminal Procedure Code (CPC) that guarantees the right to fair trial and the upsurge of jungle justice that waters down this important achievement. It is therefore, necessary to present the state of jungle justice and a summary of human rights education initiatives. Besides, the right to fair trial and the outcome of forceful confessions was highlighted by case law.

Section 1- Jungle Justice

178- Jungle justice, which is the result of supposed judicial delays, is carried out in various forms and Government reaction to its hike is salutary.

[75] Doc. A/HCC/4/27 of 2 January 2007 on « the application of Resolution 60/251 of the General Assembly of 15 March 2006 entitled « Human Rights Council », p.4.para53.

[76] See 2005 report p. 121 and ff

§ 1- Acts of Jungle Justice

179- Jungle justice is a threat to life, and to the physical and moral integrity of individuals. It is a serious threat to human rights because it is a breach of the fundamental right to justice. It is equally a challenge for the judiciary given that State institutions are called upon to render justice.

180- These acts include mutilations, injection of toxic products, beatings and immolation by fire and are carried out by a furious mob who attack persons presumed to be perpetrators of reprehensible deeds. There is a disturbing upsurge of jungle justice and it is rare to read a newspaper without an article devoted to it.

181- Some examples from the national daily, *Cameroon Tribune*, are illustrative. « A Monako comme au Far West »[77] (Monako as in the Far West), « *Bandit killed by mob* »[78], « Mvan : un bandit battu à mort »[79] (Mvan : Bandit Beaten to Death), « *Justice populaire : l'escalade dangereuse* »[80] (Jungle Justice: Dangerous Upsurge), « *Double crime à Balamba : après avoir tiré sur son ami, un gendarme a été battu à mort par les populations mardi dernier* »[81] (Double Crime at Balamba : after shooting his friend, a gendarme officer was beaten to death by the people last Tuesday), « *La justice populaire en net regain* »[82](Upsurge in Jungle Justice), « *Mendong : Three bandits escape lynching* »[83] , « *Tsinga : Young man almost lynched* », « *Nsam : Jungle Justice* »[84], « *Victims of jungle justice* »[85].

182- This form of "justice" is rendered mainly in Yaounde, Douala, Bafoussam, Bamenda, Garoua where justice and security services have been rightly or wrongly accused of laxism. Government is not indifferent to the upsurge of such babarism.

§2- Government Reaction

183- Sometimes, sanctions may not be taken against offences. The courts require proof to convict an accused and justice may at times not be administered. The courts' inability to render justice is not necessarily denial of justice.

[77] CT No. 8613/4812 of 6 June 2006
[78] CT No. 8648/4847 of 25 July 2006.
[79] CT No. 8613/4812 of 6 July 2006.
[80] CT No. 8588/4787 of 28 August 2006.
[81] CT No. 8704/4903 of 13 October 2006.
[82] CT No. 8715/4914 of 31 October 2006.
[83] CT No. 8729/4928 of 20 November 2006.
[84] CT No. 8733/4932 of 24 November 2006.
[85] CT No. 874/4939 of 5 December 2006.

184- The Table below shows statistics from Douala[86] 1st District Police Station:

Period	Victims	Legal situation as of 31/12/2006
29/8 – 5/9/06	1	Ongoing inquiry
19 – 29/9/06	7	Ongoing inquiry
26/9 – 2/10/06	2 including a gendarme officer attacked by the people while at work	Ongoing inquiry
17 – 24/10/06	1	Ongoing inquiry
30/10 – 6/11/06	2	Ongoing inquiry
5 - 11/12/06	2	Ongoing inquiry
19 – 26/12/06	5	Ongoing inquiry
14 – 21/2/06	3	Ongoing inquiry
07 – 14/3/06	1	Ongoing inquiry
16 – 23/5/06	1	Ongoing inquiry
04 – 11/7/06	1	Ongoing inquiry
25/7 – 1/8/06	3	Ongoing inquiry

185- Whenever perpetrators of jungle justice are identified, legal proceedings are instituted against them and sanctions meted out in accordance with the laws in force.

186- The tragic case of gendarme officer, MBARGA ANDENGUE is illustrative of the difficulties encountered in such cases. He was in service at the Bokito Brigade and designated to ensure security at the Balamba periodic market. He was beaten to death by the population of this locality for shooting somebody with his service gun.

187- Four suspects were arrested and referred on 25 October 2006 before the Commissioner for Government of the Yaounde Military Tribunal who charged them with murder, co-offender of murder and failure to assist. They were remanded in custody within the framework of a judicial inquiry. At the end of the inquiry, the military investigating magistrate declared himself incompetent and referred the matter to the State Counsel of the courts of Mbam and Inoubou for examination. The matter is pending.

188- Government is not indifferent to the disturbing escalation of jungle justice. This phenomenon was at the centre of an interministerial meeting held on 26 May 2006 and presided over by the Prime Minister, Head of Government. The causes of the phenomenon were established and steps taken to stamp it out through human rights education and the enhancement of the rule of law. The Prime Minister exhorted the Vice-Prime Minister, Minister of Justice, Keeper of the Seals to take measures to popularise the CPC and the NCHRF to educate the masses on human rights issues.

189- The Vice-Prime Minister, Minister of Justice and the Minister Delegate used this opportunity to strongly condemn such backward drift.

[86] It should be stated that Douala has three special Police Stations.

Section 2- Human Rights Education

190- Human rights education and the enhancement of the rule of law require the mobilisation and participation of all: the administration, civil society and public institutions. In the 2005 report, mention was made of the teaching of human rights and international human rights in the gendarmerie school, police school, prison administration school and the school of magistracy. The involvement of the civil society in rooting human rights culture in society was equally underscored[87].

191- The process which started well before 2005 continued in 2006 with two major events: human rights promotion actions taken by NCHRF and the popularisation of the CPC by the Ministry of Justice.

§1- Actions by the NCHRF

192- In 2006, the NCHRF carried out major significant human rights promotion actions including the drafting of a teacher's manual on human rights education in Cameroon and the drafting of the first version of the national plan of action for the promotion and protection of human rights in Cameroon.

A- Teacher's Manual

193- The NCHRF conceived a formal human rights education programme at all academic levels in Cameroon (primary, secondary, higher education, vocational training schools, the forces of law and order and related schools) by drafting a teacher's manual on human rights education. To this end, the following phases can be identified:

- validation of teacher's manual on human rights education in Cameroon, during a workshop organised in Yaounde from 7 to 9 February 2006;
- tour for the appropriation of the teacher's manual on human rights education in Cameroon by visiting Cameroon authorities and some agencies of the United Nations system, led by the Chairperson of the NCHRF and some members and staff between 19 July and 31 August 2006;
- organisation of two workshops for the training of trainers (especially National Pedagogic Inspectors) by the Ministry of Basic Education (18 to 19 December 2006) and the Ministry of Secondary Education (20 to 21 December 2006) on the use of the teacher's manual on human rights education in Cameroon.

B- National Human Rights Action Plan in Cameroon

194- Resource persons representing public services and civil society organisations drafted the first version of the national plan of action for the promotion and protection of human rights in Cameroon. The document seeks to integrate human rights in all activities involving Government, the civil society and funding bodies. This document which was initially validated at a workshop[88] includes:

[87] See 2005 report, chap. 1, p. 26 and ff

[88] Held in Yaounde in January 2007.

- national capacity building for the promotion and protection of human rights;
- coordinating actions taken by various actors involved in the promotion and protection of human rights ;
- integrating human rights in all sectors of national life ;
- promoting a global human rights vision and involving all social entities.

195- In addition to activities by the NCHRF, human rights promotion in Cameroon and especially the right to fair trial was the focus of the CPC popularisation campaign.

§2- Popularisation of the CPC by the Ministry of Justice

196- Law No. 2005/7 on the CPC was promulgated on 27 July 2005. It introduces major innovations in Cameroon substantive law on human rights protection which both the public and the main actors of criminal law should be familiar with[89].

197- Thus, Government gave priority to the appropriation of this Code by the different actors before it came into force. In 2006, two popularisation campaigns were organised to this effect under the aegis of the Ministry of Justice.

A- First Popularisation Campaign

198- Following instructions from the Head of State, the Vice-Prime Minister, Minister of Justice, Keeper of the Seals organised an initial popularisation campaign of the CPC in the 10 Provinces of the country from 3 to 30 May 2006.

199- The campaign, under the auspices of the Prime Minister, Head of Government, was launched on 3 May 2006 in Yaounde, during a solemn ceremony at the Conference Centre, which he presided over. It was organised and carried out in two phases: a preparatory phase at the Ministry of Justice and an operational phase with prospects for a good application of the Code.

200- The two phases of this campaign and actions to be taken in the short, medium and long-term are discussed below.

1- Preparatory Phase

201- The preparatory phase included the production in English and French of the following technical documents, and activities for the popularisation campaign:

- publication of the law on the CPC in the Official Gazette;
- production of the Code in two formats (paper and hard back);

[89] The innovations were extensively commented in the 2005 report. See Chapter 8 on the Right to Fair Trial, pp. 121 and ff.

- production of 20,000 posters on some provisions of interest to the public;
- production of 20,000 flyers on some sensitive provisions equally of interest to the public;
- staging of a mock trial and production of a video on the accusatorial system;
- drafting of standard forms for the service of procedural acts;
- preparation of presentations to be made during the seminars ;
- drawing up of the time table and programme of the seminars ;
- constitution of popularisation teams.

2- Operational Phase

202- The operational phase comprising field trips started on 3 May 2006 at the Conference Centre and ended in Douala on 31 May 2006. It was marked by popularisation seminars.

203- Ten seminars were organised at provincial headquarters[90]. The audience, made up especially of administrative authorities, local representatives, religious and traditional authorities, judicial police officers (JPOs), the judiciary and members of the civil society showed their interest in Government initiative by actively participating in discussions.

204- Work during the seminars included especially presentations on popularisation and mock trials.

205- Six presentations corresponding to the six books of the Code were made at each stop. They were followed by fruitful exchanges.

206- Answers to questions were simply initial reflections on the provisions of the CPC given that lower courts and especially the Supreme Court shall interpret the provisions when need be.

207- Explanations were equally given on:

- Government effort to improve on detainees' conditions[91];
- the constitutional role of the different powers in a State where the rule of law prevails;
- the need to place the CPC in a global context where man is at the centre of the action of a responsible Government;
- change of behaviour by the various corps involved in the implementation of the Code ;
- the required collaboration between administrative and judicial authorities, for the success of the 27 July 2005 reform lies on the effective involvement of the authorities concerned for citizens to feel they are governed by law and not by might.

[90] Yaounde, 3 to 4 May 2006; Maroua, 8 to 9 May 2006; Garoua, 10 to 11 May 2006; Ngaoundere, 12 to 13 May 2006; Ebolowa, 23 to 24 May 2006; Bafoussam, 8 to 9 May, 2006; Bamenda, 10 to 11 May 2006;
Buea, 15 to 16 May 2006; Bertoua, 23 to 24 May 2006; Douala, 29 to 31 May 2006.

[91] Read chapter on Detention Conditions.

208- Considering that a major innovation of the Code was the adoption of the accusatorial system in the conduct of trials, a moot court was staged for a precise representation of this system both with regard to the configuration of the court hall and the role of the main actors in a criminal trial.

3- Prospects

(a) Short-Term

209- The first phase of the popularisation campaign allowed the following to be envisaged in the short-term:

- brainstorming on the fate of awaiting trials whose detention lapsed on 1 January 2007;
- consultation between MINAS and the Ministry of Justice with a view to appointing assessors in juvenile courts;
- organisation of technical seminars for all stakeholders, particularly JPOs[92];
- restructuring of courtrooms to take into consideration the new configuration prescribed by the Code;
- equipment of judicial and prison services [93]; and
- construction in prisons of sections for minors, women and persons awaiting trial.

(b) Medium and Long-Term

- Enhancing the capacity of judicial and prison services;
- recruitment of personnel;
- continuous training of all stakeholders;
- setting up of a JPO corps.

B- Second Popularisation Campaign

210- The second popularisation campaign took place between 28 August and 22 September 2006 throughout the national territory.

211- The main objective of this campaign, which was more technical, was to enable the various stakeholders to better understand the Code and to envisage the synergies and interactions necessary for a hitch-free implementation of this important instrument once it comes into force.

212- This campaign was equally carried out in two phases: the preparatory phase at the Ministry of Justice and appropriation seminars which made it possible to identify short and medium-term actions.

[92] The second phase of the popularisation of the CPC was devoted to this purpose. Initiatives by Heads of Court equally encouraged brainstorming on the CPC.

[93] See chapter on Detention Conditions.

1-Preparatory Work at the Ministry of Justice

213- The following actions were taken considering the recommendations of the first campaign:

- production of a second lot of 15,000 flyers containing essential provisions of the Code;
- production of compact discs on the moot court of the first campaign;
- purchase of a video set;
- production of forms of procedural acts;
- drafting of presentations to be made during the seminars;
- drafting of prototype programmes of the seminars; and
- constitution of teams to animate the seminars.

214- It was agreed that seminars will be held at divisional level with the possibility of bringing together neighbouring Divisions. The Centre and Littoral Provinces, because of the number of their divisions, geographical location and intense judicial activity (about 60% of cases), were split into three and two zones respectively. Thirteen teams were constituted to cover all the divisions.

2- Appropriation Seminars

215- From 28 August to 22 September 2006, forty-six seminars were held simultaneously throughout the national territory. At each phase, a set of ten flyers containing the essential provisions of the Code were given to each participant.

a) Discussions

216- The seminars were held for five days in two phases;

- a first phase comprising presentations on modules and themes followed by discussions; and
- a second phase comprising group practicals with reconstitution in a plenary session.

217- Sixteen presentations comprising eight modules were presented on the following themes:

- relations between JPOs and judicial authorities;
- judicial police inquiries ;
- execution of acts and court decisions by the judicial police;
- fixed fines, relations between the Legal Department and the Examining Magistrate;
- instituting criminal action, the role of the prosecution in court;
- role of the Legal Department in the execution of acts and court decisions, moving a court ;
- duties and acts of the Examining Magistrate, nullity of acts by the Examining Magistrate and appeals against annulled acts;

- procedure before the trial courts;
- appeals against judgments;
- role of the registrar in a criminal matter;
- role of the Prison Administration in enforcing the CPC;
- administration of juvenile justice[94]; and
- other special procedures.

218- These presentations led to rich exchanges based on interactive participation.

b) Team Work

219- Team work was organised in four phases:

- attentive watch of the film on the moot court;
- mock trials;
- review of forms of procedural acts; and
- recommendations and suggestions after the seminar.

3- Prospects

220- After the second popularisation campaign on the CPC, the following actions were envisaged:

Short-Term

221- The Ministry of Justice will continue to adapt the legal and judicial system to the provisions of the Code, notably by restructuring courtrooms, producing required forms and providing courts with adequate working material (records of proceedings and other documents).

Medium-Term

222- The questions and answers obtained during both popularisation campaigns of the CPC will be published as a collection to serve as aide-mémoire. Similarly, a circular on the enforcement of the Code will be issued. Popularisation through the media will continue for public awareness after the Code comes into force.

[94] Based on relevant international legal instruments ratified by Cameroon, the following innovations were highlighted:
- Exclusion of flagrante delicto proceedings and private prosecution against minors in case of a felony or misdemeanour;
- The possibility of the Examining Magistrate to resort to social inquiry and medical examination to understand the personality of the minor;
- The Examining Magistrate may, if need be, and in the interest of the minor, take measures to restrict freedom. These include internment, custody which is the equivalent of probation for adults and preventive detention in case of a felony (capital murder, murder or assault occasioning death);
- The institution of a heterogeneous panel at the CFI sitting as a juvenile court in matters of juvenile delinquency, in the presence of assessors with a right to vote on the punishment and measures taken against minors;
- The systematic designation of a counsel to guarantee the rights of the defence; and
- The following sanctions can be inflicted on a minor: admonition, custody, preventive commitment, imprisonment under conditions laid down by Sections 80 (3) and 87 of the PC, reprimand or release on licence.

223- With the adoption of the CPC, it was necessary to amend the instruments on judicial organisation and to adopt instruments with a view to setting up judicial institutions provided for by the Constitution. Thus, four[95] instruments were adopted including :

- Law No. 2006/15 of 29 December 2006 on Judicial Organisation;

- Law No. 2006/16 of 29 December 2006 on the Organisation and Functioning of the Supreme Court;

- Law No. 2006/17 of 29 December 2006 on the Organisation, Duties and Functioning of Regional Audit Courts;

- Law No. 2007/1 of 19 April 2007 to Institute a Judge in charge of Litigation Related to the Execution of Judgements and Lay Down Conditions for the Enforcement in Cameroon of Foreign Court Decisions, Public Acts and Arbitral Awards[96].

Section 3- Annulment of Proceedings Instituted on the Basis of Forced Confessions: Presumption of Innocence

224- One obstacle to the right to fair trial is the obtention of evidence in criminal matters through torture. In accordance with international instruments, all proceedings instituted on the basis of confessions obtained under torture are annulled and perpetrators of such uncouth practices prosecuted.

225- In this light, judgment No.182/COR of 24 February 2005 delivered by the Abong-Mbang CFI in The People and Mrs EKOUAS Philiene[97] vs MENGUE Junette and DJESSA Jean Dennis, which is in line with judgment No. 69/00 of 21 September 2000 by the Bafoussam Military Tribunal (MT)[98] can be referred to.

226- In the above-mentioned matter, the accused were remanded in custody for 8 days for theft. During the remand, Mrs. MENGUE was tortured and she confessed the commission of the offence. The court, on the strength of Cameroon's international commitments and national laws, annulled the proceedings.

227- The court held that the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment of 10 December 1984 ratified by Cameroon by Decree No. 97/79 of 25 April 1997 as well as Section 132 bis of Cameroon PC prohibit torture.

[95] For innovations brought by these instruments, read chapter on The Right to Fair Trial.

[96] See chapter on Good Governance and the Fight against Corruption

[97] The Ministry of Justice was informed in 2006.

[98] See 2005 report chap. 1, para. 64 and 65

228- Given that all human endeavour is perfectible and conscious of the fact that difficulties will arise in implementing these instruments, some of which were identified by participants during the popularisation campaign, the Vice-Prime Minister, Minister of Justice set up an Observatory in charge of following up the implementation of the CPC, the Law on Judicial Organization and subsequent laws relating to the Cameroon judicial system[99]. The primary concern of this observatory is to identify the initial trends of the application of the CPC and the level of enforcement of this important tool on the protection of the rights of persons in Cameroon.

[99] By Decision No. 106/CSSG/MJ of 26 January 2007.

CHAPTER 6: FREE AND FAIR ELECTIONS

229- The right to participate in the management of public affairs in one's country, either directly or through chosen representatives, is enshrined in several international human rights instruments binding on Cameroon including Articles 21 of the UDHR, 25 of the ICCPR and 13 of the ACHPR. This right is equally embedded in Articles 2 and 3 of the 1996 Constitution. The effective exercise of this right is perceived through the organisation of pluralistic free, fair and transparent elections.

230- Government undertook a reform of the Cameroon electoral system so as to render it more modern, free and fair. Concretely, in 2006, Government authorised the setting up of more political parties, commenced an ongoing programme of computerisation of the electoral process and promulgated several laws governing elections in the country.

Section 1- Political Parties

231- In its endeavour to further enhance the democratic process in Cameroon, Government authorised the setting up of 13 more political parties a list[100] of which is included in the Table below.

1	Mouvement pour la Réconciliation et l'Unité des Camerounais (Movement for the Reconciliation and Unity of	Decision No.155/D/MINATD/DAP/SDE/SPP of 5 July 2006	Douala	M.R.U.C	PO Box 1401 Tel. : 959 31 62	**Chairperson:** NZESSEU TCHIENGA BG Mathieu **SG :** NGAHO NGABA Marceline

[100] Source: Ministry of Territorial Administration and Decentralisation

	Cameroon)					**Treasurer :** MBIAKOP Etienne
2	Mouvement pour le Développement Intégral de la République (Movement for the Integral Development of the Republic)	Decision No. 195/D/MINATD/DAP/SDLP/SPP of 6 December 2006	Yaounde	M.D.I.R.	PO Box: 7041 Tel. : 603 43 96	**Chairperson:** ZAMBO Paul **SG :** MOUDIKI François **Treasurer :** ABESSOLO Jules Germain
3	Parti du Cameroun Nouveau (Party for a New Cameroon)	Decision No. 257/D/MINATD/DAP/SDLP/SPP of 6 December 2006	Douala	P.C.N	PO Box:4934 Tel. :972 39 60	**Chairperson:** MBOULE DJAKA Guillaume **SG :** BINGNA Jean Paul
4	Mouvement pour la justice Sociale, le Développement et la protection de la Nature (Movement for Social Justice, Development and Nature Protection)	Decision No. 258/D/MINATD/DAP/SDLP/SPP of 6 December 2006	Yaounde	MOUSODENA	PO Box: 2555 Tel. :564 67 14	**Chairperson:** TCHAMDE Guy Alain **Treasurer :** DJOUFACK Olive
5	La Nouvelle Dynamique pour la Prospérité (New Dynamics for Prosperity)	Decision No. 259/D/MINATD/DAP/SDLP/SPP of 6 December 2006	Yaounde	N.D.P..	PO Box: 6472 Tél. :763 59 76	**Chairperson:** AYINA née BIDZOGO Brigitte **SG :** NKOUM Jeacques Joseph **Treasurer :** YONTA Gabriel
6	Alliance Nationale	Decision No. 13/D/MINATD/DAP/SDE/S	Yaounde	A.N.P.D.P.S	PO Box: 15293	**Chairperson:** LELE

	pour la Paix, la Démocratie et le Progrès Social (National Alliance for Peace, Democracy and Social Progress)	PP of 6 February 2007			Tél. :	YOUMBIS SI DEFFO ABORDE **SG :** BISSECK NGUIMBO US Jean Marc **Treasurer :** EYEFA EYEFA Zacharie Bienvenu
7	Rassemblement des Citoyens Camerounais (Cameroon's Citizens Movement)	Decision No. 15/D/MINATD/DAP/SDE/S PP 8 February 2007	Douala	R.C.C	PO Box : S/C 5686	**Chairperson:** TONY Jean Alphonse **SG :** YINDA NYOM Ernest **Treasurer :** BOTSOMO KO NGUEDI
8	Révolution Pacifique du Cameroun (Peaceful Revolution of Cameroon)	Decision No. 34/D/MINATD/DAP/SDE/S PP of 2 March 2007	Bafoussam	R.P.C	PO Box:893 Tél. :750 57 25	**Chairperson:** DJOUKEN G Michel **SG :** KEUNANG Gaston
9	Mouvement Réformateur (Reformation Movement)	Decision No. 34/D/MINATD/DAP/SDE/S PP of 2 March 2007	Yaounde	M.R.	PO Box: 12137 Tél. :931 23 49	**Chairperson:** BILONG Samuel **SG :** MESSI Justin Patrice
10	Parti de l'Esprit d'Avril 48 (Party for the Spirit of April 48)	Decision No. 34/D/MINATD/DAP/SDE/S PP of 6 March 2007	Douala	PEA 48	PO Box:193 3 Tél. :672 24 83	**Chairperson:** NGOSS Jean Pierre **Treasurer :** EWOUDO U DJENE Rose
11	Parti	Decision No.	Yaounde	P.T.C	PO	**Chairperson:**

	Travailliste Camerounais (Cameroon Labour Party)	34/D/MINATD/DAP/SDE/SPP of 21 March 2007			Box:25595 Tél. : 583 82 74	Louis Thierry ONGONO Secretary : TSE Hilary
12	Front pour le Salut National du Cameroun (Front for the National Wellbeing of Cameroon)	Decision No. 34/D/MINATD/DAP/SDE/SPP of 3 April 2007	Yaounde	F.N.S.C	B.P. : 33179 Tél. :956 03 34	**Chairperson:** ISSA TCHIROMA BAKARY
13	Parti de la Reconversion du Peuple (Party for the Reconversion of the People)	Decision No. 34/D/MINATD/DAP/SDE/SPP of 3 April 2007	Yaounde	P.R.P.	PO Box:4537 Tel. :950 64 74	**Chairperson: n:** ATEBA Henri **1st Vice Chairperson:** EDIMO Paul

Section 2- Computerisation of the Electoral Process

232- The programme for the computerisation of the electoral process commenced at the central and external services of the Ministry of Territorial Administration and Decentralisation (MINATD) in 2006. With the technical assistance of the United Nations Development Programme (UNDP), a master plan for the computerisation of the electoral process was drawn up. This document defines the infrastructure to be put in place and the procedure for the treatment of computerised electoral data[101].

233- With regards specifically to the computerisation of the voters register, the above master plan referred to above provides for the setting up of a computer unit in each of the 58 Divisional Offices. This unit shall be in charge primarily, of computerising the register for the presidential election of 11 October 2004, and subsequently, updating the said register.

234- Once these registers are validated and assembled, they shall be transmitted to the provincial head quarters where a computer processing and production unit shall be set up at the Governor's Office for the harmonisation and production of provincial registers.

235- The provincial registers shall equally be validated, assembled and forwarded to the MINTAD where a Centre for the Computerised Management of Elections shall be set up. These registers shall be harmonised for the setting up of a national computerised electoral register to be used during the twin elections of 22 July 2007.

[101] See an exposé entitled: "Seconde Rencontre Annuelle du Dialogue Politique Structuré Cameroun/Union Européenne", Follow-up Unit, Ministry of Territorial Administration and Decentralization.

236- A data base of electors has already been put in place and shall be updated yearly, in accordance with the law[102].

237- This process has solved problems relating to the duplication of names or in some cases, the inexistence in the electoral register of the names of certain persons, as well as several other difficulties faced in the past in this domain.

Section 3- Electoral Laws

238- Government resolve to ensure transparent, free and fair elections in Cameroon was concretised in 2006 with the promulgation of the following laws:
Law No. 2006/5 of 14 July 2006 to lay down conditions governing the election of Senators;

- Law No. 2006/10 of 29 December 2006 to amend and supplement some provisions of law No. 92/2 of 14 August 1992 to lay down conditions for the election of Municipal Councillors;
- Law No. 2006/4 of 14 July 2006 to lay down conditions governing the election of Regional Councillors;
- Law No. 2006/9 of 29 December 2006 to amend and supplement some provisions of law No. 91/20 of 16 December 1991 to lay down conditions governing the elections of Members of Parliament; and
- Law No. 2006/11 of 29 December 2006 to set up and lay down the organisation and functioning of Elections Cameroon (ELECAM).

239- A brief examination of these laws to highlight the value added by their enactment and eventual implementation is necessary.

§1- Election of Senators

240- The 1996 Constitution[103] instituted a Parliament comprising two houses: the National Assembly and the Senate.

241- In a bid to implement this provision, Law No. 2006/5 of 14 July 2006 was promulgated to lay down conditions governing the election of Senators. Although according to Section 2 of this law, the provisions of Law No. 91/20 of 16 December 1991 to lay down conditions for the election of Members of Parliament, as amended, shall be applicable *mutatis mutandis* to the election of Senators, the new system set up by the above law has its peculiarities.

242- To ensure transparency and fairness, this law makes provision for the setting up of a regional supervisory commission in each region to see into the regularity, impar-

[102] See exposé presented in April 2007 by Mr Nnoke Ngwese Anthony, Follow-up Unit Head at MINATD, during a seminar on the capacity building of administrative authorities relating to the 2007 elections.

[103] See Articles 15 to 24 of the 1996 Constitution on the National Assembly and the Senate.

tiality and objectivity of senatorial elections[104]. In this regard, the regional supervisory commission shall:

- control the drawing up and updating of voters registers for senatorial elections;
- control and distribute voters cards;
- hear and determine all claims or objections concerning voters registers and cards and order all necessary corrections; and
- centralise and verify the vote counting operations conducted by local election commissions.

243- In this vein, Section 23 provides:

"(1) The Constitutional Council shall ensure the regularity of the election of senators and transparency in polling.
(2) It shall examine and give final ruling in all claims and disputes.

In the event of dispute in the regularity of the election of senators, the matter shall be brought before the Constitutional Council by any candidate, political party which participated in the election in the constituency concerned and any person having the status of Government representative for the election".

§2- Election of Municipal Councillors

244- Law No. 2006/10 of 29 December 2006 to amend and supplement some provisions of Law No. 92/2 of 14 August 1992 to lay down conditions for the election of Municipal Councillors was equally promulgated in application of the Constitution and laws on decentralisation. Like the law on the election of Senators, this law is groundbreaking in that it contains many specific provisions to enhance the transparency and fairness of the election of Municipal Councillors.

245- Among other things, this law reviews provisions relating to the number of councillors and their distribution per council. It redefines conditions for organising by-elections[105], and contains new provisions to govern the compilation, submission and management of lists within more extended timeframes.

246- Furthermore, it withdraws the power to reject candidate lists from Senior Divisional Officers and grants same to the Ministry in charge of Territorial Administration. According to Section 26, *"the decision to accept or reject a list of candidates may be appealed before a competent administrative court, either by a candidate, the representative of the list concerned or of any list, or by any registered voter in the council concerned".*

[104] See Section 13(1) of Law No. 2006/5 of 14 July 2006.
[105] See Section 5 of Law No.2006/10 of 29 December 2006.

247- Appeals are lodged within 5 days following the publication of nominations. To ensure celerity, the legislator obliges the administrative court to rule within a maximum period of 5 days from the date of lodging the petition[106].

248- This law empowers any dissatisfied voter, candidate, representative or any person acting on behalf of Government for the election, to petition, within 5 days from the day of publication of the results, to the competent administrative court for annulment of the polls in the council area concerned.

§3- Election of Regional Councillors

249- The adoption of Law No. 2006/4 of 14 July 2006 to lay down conditions governing the election of Regional Councillors has contributed to completing the legal framework for the effective implementation of decentralisation.

250- Although the election of Regional Councillors is governed *mutatis mutandis* by the provisions of Law No. 92/2 of 14 August 1992 to lay down the conditions for the election of Municipal Councillors and those of Law No. 91/120 of 16 December 1991 on the election of Members of Parliament, the new law is peculiar in many ways.

251- According to this law, Regional Councillors shall be:

- divisional delegates elected by indirect universal suffrage by an electoral college comprising 50% of locally elected officials and 50% of members of economic, social and cultural interest groups; and
- representatives of traditional authority elected by their peers.

252- Among other things, this law specifies the conditions of eligibility and incompatibility of prospective regional councillors. It determines the electoral process, lays down conditions for the preparation of elections and the proclamation of results. It provides for litigations and determines the procedure related thereto. A Regional Supervisory Commission has been set up by this law to ensure the regularity and objectivity of the poll.[107]

§4- Election of Members of Parliament

253- To resolve difficulties experienced in the past related to the material organisation of the election of Members of Parliament, Law No. 2006/9 of 29 December 2006 was promulgated to improve and modernise the system of electing these officials by:

- gradually simplifying and efficiently applying the law;
- rationally programming preparatory activities instrumental to the smooth organisation of elections (compiling voters registers, establishing and distributing voters card, management of candidates, etc.);
- computerising voters registers.

[106] See Section 27 (1)

[107] See Sections 23 and 24 of the law

254- Furthermore, eligibility conditions have been reviewed and the Constitutional Council confirmed as the competent institution to examine the eligibility of Members of Parliament.

255- Moreover, the new law updates and extends the scope of incompatibilities especially with a view to restricting cumulation of elective posts and ensuring the separation of executive and legislative power. In this regard, Section 24 of the above law provides: *"the office of Members of Parliament shall further be incompatible with the office of Senator, mayor, government delegate to a city council, chairman of a regional council, with any other non-elective public office and with the duties of board chairperson or with status of wage earner in a public establishment or public or semi-public enterprise"*. Also, it gives a national dimension to the compilation of voters' lists.

256- A reasonable time limit has been fixed for the distribution of voters' card. Henceforth, they shall be distributed 40 days instead of 15 days before elections. Similarly, new time limits for convening the electorate have been extended considerably. The electorate shall be convened at least 90 days instead of 45 days before election.

257- Furthermore, a specific phase has been included for the revision, correction and control of electoral lists during the election period. This will ensure the compilation of a reliable electoral register published at least 20 days before the election date. All these changes have the following positive effects:

- clarification of the election calendar;
- improvement in the material preparation of election;
- improvement in the management of lists of candidates and related litigations.

§5- Elections Cameroon (ELECAM)

258- Elections Cameroon, set up by Law No. 2006/11 of 29 December 2006, is the new body in charge of the organisation, management and supervision of election and referendum processes in Cameroon.

259- The law on ELECAM, which was drawn up following instructions by the Head of State, translates Government determination, after the experience with NEO, to consolidate democracy in Cameroon through the amelioration of the electoral system. The drafting of this new law took into account recommendations from international organisations, especially the Commonwealth[108], and contributions from personalities consulted by the Prime Minister[109].

[108] From 20 to 22 February and from 20 to 22 June 2006, a team of Commonwealth experts, led by the Rt. Honourable Joe Clark, met with a designated interministerial committee to examine the terms and conditions for the establishment of an independent elections management body in Cameroon. The conclusions of these very fruitful meetings have contributed enormously to shaping ELECAM.

[109] From 26 to 29 November 2006, the Prime Minister, Head of Government, on instructions of the Head of State, carried out consultations with political leaders, civil society, traditional and religious leaders on the setting up of an independent electoral body.

260- ELECAM is made up of two organs: the Electoral Board and the General Directorate of Elections.

261- The Electoral Board composed of 12 members is responsible for ensuring the respect of the electoral law, regularity, impartiality, objectivity and sincerity of the polls.

262- It controls and supervises all electoral processes. In this regard, it receives and examines the files of prospective candidates and publishes the final candidate lists for the presidential, legislative, senatorial, regional and municipal elections. It holds 4 ordinary sessions per year and extraordinary sessions when need be. During the electoral period, it can meet as often as necessary.

263- The General Directorate of Elections is under the authority of a Director General, assisted by a Deputy Director General. It shall be responsible for the organisation and management of the poll under the supervision of the Electoral Board. Specifically, this organ is in charge of compilation, management, update and conservation of the voters register as well as other electoral materials and documents.

264- It is also responsible for acquiring and distributing electoral materials and documents, drawing up and revising voters registers, drawing up and distributing voters cards, organising and supervising the training of staff in charge of the polls, preparing and executing the annual budget of ELECAM and elections.

265- The duties of this organ also involve the organisation and designation of officials of polling stations as well as the centralisation and conservation of all electoral documents and materials.

266- According to Section 1(2) and (4) of the above law, ELECAM is an independent and autonomous body. It shall have its own annual budget and an elections budget during an election year[110] and its Director General shall be the authorising officer of this budget[111]. To enhance the independence of its members and ensure their integrity, this law provides as follows:

> *"Members of Elections Cameroon shall refrain from acts that may undermine the independence and dignity of their duties. They shall specifically, during their tenure, exercise their powers strictly for the purpose of their mandate.*
>
> *Members of Elections Cameroon shall, under no circumstance, seek or receive instructions or orders from a public or private authority during the performance of their duties.*

[110] See Section 28 of Law No. 2006/11 of 29 December 2006.

[111] See Section 29

Members of Elections Cameroon may not be prosecuted, investigated, arrested, detained or tried for their views and actions in the performance of their duties.

Save in cases of flagrante delicto or violation of the Constitution and law, members of Elections Cameroon shall not be prosecuted during their tenure".[112]

267- In the same light, Section 8(2) states, *"members of the Electoral Board shall be designated from the midst of independent personalities of Cameroonian nationality, reputed for their stature, moral uprightness, intellectual honesty, patriotism, neutrality and impartiality".*

268- Although the Chairperson, the Vice-Chairperson and Members of the Electoral Board shall be appointed by the President of the Republic, this shall be done only after consultations with the political parties represented in the National Assembly and the civil society.

269- The oath to be taken by members of the Electoral Board before taking office further reflects the determination of the Cameroon legislator to ensure the independence of Elections Cameroon. Thus, pursuant to Section 8(6), *"before taking office"*, members of the Electoral Board shall take the following oath before the Constitutional Council: *"I swear to fully and faithfully discharge my duties and to exercise my office without fear or favour in accordance with the Constitution and laws in force, to ensure the confidentiality of proceedings and votes, to abstain from taking public positions and to decline any consultation on matters falling under the purview of Elections Cameroon".*

270- This independent body will ensure that elections organised henceforth in Cameroon will be transparent, free and fair. Once ELECAM goes operational within 18 months from 29 of December 2006, MINATD and NEO will have no role to play in the organisation and supervision of elections in Cameroon[113].

271- By promulgating the Law on ELECAM and other laws in this domain as well as the computerisation of the electoral process, the Government of Cameroon took giant strides towards the organisation of free and fair elections.

272- The setting up of many political parties, harmonisation of the electoral register and the adoption of instruments to govern elections are measures taken by Cameroon to promote and protect political rights. Political rights, considered as rights of the first generation, enable citizens to participate directly in the approach adopted by the State to protect other human rights. In fact, citizens are involved in the management of State affairs through political rights, notably the right to vote.

[112] See Sections 2 and 3

[113] In the meantime, MINATD and NEO will organize and manage the 22 July 2007 municipal and legislative elections.

CONCLUSION OF PART ONE

273- The promotion and protection of civil and political rights in 2006 was marked by intensifying the fight against impunity, restricting the rights of human rights defenders within the strict framework of their duties, affirming the compatibility of the universality of human rights with specific African cultural values and the popularisation of guarantees for the right to fair trial through the Criminal Procedure Code. Moreover, a new legal and institutional framework to guarantee free and fair elections has been put in place.

274- It could therefore reasonably be affirmed that the State of Cameroon guarantees on a daily basis the effective protection of rights, although there are still some grey areas. Because of the said grey areas, Government is required to be vigilant and consistent in the protection of human rights.

275- In this light, René CASSIN remarked that the right to life is not restricted only to the right not to be murdered, but also the right to work, eat, dress and health care[114].

276- It is necessary to see how in 2006, the State of Cameroon attempted to achieve economic, social and cultural rights which constitute another mainstay of human rights.

[114] Cited by Gérard Cohen-Jouathan, « De l'universalité des droits de l'homme » [Universality of Human Rights]in Ouvertures en droit international, Hommage a René Dupuy, Journée d'étude de la SFDI du lundi 23 mars 1998, salle Médicis, Sénat, p. 31.

PART TWO

PROMOTION AND PROTECTION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

INTRODUCTION

277- In 2005, ESCR were slowly but progressively achieved in Cameroon[115]. The letter of intent of 25 October 2005 written by the Prime Minister, Head of Government, within the framework of eligibility for the HIPC-Initiative, adopted a socio-economic policy for the progressive improvement of economic, social and cultural rights.

278- The attainment of the completion point of the HIPC-Initiative on 27 April 2006 led Government to taking a series of measures made possible by the considerable reduction of external debt and renewed investor confidence in the country's economic capacity.

279- In 2006 the progressive growth of the economy[116] and the sound management of public and private funds enabled the Head of State to take and cause regulatory and practical measures to be taken in different priority sectors like education, health, water resources, energy and food.

280- It would seem that regressive[117] measures were taken with regard to some rights such as the right to housing. But generally, measures taken are likely to considerably improve the living conditions of Cameroonians because they are accessible, available, of good quality and acceptable as required by the CESCR[118].

281- For these measures to produce the expected results, more effort was made to promote good governance and fight against corruption.

282- Moreover, the right to health cannot be achieved nowadays without a healthy environment. The State ensured this link was established.

This part will deal with:

- good governance and the fight against corruption;
- the right to adequate standard of living;
- the right to health;
- the right to education;
- the right to work; and
- the right to a healthy environment.

[115] See the 2005, p. 265, para. 938.

[116] Growth rate estimated at about 4%.

[117] See General Comment No. 1 of CESCR, which indicates that the State must justify any regressive measure.

[118] See General Comments 1 and 12 of CESCR.

CHAPTER 1: GOOD GOVERNANCE AND COMBATING CORRUPTION

283- For the past ten years and especially in 2006, Government has focused on improving governance and combating corruption.

Section1- Improving Good Governance

284- Efforts made by Cameroon since 1998 and mentioned in our 2005 Report[119] were continued and intensified throughout 2006. All State organs each in their sphere of influence were involved in the implementation of the National Governance Programme[120] (NGP).

§1- Government Effort

285- Government attained the completion point of the Heavily Indebted Poor Country Initiative (HIPC), accelerated the decentralisation process and boosted the legal framework for supervising the good management of public funds.

A- Attaining the HIPC-Initiative Completion Point

286- Attaining the completion point of the HIPC-Initiative was a major economic and social event in 2006. It raises hope on improving the standard of living of Cameroonians. It was so important that the President of the Republic made a special address on this issue to all citizens on 12 May 2006[121]. To understand its full significance, it is necessary to go back to the period 1980-1990.

287- Cameroon's economy slumped resulting in a drop in its gross domestic product (GDP) and a fall in the standard of living. This period equally witnessed a huge external debt burden which became unbearable in 1995.

288- An analysis of these economic indicators placed Cameroon among the world's poorest countries. A programme initiated in 1997 by international financial institutions and the seven most industrialised countries (G7) was put in place to find a solution for heavily indebted poor countries[122].

289- The aim of this programme is to revamp growth by reducing the debt of these countries. Such reduction should offer them the borrowing capacity required to ensure funding of new investment programmes resulting in growth and development[123]. To attain the completion point of the heavily indebted poor countries initiative, Cameroon fulfilled many conditions imposed by the World Bank and the International Monetary Fund (IMF).

[119] See p. 169 and following.

[120] See the 2005 report pp. 169-170 for components of the NGP.

[121] See Cameroon Tribune, No. 8598/4797, of 15 May 2006, for speech.

[122] Manière de voir, Le Monde diplomatique, juillet-août 2000 p. 75.

[123] Dr Paul K. Fokam : Misère Gallopante du Sud, Complicité du Nord ; Jeu, Enjeux, Solutions ; Maisonneuve et Larose, p. 38.

290- By accepting this initiative at the expense of a drastic reduction of the lifestyle of the State and its people, the country benefited from an additional debt reduction with regard to the Multilateral Debt Relief Initiative (MLDI).

291- The implementation of the HIPC-Initiative and the MLDI reduced Cameroon's debt from 5.6 billion dollars in 2005 to 525 million dollars in 2006. Cameroon's attainment of the completion point of the HIPC-Initiative offers bright prospects notably:

- boosting public investments which should accelerate private investments;
- channelling investments to support Cameroon's economic and export diversification to ensure added value and the manufacture of high tech products;
- developing the financial sector;
- boosting the public/private sectors partnership; and
- enhancing business.

292- It is early to assess if the hopes of Cameroonians in this programme will be fulfilled. However, it is expected that the resources accruing from Cameroon's debt cancellation will be used for the people and sustainable development and not misappropriated by unscrupulous officials.

B- Accelerating Regional Decentralisation

293- Decentralisation, conceived as a fundamental mechanism for promoting democracy and good governance at the local level, enables the active participation of people concerned in defining the management of regional and local affairs.

294- To accelerate the decentralisation process provided by the Constitution of 1996 and organised by laws promulgated by the President of the Republic[124], the Prime Minister, Head of Government, signed an Order on 6 October 2006, relating to the setting up, organisation and functioning of a Consultation and Implementation Committee[125].

295- The essential duties of this Committee are to coordinate and harmonise actions, projects and support programmes by national and foreign partners in the decentralisation process, to follow up and evaluate actions, ensure that partners are informed and involved as well as make proposals relating to the intervention of structures involved.

296- On 7 December 2006, MINATD organised a restitution seminar for a training plan on decentralisation whose main objectives were to:

- master the legal framework and the stakes of decentralisation;
- apply the principles of good governance for the success of decentralisation; and

[124] Law No.2004/17 on the orientation of decentralisation; Law No. 2004/18 to lay down the rules applicable to councils; and Law No. 2004/19 to lay down the laws applicable to regions.

[125] Order No. 130/4/PM of 6 October 2006.

- implement programmes and actions to significantly improve on the state of councils and their establishment, notably by adequate capacity building, conceiving a reliable local taxation system, drafting and publishing rules and regulations governing local representatives and council personnel, as well as, developing decentralised cooperation.

297- During this seminar, MINATD evaluated the cost of this training over two years at CFA 11 billion (about 16, 793, 893 euros). This estimate is indicative of the ground to be covered for an effective people-centred management in Cameroon. Government is very determined to achieve this goal.

C- Good Management of Public Funds

297-1- Boosting the legal framework for the supervision of good management of public funds was implemented in 2006 through the following measures:

- Order No. 6/403/CF/MINEFI of 28 December 2006 by the Minister of Economy and Finance to organise the services of the National Financial Investigation Board (ANIF)[126]; and

- Decision No. 6/1423/CF/MINEFI/SG/DGB/DPI/SDC by the Minister of Economy and Finance relating to the setting up and organisation of Local Follow-up Committees for the Execution of the Public Investment Budget. The main objective of these Committees, instituted in each province and division, is to promote a participative approach in the management of public investments for an optimal realisation of development programmes.

298- Based on its achievements, it can be held that ANIF effectively carries out investigations and submits regular reports to competent State Counsels. Thus in 2006, it submitted 26 reports estimated at CFA 31 billion (about 47,328,244 euros).

299- Besides, the following appropriation seminars on reforms, capacity building and information were organised for vote holders:

- seminar organised by Government at the Prime Minister's Office in Yaounde from 23 to 27 January 2006. It aimed at enabling Ministers appropriate macro-economic and structural reforms contained in the ongoing triennial economic and financial programme, and in Government agenda. It equally aimed at achieving the millennium development goals.

- seminars organised by the Public Contracts Regulatory Board (ARMP) in March 2006 and continued in the ten provinces with the aim of informing vote holders about sanctions inflicted where the laws in force were violated.

[126] See the 2005 report pp. 177-178. It should be recalled that ANIF is a public service financial investigation institution with financial autonomy. It is empowered to decide on matters within its jurisdiction notably curbing capital laundering and financing of terrorism. It receives, examines and if need be forwards to competent judicial authorities declarations binding financial bodies and taxpayers.

§2- The National Assembly

300- The National Assembly was also involved in the promotion of good governance in 2006.

301- The Speaker of the National Assembly signed three Orders on 30 March 2006, relating to the National Governance Programme at the National Assembly respectively on the setting up of a Steering Committee, an Executive Committee and the appointment of members of the said Committees. These members were installed on 6 April 2006.

302- The Steering Committee is in charge among other things, of the supervision and implementation, at the National Assembly, of policies of the National Governance Programme and to ensure the follow-up of resolutions taken.

303- The Executive Committee is in charge of preparing the terms of reference of activities to be carried out, drafting and implementing a programme of action and activities under the supervision of the Steering Committee. This structure seeks to build the Assembly's capacity to fully play its constitutional role, that is, to legislate and control Government action.

§3- More Respect of Human Rights

304- The realisation of the "Justice" component of the NGP, spearheaded by the Ministry of Justice, was continued in 2006 by the popularisation of the Criminal Procedure Code, and the adoption and promulgation of new legal instruments on judicial organisation.

A- Popularisation of the CPC

305- Given that Law No. 2005/7 of 27 July 2005 on the Criminal Procedure Code had to come into force on 1 January 2007, popularisation campaigns were necessary to explain the following major innovations and some objectives of the Code[127] to all judicial actors and the public, notably the:

- harmonisation of rules of procedure throughout the national territory;
- adaptation to the requirements of the protection of human rights at all phases of the judicial procedure;
- curbing of judicial procedures;
- rapid execution of court decisions; and
- recovery of fines upon delivery of judgment.

306- The organisation of these popularisation campaigns is discussed in the chapter on the right to fair trial[128].

[127] The coming into force of this law and its purport were discussed in the 2005 report, chap 8, pp. 121-146.

[128] See Chapter 5 on Right to Fair Trial.

B- New Judicial Organisation of the State

307- The following three laws which substantially amend the Judicial Organisation of the State were adopted and promulgated[129]:

- Law No. 2006/15 of 29 December 2006 on Judicial Organisation of the State;
- Law No. 2006/16 of 29 December 2006 to lay down the organisation and functioning of the Supreme Court;
- Law No. 2006/17 of 29 December 2006 to lay down the organisation and functioning of Regional Audit Courts;
- Law on the organisation and functioning of the Administrative Courts.

1) **Law on Judicial Organisation**

308- The law on judicial organisation introduces major innovations notably the:

- setting up of two new categories of courts: lower administrative and audit courts;
- fixing of new rules of competence to govern the CFI which henceforth can hear and determine civil, commercial and labour matters whose amounts are worth CFA 10,000,000;
- reintroduction of the function of Examining Magistrate repealed by Ordinance No. 72/4 of 26 August 1972 and provided henceforth in Law No. 2005/7 of 27 July 2005 on the Criminal Procedure Code;
- mandatory nature of judicial inquiry in the case of a felony;
- writing out of judgments before delivery;
- alignment of the judicial year to the civil year;
- institution of a panel at the Court of Appeal with jurisdiction to entertain appeals against orders by the Examining Magistrate.

2) Organisation and Functioning of the Supreme Court

309- To understand the purport of this instrument, it should be recalled that Part V of the Constitution of the Republic of Cameroon of 18 January 1996 institutes a Judicial Power that is exercised by the Supreme Court, courts of appeal and lower courts.

310- Articles 38 to 41 of the fundamental law provide that the Supreme Court is the highest court of the land in judicial, administrative and audit matters and that it comprises three benches each with specific duties. Article 42 specifies that the organisation, functioning, composition and duties of the Supreme Court and the benches it comprises,

[129] It should be noted that all the legal instruments mentioned above have been completed by Law No. 2007/1 of 19 April 2007 to institute the Judge in charge of Litigations and to lay down the conditions for the execution in Cameroon of foreign court decisions and public acts, as well as, foreign arbitration awards which will be discussed in depth in the 2007 report. Moreover an observatory for the sound application of these legal instruments was set up by Decision No. 106/CS/SG/MJ of 26 January 2007. These instruments will be discussed in detail in the 2007 report.

as well as, the conditions for referring matters to them and the procedure applicable before them shall be laid down by law.

311- The prevailing legal instruments in force to organise the Supreme Court namely, Ordinance No. 72/6 of 26 August 1972 to lay down the procedure and functioning of the said court and Law No. 75/16 of 8 December 1975 promulgated before the constitutional amendment were no longer adapted to the institutional framework set up in 1996. A new legal instrument was therefore required.

312- Law No. 2006/16 referred to above introduced the following innovations:

- the adoption of the name "First President" of the Supreme Court instead of President to take into account the existence of the President of the Bench and the indivisibility of the court;
- the institution of the post of First Advocate General;
- the institution of the posts of Judges and Advocates General for extraordinary service at the Supreme Court to, when need be, reinforce staff by bringing in personnel from universities and the Bar, with a view to lending support in audit and administrative litigation matters based on their expertise;
- the institution of sections at the Benches;
- the laying down of rules and time limits for hearing matters;
- empowering the Supreme Court to hear and determine an appeal where judgment delivered on the merits was quashed, to redress judicial delays prejudicial to litigants and disparaged by the public;
- the institution of a system to sort appeals in judicial matters by setting up joint sections to accelerate the hearing of matters where the appeal is inadmissible, manifestly lacks legal grounds or where plaintiffs may forfeit their rights; and
- the institution of a solemn court session to open the judicial year organised by the Supreme Court no later than the last day of the month of February, and presided over by the First President of the Supreme Court.

3) Organisation and Functioning of Regional Audit Courts

313- The aim of the Law to lay down the organisation and functioning of Regional Audit Courts, drawn up in application of Article 41 of the Constitution, is to bring the judge in charge of audit matters closer to accountants of regional and local authorities or public establishments.

314- Regional Audit Courts shall be competent, subject to the duties of the Audit Bench of the Supreme Court, to supervise and determine matters on the public accounts of local and regional authorities and public establishments within their area of jurisdiction.

315- They shall hear and determine litigations conferred on them by the Audit Bench of the Supreme Court and all other matters conferred on them by the Law.

316- They are divisions of the Audit Bench of the Supreme Court and their setting up in the regions is a major innovation.

4) Organisation and Functioning of Administrative Courts

317- This law was drawn up in application of the provisions of Article 40 of the 1996 Constitution. By adopting this law, the lawmaker wanted to bring administrative justice closer to litigants. The setting up of an administrative court in each region marks the regional decentralisation of administrative justice. In fact, until now, all administrative litigations were heard and determined by the Administrative Bench of the Supreme Court whose seat is in Yaounde.

318- Administrative Courts, which are awaited with much hope, were set up with a view to reducing the workload of the Supreme Court, render administrative justice accessible to all litigants and to promote fair trial within a reasonable time limit.

319- Administrative Courts entertain administrative disputes concerning the State, decentralised local authorities and administrative public establishments at first instance subject to the prejudicial matter under Section 14(2) of this law. This law empowers the administrative judge to have judicial control over operations to maintain peace and order (Section 2(3)(e)). These Acts which are open to different interpretations could henceforth be referred to the administrative judge to determine their legality.

Section 2- Intensifying the Fight against Corruption

320- The fight against corruption was intensified in 2006. It had two phases: preventive and repressive phases.

§1- Preventive Phase

321- The prevention of corruption was significantly manifested by the organisation of a sensitisation campaign on the ravages of this scourge and by the reinforcement of the legal and institutional framework of this fight.

A- Sensitisation Campaign on the Ravages of Corruption

322- On 17 January 2006, Government launched an extensive sensitisation campaign throughout the national territory led by the National Observatory for the Fight against Corruption (OFC), with the help of anti-corruption ministerial units[130].

323- The aim of this campaign was mainly to inform and sensitise Cameroonians of all walks of life and foreigners in Cameroon on the ravages of corruption.

[130] See 2005 report on this Observatory and its units pp. 173-174.

324- General opinion held that corruption significantly hinders the country's development and tarnishes its image abroad. At each provincial headquarters where the campaign was organised, the Chairperson of OFC discussed a theme.

325- Cameroon artists contributed as well through a competition for the best work of art within the framework of the fight against corruption, on the theme: Harmful Effects of Corruption and the Best Means of Combating It.

326- The support of friendly countries and NGOs was initially expressed by Mr Niels Marquardt, Ambassador of the USA to Cameroon, who backed Government initiative in an interview granted *Cameroon Tribune* on 19 January 2006[131]. His support of the fight against corruption was renewed on 22 February 2006 at Unity Palace[132] during an audience granted him by the President of the Republic, after the arrest of General Managers of some State enterprises[133].

327- Mrs Huguette Labelle, President of Transparency International reacted similarly twice: during a press conference on 9 March 2006 and during an audience granted her by the Prime Minister on 2 May 2006.

328- Mr Ali Kahdr, Director of Operations for Cameroon at the World Bank, during a visit to Cameroon, also expressed the Bank's support of the fight against alleged perpetrators of corruption and misappropriation of public funds[134].

329- UNDP equally backed the effort made by Cameroon in 2006 to improve on good governance and fight against corruption[135].

330- In the justice sector specifically, Government in partnership with the Commonwealth Secretariat, organised on 22 and 23 March 2006 in Yaounde, workshops for Judicial and Legal Officers of the Supreme Court and Heads of Court of Appeal respectively on the *"Independence of the Judiciary"* and *"Combating Corruption in the Courts"*.

331- At the end of these workshops, a draft code of ethics was adopted with emphasis on the following aspects:

1) Independence of the Judiciary

332- Judicial and Legal Officers must always preserve the independence of the judiciary. An independent judicial system is indispensable to an impartial judiciary.

[131] CT No. 8519/4718 of 20 January 2006.

[132] CT No. 8543/4742 of 20 February 2006, p. 2.

[133] Ibid.

[134] CT No. 8612/4811 of 5 June 2006.

[135] The involvement of UNDP was concretised by the signature on 23 February 2007 of the CBRC Programme document: *Change your Behaviour, Reject Corruption*. This document involving twelve partners, Cameroon, Germany, Canada, the United States of America, France, the Netherlands, the United Kingdom, the World Bank, the African Development Bank (ADB), the European Commission of the OECD and the UNDP Governance Network, is an instrument for combating corruption.

2) Integrity

333- The Judicial and Legal Officer must show proof of integrity in order to strengthen the confidence of the public in the judiciary.

3) Competence and Diligence

334- Judicial and Legal Officers shall discharge their duties diligently and competently:

- their duty must prevail over any other activity;
- they shall discharge their duties with celerity;
- they shall not be influenced by fear, public clamour or partisan interest in the discharge of their duty;
- they shall listen keenly to all persons concerned or involved in a proceeding; and
- they shall not act in any way incompatible with the discharge of their duties.

4) Equality

335- Judicial and Legal Officers shall, in the discharge of their duties, be fair to litigants.

5) Impartiality

336- Judicial and Legal Officers shall render impartial judgments. They shall, when they consider they cannot be impartial, decline jurisdiction to hear and determine a matter referred to them.

B- Legal and Institutional Framework for Combating Corruption

337- Enhancing the legal and institutional framework for combating corruption is manifested by the adoption of two important instruments: Law No. 2006/3 of 25 April 2006 on the Declaration of Assets and Decree No. 2006/88 of 11 March 2006 to set up the National Anti-Corruption Commission (CONAC).

1) Law on the Declaration of Assets

338- In application of Article 66 of the Constitution, this law determines a category of State personnel obliged to declare their assets notably:

- the President of the Republic;
- the Prime Minister;
- members of Government and persons ranking as such;
- the President and members of the Bureau of the National Assembly;
- the President and members of the Bureau of the Senate;
- Members of Parliament, Senators;

- all holders of elective offices;
- Secretaries-General of Ministries and persons ranking as such;
- Directors of the Central Administration;
- General Managers of public and semi-public enterprises;
- Judicial and Legal Officers;
- Personnel of government services in charge of the tax base, collection and handling of public funds and budget control; and
- all managers of public votes and property.

339- The following persons are equally obliged to declare their assets:

- the President of the Economic and Social Council;
- Ambassadors;
- Rectors of State Universities;
- Government Delegates to certain councils;
- Board Chairpersons of enterprises of the public and semi-public sector;
- Provincial Governors and Senior Divisional Officers;
- Chairpersons of Tenders Boards;
- Presidents of Trades Chambers;
- Managers of projects funded externally and/or with State subsidies;
- officials in charge of administrative and judicial liquidation;
- officials of public administrative establishments and State owned corporations up to the rank of Director; and
- Central Administration officials ranking as Central Administration Director.

340- Vote holders managing public funds of an association or any private body subsidised by the State shall equally declare their assets at the beginning and end of their term (Section 2 (1)).

341- This law specifies the type of assets (Section 3(2) and (3)) and the procedure for declaration. Sanctions are provided for refusal to declare or for false declaration (Section 15).

342- This law will become effective only with the putting in place of the Declaration Commission provided for in Sections 6 and 7.

2) Decree to Set up CONAC[136]

343- Pursuant to this Decree, CONAC is an independent public body in charge of contributing to the fight against corruption. Its main duties are to:

- follow up and evaluate the effective implementation of Government plan for combating corruption;

[136] The members and Permanent Secretary were appointed by Decree of 15 March 2007 and sworn in on 30 May 2007 before the Supreme Court.

- collect, centralise and exploit denunciations and information it receives on corrupt practices, facts or acts and related offences; and
- identify causes of corruption and propose to competent authorities measures likely to eliminate it from public and para-public services.

344- CONAC comprises a Coordination Committee and a Permanent Secretariat.

345- The Coordination Committee is headed by the Chairperson of the Commission. Apart from the Vice-Chairperson, this Committee comprises 9 members selected from among personalities who have shown proof of probity in the discharge of their function and who are of good moral standing. They are selected from both the administration and the civil society.

346- The Permanent Secretariat is headed by a Permanent Secretary who is the main administrative collaborator of the chairperson of the Commission.

347- Members of the Commission are bound by professional secrecy. Before taking up service, they take oath before the Supreme Court.

§2- Repressive Phase

348- Repression against corruption as defined by the United Nations Convention against Corruption (UNCAC)[137] was intensified in 2006. Proceedings were instituted and sentences pronounced.

A- Proceedings Instituted

349- In an interview granted *Cameroon Tribune* on 21 February 2006, the Vice-Prime Minister, Minister of Justice, Keeper of the Seals announced that the courts were studying half a dozen files[138] incriminating some personalities (ministers, parliamentarians, general managers and senior executives of State companies), for misappropriating public funds and other malpractices.

350- Within the framework of the operation dubbed *"operation épervier"* (Operation Sparrowhawk) by the media, several judicial inquiries were instituted against:

a) Giles Roger Belinga[139] and Others for misappropriation of public funds, co-offenders of misappropriation of public funds, participation in misappropriation of public funds, deception of shareholder, as indicated in the Table below.

[137] This Convention, as opposed to sections 134 and 134 bis of Cameroon PC which gives a restrictive definition of corruption, extends the scope of application of this offence to include misapprpriation or illegal use of property by a public employee, laundering of crime products, influence peddling, illegal enrichment, oppression in view of obtaining a favour for oneself, another person or entity, stealing of property in the private sector.

[138] CT No. 8521/4720 of 24 January 2006, p. 3.

[139] Former Managing Director of the Cameroon Real Estate Company (SIC).

ACCUSED	OFFENCE	AMOUNT IN CFA
Gilles Roger BELINGA	Misappropriation of public funds	5,308,779,050
SEME NOUNGON Gilles Roger BELINGA	Co-offender misappropriation of public funds	53,000,000
Gilles Roger BELINGA -EYEBE LEBOGO -HAMADOU OUSMANOU	Co-offender misappropriation of public funds	225,135,000
-Gilles Roger BELINGA -HAMADOU OUSMANOU -NGOUNE BEBE Charles Félix -NAMA NSIMI Patrice -NDENGUE Edmond Marie -SOULEMANOU ALHADDJI OUMAROU (Head of Maintenance Service) - HAMADOU OUSMANOU	Co-offender misappropriation of public funds	203,490,935 127,083,686 127,083,686 127,083,686
-Gilles Roger BELINGA -MESSI Claude B.	Abetting misappropriation of public funds, deception of shareholders	165,251,000 3,120,812,687
LUEZE Dieudonné	Abetting misappropriation of public funds, abetting deception of shareholders.	165,251,000 3,120,812,687
OSSOMBO BIDJAND Dieudonné	Misappropriation of public funds	321,885,730
ATEBA ENOBO Jeanne Marie L.	Misappropriation of public funds	75,661,215
SOPPO François Roger	Misappropriation of public funds	56,004,375
AMOUGOU Jules Martin	Misappropriation of public funds	169,627,050
NAMA NSIMI Patrice	Misappropriation of public funds, Co-offender of misappropriation of public funds	65,836,715 203,490,935
MVONDO David Eliezer	Misappropriation of public funds	25,729,730
NDOE ESSONO Martial Didier	Misappropriation of public funds	109,012,960
NGANDJEU Annie Chantal épse NJIKE	Misappropriation of public funds	59,011,975
OKASSIE AMBOLOU	Misappropriation of public funds	14,921,950
NDINGUE Edmond Marie	Co-offender in misappropriation of public funds	278,855 203,490,935
NNANGA NNANGA	Co-offender of of public funds	1,453,345 203,490,935
AYISSI TSALA	Misappropriation of public funds	22,690,615
TCHOMBE Sylvain Ilaire	Misappropriation of public funds	39,438 ,810

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TCHOMBE Sylvain Ilaire	Misappropriation of public funds	39,438 ,810

b) ONDO NDONG Emmanuel[140] and Others for misappropriation of public funds, abetting misappropriation of public funds, co-offender in misappropriation of public funds , according to the following Table.

ACCUSED	OFFENCE	AMOUNT in CFA
ONDO NDONG	Misappropriation of public funds	5, 278,445 ,180
ONDO NDONG NGUEMA ONDO MBELA Moïse KETCHAMI BESSALA NSANA	Co-offenders in misappropriation of public funds	1, 534, 273,687
ONDO NDONG NGUEMA ONDO MBELA Moïse KETCHAMI BESSALA NSANA	Co-offenders in misappropriation of public funds	5, 128, 122,300
ONDO NDONG NGUEMA ONDO ADJANG Marie Carine ELLESSA SOPPO Grâce	Co-offenders in misappropriation of public funds, Forgery	196, 391,563
ONDO NDONG ELLESSA SOPPO Grâce	Co-offenders in misappropriation of public funds	259, 000,000
ONDO NDONG EDJANG Marie Carine	Co-offenders in Forgery and misappropriation of public funds	46, 390,400
ONDO NDONG MBELA Moïse	Co-offenders of misappropriation of public funds	20, 348, 513,794
NGO BAYANAK Laurentine	Misappropriation of public funds	127, 979,277
ONDO NDONG NGUEMA ONDO BESSALA NSANA	Abetting misappropriation of public funds	127, 979 ,277
ONDO NDONG	Co-offender of	115, 510 ,000

[140] Former Managing Director of Special Council Support Fund (FEICOM).

MIBE Célestin	misappropriation of public funds	
NDOUKAN	Misappropriation of public funds	197, 050, 000
ONDO NDONG MBELA Moïse BESSALA NSANA	Misappropriation of public funds.	197, 050, 000
ABESSOLO EYI René	Misappropriation of public funds	32, 373, 800
EDJANG Marie Carine	Misappropriation of public funds	13, 955, 400
OMBALLA née NOVIANA ABLAVI KOFFIE Elisabeth	Forgery, Misappropriation of public funds	166, 176, 537
BESSALA NSANA	Interests in Grant	
MBELA Moïse	Misappropriation of public funds	306 ,577 ,474
BITYE BI EBANGA	Misappropriation of public funds	270 ,262 194
KETCHAMI Charles	Misappropriation of public funds	92, 855, 466
ONANA Janvier	Co-offender of misappropriation of public funds	12,800, 000
NJOMO NOMO Wenceslas	Misappropriation of public funds	13, 749, 031, 105
OLINGA MVOGO	Misappropriation of public funds	301, 696, 611
ZEH ZEH Justin	Misappropriation of public funds	1, 190, 392, 609
ANGUE Léonie Carine (at large)	Misappropriation of public funds	140,844,000
MONEMBAM ETO Alain (at large)	Misappropriation of public funds	116, 000 ,000
TCHUENTE NAMCHUENG	Misappropriation of public funds	216, 362, 592
ZE ABEL Ruben	Misappropriation of public funds	1, 048, 512, 957

MEDJO Edmond	Misappropriation of public funds	1, 782, 375, 435
NGOTCHOH NYAMSI Angèle (Mrs NDANGFEU)	Misappropriation of public funds	16 ,351 ,467
EKOMESSE Luc Albert	Misappropriation of public funds	359, 009, 397
NDODE Jérémiah EBONG	Misappropriation of public funds	188, 059, 490
EVINA BIDOUNG Georges	Misappropriation of public funds.	294, 257, 082
NDEMA ASSOUMOU Bonaventure	Misappropriation of public funds	37, 289, 418
Mrs NICOL born KOH Berthe Josette Florine	Misappropriation of public funds	7, 591, 017
KALTJOB Aaron Raymond	Misappropriation of public funds	423, 392, 000
MIBE Célestin	Misappropriation of public funds	149 ,384, 358
PEH VI Daniel Gauthier	Misappropriation of public funds, Abetting misappropriation of public funds	853,301, 575 448, 981 ,275
Mrs KOUAMEDJO ETOGA Marie Gabrielle	Misappropriation of public funds	56, 329, 683

c) EDOU Joseph [141] and Others for misappropriation of public funds, abetting misappropriation of public funds, co-offenders in misappropriation of public funds, deception of shareholders, swindling, forgery and use of forged documents and abetting, according to the following Table.

ACCUSED	OFFENCE	AMOUNT IN CFA FRANC
EDOU Joseph	Misappropriation of public funds, False Evidence, Swindling, Interest in Grant, Abetting, Co-offender	7,040, 251, 302
BOOTO A NGON André	Misappropriation of public funds, Interest in a deed, Abetting, Co-offender	6, 095, 324, 803
NDAME NDONGO YOLO (Mrs KWA MBETTE (at large)	Misappropriation of public funds, Abetting	1, 022, 12,120
ESSAMA ZOH Gervais Martial	Misappropriation of public funds, Co-offender, Abetting	3, 697 ,222 ,577

[141] Former Director General of the Cameroon Housing Loans Fund (CFC).

MEKE Raphaël	Misappropriation of public funds, Interest in Grant , Abetting, Co-offender	4 ,018 ,460 ,827
TIENTA Côme	Misappropriation of public funds, Deception of shareholders	69, 951, 000
KOOH II Charles	Misappropriation of public funds, Deception of shareholders	36, 870, 000
TCHOUBET Joseph	Misappropriation of public funds, Co-offender, Deception of shareholders	64,725, 000
Mrs FOUMENA BIABI Georgette	Misappropriation of public funds, Co-offender	65, 469,500
NZOKE Dieudonné	Misappropriation of public funds, Abetting	14 , 420 ,000
BAMA Michel	Misappropriation of public funds	14, 420 ,000
TCHUYASSI Joseph	Misappropriation of public funds, Forgery	831, 131 12 ,590 ,889 + salaries
BIKOKO Jean	Misappropriation of public funds, Forgery	17 ,713 ,857
Mrs AMOUGOU ATCHE A NGON	Misappropriation of public funds, Co-offender	484 ,227 ,156
AMOUGOU Albert Roland	Misappropriation of public funds, Co-offender	484 ,227 ,156
LENTEU NGUEMENI Ernest	Misappropriation of public funds, Abetting	
ABOLO Albert Désiré	Misappropriation of public funds, Forgery	7, 196, 138
CHATCHUIN Nicéphore	Misappropriation of public funds, Forgery	10 ,435 ,434 11 ,312 ,232
NAOUSSI Fabien	Misappropriation of public funds, Forgery	1, 532 ,245 12 ,454,386
MINTANGUELE Alexis	Misappropriation of public funds, Co-offender	349, 316 ,300

MOUSSIO MOUELLE	Misappropriation of public funds, Co-offender	349, 316 ,300
BEMA Emmanuel	Misappropriation of public funds, Co-offender	110 ,768 ,000
KOH KOH	Misappropriation of public funds, Co-offender	3, 586, 554, 577
TCHOUFA Roger	Misappropriation of public funds, Co-offender	3, 586, 554, 577
NKORO Jacques	Misappropriation of public funds, Co-offender	3,586, 554, 577
DJOMO Charles Constant (appellant at large)	Misappropriation of public funds, Co-offender	3, 586,554, 577
NGONGO DJOMO Félicité Mrs TCHOUFA Isabelle	Misappropriation of public funds, Co-offenders	3, 586, 554, 577
ZIBI SAMBA Nicolas Francis	Misappropriation of public funds, Co-offender	2, 950, 000
ONANA Victor (at large)	Forgery, Co-offender	
EYIA Dieudonné Jean Oscar (at large)	Forgery, Co-offender	
ENGOULOU Jean Paul	Misappropriation of public funds, Co-offender	2, 950, 000

d) SIYAM SIEWE Alphonse[142] and Others are prosecuted for misappropriation of public funds, co-offender of misappropriation of public funds, interest in grant, land swindling and abetting land swindling, as indicated in the table below:

[142] Former General Manager of the Ports Authority, Douala (PAD) and former minister.

ACCUSED	OFFENCE	AMOUNT IN CFA FRANC
SIYAM SIEWE Alphonse	Misappropriation of public funds, False Evidence, Abetting, Co-offender	38 billion
SIEWE NITCHEU François Marie	Misappropriation of public funds, Abetting - Co-offender.	19 billion
ZIBI François Martin	Misappropriation of public funds, Abetting	2.6 billion
KAMDEM	Misappropriation of public funds, Abetting, Co-offender	2.6 billion
Mrs NTATCHO TCHEKAM Silvianne	Misappropriation of public funds, Abetting, Co-offender	2.6 billion
Edouard ETONDE EKOTO	Misappropriation of public funds	19 billion
BIBILA TITA	Misappropriation of public funds	1.350 billion
NOAH	Misappropriation of public funds, Co-offender	958 million
MEUSITCHEU MONGA Jean Paul	Misappropriation of public funds, Co-offender	769 million 65, 469, 500
ASA'ANA NTSANG-MBANG Thompson	Misappropriation of public funds, Co-offender	577 million
DINGANA Faustin	Misappropriation of public funds, Co-offender	116 million

351- It is worthy of note that all these matters are pending before trial courts.

B- Convictions in 2006

352- Prior to " Opération Epervier" (Operation Sparrowhawk), other cases of misappropriation of public funds were referred to some courts of the Republic. These cases were tried and the offenders convicted.

353- The Court of Appeal of the Littoral Province rendered several decisions to convict or to confirm judgments delivered against persons convicted for misappropriation of public funds. The following judgments can be mentioned:

- By judgment No 75/crim of 31 January 2006 in The People and the State of Cameroon (MINPTT) vs Mrs ATEBA EDZIMBI Marie, the accused was sentenced to 10 years imprisonment for misappropriation of public funds;

- By judgment No 92/crim of 31 January 2006 in The People and MINEFI (liquidation of NPMB) vs GORTZOUNIAN Eric ACHOD, the accused was found guilty of attempted misappropriation of public funds and sentenced to life imprisonment;

- By judgment No 115/crim of 28 March 2006 in The People and the General Paymaster of Nkongsamba vs KANG Martin APANG, WANE Divine WANE, the accused were convicted for misappropriation of public funds and abetting the misappropriation of public funds. The Court of Appeal confirmed the conviction of KANG Martin of 10 years imprisonment;

- By judgment No 127/crim of 5 April 2006 in The People and MINEFI Vs FONBOD David, the accused was convicted for forgery and attempted misappropriation of public funds. The Court of Appeal dismissed his appeal against his conviction of 10 years imprisonment;

- By judgment No 150/crim of 7 June 2006 in The People and the Melong Post-Office vs NDE Philippe and SOH Gilbert, accused of forgery and attempted misappropriation of public funds, the Court of Appeal confirmed the conviction of the accused persons of 5 years imprisonment each;

– By judgment No. 155/crim of 5 July 2005 in The People and the State of Cameroon (MINEFI) vs OWOUNDI Pierre Vincent de Paul, accused of misappropriation of public funds, the Court of Appeal confirmed his conviction of 10 years imprisonment;

- By judgment No. 178/crim of 25 July 2006 in The People and MINEFI vs KAMAYOU Joseph, TCHOUBO Jacques, NJEMFIT Roland, accused of co-offenders of forgery of treasury bonds and trademarks, the Court of Appeal confirmed the conviction of NJEMFIT Roland of 10 years imprisonment; and

- By judgment No. 191/crim of 2 August 2006 in The People and the General Hospital, Douala vs SONNE Paul Alain, KAMKOUM Jean Paul, co-offenders in misappropriation of public funds, the Court of Appeal confirmed their conviction of 10 years imprisonment and a fine of CFA 500,000 each.

354- The above panorama of actions and measures is testimony that the fight against corruption is, unlike in the past, concrete and real. No one is spared from judicial proceedings. It is, however, expected that through the implementation of international judicial cooperation mechanisms provided for by the Merida Convention, assets misappropriated and deposited in foreign financial institutions will be repatriated for Cameroon's development and, in particular, for the improvement of the standard of living of Cameroonians.

CHAPTER 2: RIGHT TO ADEQUATE STANDARD OF LIVING

355- Article 25 (1) of the UDHR *provides: "Everyone has the right 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, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control".*

356- Article 11 (1) of the ICESCR provides for a certain number of rights for an adequate standard of living *"including food, clothing and adequate housing"*. The CESCR in its General Comment No. 15 adds that the right to water is an integral part of fundamental guarantees to ensure an adequate standard of living given that water is an essential element of survival[143].

357- The aim of this chapter is to analyse components of the right to adequate standard of living that were achieved or were violated in 2006. These include especially the right to balanced diet, the right to decent housing and the right to energy and water.

Section 1- Right to Food Sufficiency

358- The strategy adopted by Government to promote the right of Cameroonians to food sufficiency was based essentially on the development of an agricultural programme to ensure food security, and special measures taken by the Head of State to reduce the prices of certain basic products.

§1- Agricultural Development and Food Security

A- Agricultural Development

359- The 2006 agricultural campaign was launched by the Minister of Agriculture on 4 April 2006, at a ceremony organised in Batoke, South West Province.

360- On the same day, the State allocated CFA 400 million (about 610,687 euros) to some micro finance networks in rural areas for financing small and medium-sized agricultural enterprises.

361- Before this campaign was launched, Government granted CFA 11 billion (about 16,793,893 euros) on 27 February 2007 to finance a pilot project for young farmers in the Adamawa Province.

[143] See Final Report by Special Rapporteur, Mr. El Hadj Guissé, entitled "Rapport entre la jouissance des droits économiques, sociaux et culturels et la promotion de la réalisation du droit à l'eau potable et à l'assainissement ».(Relationship between the Enjoyment of Economic, Social and Cultural Rights and the Enjoyment of the Right to Drinking Water and Sanitation). E/CN4/Sub.2/2004/20 Doc. of 14 July 2004 by the Sub-Commission for the Promotion and Protection of Human Rights.

362- To ensure the implemention of Government agricultural programme, the Prime Minister held a meeting on 6 July 2006, to boost agricultural production, draw up a plan for the introduction of mechanised agriculture for the cultivation of high-income-generating products, operationalise the fund to revamp the cacao and coffee sectors, accelerate studies on the project for the setting up of an agricultural bank and the promotion of irrigation techniques.

363- The following programmes were drawn up to develop agriculture and improve on the food security of Cameroonians:

- farm development programme;
- input development programme;
- development programme for the competitivity of agricultural and food products;
- professional agricultural organisations development programme;
- national agricultural popularisation and counselling programme;
- agricultural land management programme;
- agricultural water management programme;
- community development programme;
- agricultural finance support programme;
- renovation and development of professional agricultural training programme;
- young farmers support programme;
- national food insecurity management risks programme;
- capacity building for the implementation of the strategy programme; and
- promotion of a favourable statutory and regulatory environment programme.

B- Implementation of Food Security

364- Evaluation of food availability depends on the quality, quantity and especially balanced diet. "New HIPC Projects"[144] statistics for 2006 reveal that Cameroonians consumed 2,500Kcal/day.

365- Other programmes on agricultural production intensification, training of rural masses and the distribution of food aid made food availability and security possible.

1) Intensification of Agricultural Production

366- Agricultural production is backed by the distribution of good quality plant material. 2,500 hectares of palm plantation, 4,400 hectares of new plantain plantations, 4,000 hectares of new farms to produce 10,000 tons of plantains and 16,000 tons of maize have been set up.

[144] Name provided by the Department of Inquiries and Statistics of MINADER.

367- Mechanised agriculture by farmers associations was launched and CENEEMA[145] distributed farm machinery, tractors and motorised cultivators to more than 60 farming groups.

368- Within the framework of seed popularisation programmes, Government distributed 1,000,000 genetically modified cassava cuttings, 7 tons of maize seeds, 30 tons of sweet potato cuttings and 200,000 tons of cocoa beans.

2) Training Rural Masses

369- The training of rural masses was possible thanks to the presence of instructors from the National Popularisation and Agricultural Counselling Programme (PNVCA) in rural areas.

3) Food Aid Distribution

370- Government, the World Food Programme (WFP) and bilateral partners distributed food to the most vulnerable areas in the Adamawa, North and Far North Provinces.

371- However, in spite of efforts undertaken to ensure food security in the country, there is still food insecurity in some areas. Available food imbalance between production and the population in several regions such as Logone and Chari Division, increasing demand by neighbouring countries, the drop in the purchasing power of some of the people, and the outbreak of the bird flu epidemic greatly affected food security in 2006.

372- The bird flu epidemic greatly perturbed the eating habits of Cameroonians and had major harmful socio-economic consequences. On 4 April 2006, 132,000 rotten eggs were destroyed in Bafoussam. The President of l'Interprofession avicole du Cameroun (Poultry Farmers Union of Cameroon) (IPAVIC) evaluated the financial loss at more than CFA 2.5 billion, (about 3, 816, 793 euros).

373- This situation led Government to launch an intensive sensitisation campaign on the nature of the epidemic and it assured the people that the consumption of chicken and eggs is not dangerous if properly prepared.

§2- Drop in Prices of some Basic Products

374- Ordinance No. 2006/1 of 28 September 2006 by the President of the Republic reduced taxes paid on some basic products. These include especially, frozen chicken, semi-white or white, polished or iced rice, maize flour, oil cake or solid maize germ extraction wastes, crushed or agglomerated as pellets and unrefined non iodized salt. This measure reduced the external common tax (TEC) to 5% as opposed to that on other imported products that may rise to 58%.

[145] CENEEMA : Agricultural Mechanisation Study and Experimentation Centre.

375- Government commitments to immediately implement these new prices was manifested by the signing on 13 October 2006 of three agreements between Government and importers of each of these products which led to the immediate drop in the prices of the products mentioned above.

376- Government and operators of this sector agreed to continue, through permanent consultation, with the price drop process initiated. The parties finally agreed to carry out joint missions to producer countries to negotiate supplies from the source instead of passing through foreign intermediaries, as is currently the case.

377- It should however be noted that Government effort seems to be thwarted by traders' incivility. Therefore, officials of the Ministry of Trade should be vigilant. It is only by making such sacrifices that Cameroonians would feel the State's efficient protection of their rights to food sufficiency.

Section 2- Right to Decent Housing

378- One of the essential characteristics of the right to decent housing, namely affordability, implies that housing cost for individuals or households does not threaten or jeopardise the satisfaction of other fundamental needs[146].

379- Government is building decent and affordable houses[147] to meet this objective. However, these efforts are undermined by the spontaneous building of houses in disregard of town planning norms. Attempts by competent authorities to avoid ghettos in our towns are paradoxically poorly interpreted and considered a violation of the right to housing. The reaction of the masses following the eviction of some people in Yaounde is a glaring example.

§1- Improving Housing

380- To achieve its policy of promoting the right to decent housing, Government entered into partnership with commercial and industrial companies and NGOs to promote local building material and to build low-cost houses.

[146] General Comment No. 4, adopted at 6th session of the Committee on Economic Social and Cultural Rights (1991) UNO doc. E. 1992/23.

[147] In fact, during the second UN Housing Conference (HABITAT II) in Istanbul (Turkey) from 3 to 14 June 1996, two themes were adopted: "Adequate Housing for All" and "Sustainable Development of Human Establishments in an Increasingly Urbanized World". Presentation on these themes stated that decent housing should :

- be sufficiently big, lit, warm and airy;
- provide intimacy;
- be physically accessible (ensure the evacuation of individuals and allow external help to be brought in case of danger);
- ensure security (should be built on solid ground);
- ensure the enjoyment of secured occupation (necessity of owing a land title to avoid eviction);
- be stable and durable (construction phases are respected and building material are solid and adapted to the soil).
- be equipped with basic infrastructure (water supply, sanitation, waste management) and be ecologically adequate and hygienic; and
- be situated at a convenient distance from the place of work and basic services.

It should be affordable.

A- Promotion of Local Building Material

381- Many partnership agreements have been signed, especially between the State of Cameroon, represented by the Ministry of Town Planning and Housing (MINUH) and the Mission for the Promotion of Local Materials (MIPROMALO) and the Ekonou tile pilot unit.

382- The partnership agreement signed on 19 February 2004 between MINUH and MIPROMALO which was dormant was revived in 2006 by the Ministry of Urban Development and Housing. The objective of the agreement is to exploit research results by MIPROMALO and its technical support in using techniques and materials adapted to ecosystems and to improve the living conditions of the masses through training in and production of earth products. Concretely, MIPROMALO constructed houses in Baka communities[148] as a pilot project.

383- Such popularisation campaign for the use of local material in building houses is enhanced by boosting the Ekonou Tiles Promotion Pilot Unit (UPT)[149]. The main aim of this programme is to curb urban and rural poverty by sensitising and training low-income masses. It is equally to support local governments, associations and NGOs in this sector whose key mission is to help the poor. The role of public services is to train all these actors and give them the required technical assistance. Such support is offered by promoting local building materials and the strong involvement of local authorities in decentralisation that was mentioned above.

384- The first phase of the project consists in producing a manual based essentially on material produced out of earth, its production and implementation techniques followed by sensitisation and training at different levels. At the national level, training is done at the Ekonou Pilot Unit that is already operational but which requires appropriate restructuring. Several sites are envisaged at the local level: councils, neighbourhoods and the media. CFA 25 million (about 38,167 euros) was allocated in the 2006 budget for the drawing up of this manual.

B- Building of Public Houses

385- Government has initiated a project for the building of public houses, which includes the Limbe Shipyard Project and the hall of residence for students.

1- Execution of the Public Housing Programme

386- The overall objective is to enable the underprivileged to own decent houses within the framework of poverty alleviation undertaken by the State. In 2006, MINDUH within the framework of Government housing for delinquent youths built training cen-

[148] The Bakas are a Cameroonian community commonly called "pygmies" who are found in the South and East Provinces of the country.

[149] This structure was set up in 1995following an agreement between the Government of Cameroon and the Economic Commission for Africa (ECA). Its goal is to promote and popularise tiles in Cameroon and in CEMAC countries by training SMEs and ensuring quality with a view to standardising this material.

tres in Nkomkana (Yaounde) and Foumban[150]. Another centre is being built in Nanga-Eboko. Moreover, to ensure the effective implementation of its programme, Government expects the following results:

- implementation of the pilot phase of the programme comprising the building of 1,000 houses in Yaounde (Olembé) and Douala (Mbanga Bakoko and Logbessou TV) and the development of 5,000 plots;
- increase in the supply of houses;
- job creation and promotion of SMEs; and
- reduction in the cost of houses by;

  - using local building material;
  - the State's assistance in providing infrastructure; and
  - upgrading houses.

387- In this perspective, brainstorming was carried out in the Prime Minister's Office in 2006 and the following measures taken:

- the implementation of a special programme for the construction of 10,000 houses and the provision of 50,000 free lots;
- the institution of a consultation framework for all stakeholders for better synergy;
- the involvement of councils and civil society in housing policy; and
- the setting up of a National Housing Board.

388- Housing contracts were signed on 3 March 2006 between the Yaounde and Douala City Councils, and Government. The aim is to enable these local authorities to build houses.

389- The Housing Loan Fund was called upon to solve the housing crisis. Its General Manager announced the financing of 50,000 houses[151].

390- However, the implementation of this measure faced some difficulties relating to determining reliable criteria for implementing the public housing programme.

2) Implementation of the Limbe Shipyard Project

391- The Limbe Shipyard project is managed by the Cameroon Ship Building Company (CNIC). It is a joint venture with the State of Cameroon as majority shareholder. This project has two phases:

- an industrial phase comprising building and repairing ships, rehabilitating oil platforms and industrial engineering; and

[150] Training centres for delinquent youths are structures set up by MINDUH to train idle and homeless youths in towns. These centres supervise, train and establish youths in small businesses.

[151] See C.T. No. 8679/4878 of 8 September 2006 pp. 16-17.

- a social phase for the construction of 2,500 houses for personnel that will involve the building and installation of major local and regional infrastructure and equipment.

392- This project will create 3,500 direct employment, about 1,000 subleasing jobs and as much indirect employment in the hotel, catering, transport and other sectors. The implementation of the social phase for the building of 2,500 houses, with the first phase comprising 350 houses, which had to be completed in June 2006, was postponed to June 2007.

3- Hall of Residence for Students

393- The issue of hall of residence for students was equally discussed in 2006. To satisfy this sensitive group, a university hall of residence with 400 rooms which meets standard norms is being constructed and a Special Brigade for Rents Paid by Students in State Universities was set up by Interministerial Order No. 6/MINDUH/MINCOMMERCE/MINDAF/MINESUP of 30 June 2005. Its composition was determined by Order No. 10/MINDUH of 7 July 2005 by the Minister of State, Minister of Urban Development and Housing.

394- The Brigade carried out the following activities in 2006:

- several visits to the Universities of Yaounde I, Ngoa-Ekelle and University of Yaounde II, Soa, the University of Douala (ESSEC and Ndogbong campuses) and the University of Buea;
- identification, recruitment and training of interviewers; and
- simultaneous surveys in Soa and Ngoa-Ekelle[152].

395- The following problems relating to the housing of students were identified after the surveys:

- insufficient houses;
- high rents;
- resistance from proprietors of students residential areas;
- construction of shanty towns in university residential areas, poor infrastructure, promiscuity, haphazard buildings, absence of rules and norms;
- poor demarcation of university lands;
- obsolete and inhygienic houses which is dangerous to occupants; and
- insecurity.

[152] These surveys were launched in September 2005.

§2- Eviction from Etetak (Yaounde): Violation of the Right to Housing?

396- In 2006, the Yaounde City Council evicted illegal inhabitants in areas prohibited for the building of houses so that the town, this *"happy historical accident"*[153] does not become a tragic universe.

397- This is the case of Etetak neighbourhood in Yaounde where Government was accused by some NGOs of violation of the right to housing because huts were demolished.

398- The World Organisation Against Torture (WOT) reported these acts to the High Commissioner for Human Rights alleging that the demolitions:

- led to confrontations between the forces of law and order and the inhabitants;
- were not preceded by summons to quit, and worst still, a re-housing or adequate compensation plan; and
- violated many economic, social and cultural rights of the international covenant relating thereto, ratified by Cameroon.

399 The organisation requested the:

- halt of expulsions and demolitions;
- guarantee of the physical and psychological integrity of persons evicted; and
- opening of an extensive inquiry on these events and criminal, civil and/or administrative responsibilities established.

400- Inquiries and visits to the locus by competent authorities established that:

- no occupant had taken up residence in this area for 40 years contrary to allegations made;
- the oldest occupants took up residence about 5 years ago;
- several eviction orders were issued in 2000, 2001, 2005 and before the eviction in November 2006;
- building in this ecologically fragile area is prohibited; and
- hygiene and sanitation are precarious and there is neither water nor electricity which are sources of insecurity to occupants.

401- The aim of the eviction order was to protect these people rather than deprive them of an essential human right. However, Cameroon should adopt a reliable housing policy that guarantees Cameroonians the fundamental right to decent housing.

402- Many observers hold that Cameroon Real Estate Corporation (SIC) and the Housing Loan Fund (CFC) have failed in their housing missions. SIC's supply of houses is insignificant to increasing demand. Maintenance and management of existing houses are recurrent problems.

[153] To quote the interesting formula by the historian Fernand Braudel, in Atlas du Monde diplomatique, Hors-Série 2006, p. 34.

403- The CFC, funded by contributions from civil servants, is criticised for failure to fulfil its mission of financing public housing. For some years now, it is believed that the Fund tends to model its activities on those of traditional banking institutions which is not its original purpose.

Section 3- Right to Energy and Water

404- To concretise the objectives of the Head of State to improve on the supply of power and water and especially to respect the obligations of the State as specified in General Comment No.15 of the CESCR, the Ministry of Water and Energy (MINEE) took positive steps to guarantee better access to water and energy.

405- As regards water especially, the CESCR requires the State, within the limits of available resources:

"a) To ensure access to the minimum essential amount of water, that is sufficient and safe for personal and domestic uses to prevent disease;

b) To ensure the rights of access to water and water facilities and services on a non-discriminatory bases, especially for disadvantaged or marginalized groups;

c) To ensure physical access to water facilities or services that provide sufficient, safe and regular water; that have a sufficient number of water outlets to avoid prohibitive waiting times; and that are at a reasonable distance from the household;

d) To ensure personal security is not threatened when having to physically access water;

e) To ensure equitable distribution of all available water facilities and services;

f) To adapt and implement a national water strategy and plan of action addressing the whole population...;

g) To monitor the extent of the realisation or the non-realisation of the right to water;

h) To adapt relatively low-cost targeted water programmes to protect vulnerable and marginalized groups;

i) To take measures to prevent, treat and control diseases linked to water, in particular, ensuring access to adequate sanitation"[154].

406- Moreover, in the domain of electricity Government focused on:

- institutional reform;
- review of the normative framework especially the amendment of concession contracts;
- enhancing electricity production capacity;
- increasing access to power;
- securing supply;
- improving the quality of electricity services;
- equity in treatment of consumers:
- increasing services; and
- follow-up of the liberalisation of the sector.

[154] Comment adopted during the 29th session (2002), UN Doc. E.C 12/2002/11, 20 January 2003, para. 37

407- Decisive steps were taken in the sectors of petroleum products and new sources of energy.

§1- Water Sector

408- Government laid emphasis on the modernisation of the system and on adjustment programmes.

A- Good Governance of Water Exploitation and Distribution System

409- As a result of obsolete networks, low connection rate, considerable imbalance between supply and demand[155], low SNEC subscription rates (20%) and the need to restructure the sector, the system was modernised in 2006 by continuous reform of the supply sector that led to the setting up of the Cameroon Water Utilities Corporation (CAMWATER) by Decree No. 2005/492 0f 31 December 2005. The aim of CAMWATER is to manage the rights and property of public services in charge of water in urban and peri-urban areas

410- Decree No. 2005/493 of 31 December 2005 laid down the terms and conditions for the delegation of public services in charge of water and liquid treatment in urban and peri-urban areas in Cameroon.

411- These decrees were supplemented by Decree No. 2006/117 of 29 March 2006 to approve the Articles of Association of CAMWATER.

412- The reform of this sector led to the recruitment of an official to manage distribution.

413- The implementation of Laws No. 2004/18 of 22 July 2004 and No. 2004/19 of 22 July 2004 to lay down rules applicable to councils and regions respectively led to the integration of regional and local authorities in the management and use of water in rural and urban areas.

414- These legal instruments, lay down a new legal framework for the exploitation, treatment, distribution and management of water. They equally offer the possibility of expanding the distribution network in towns.

415- Following recommendations made at the Johannesburg Summit on Sustainable Development, Cameroon adopted the Dublin Principle which requires all nations to have an integrated water resources management plan. The document on the application of this principle is being prepared.

[155] For instance, the demand for drinking water is 140,000m3 per day in Yaounde as against 90,000m3 produced, a deficit of 50,000m3 per day. In Douala, this deficit is evaluated at 100,000m3 per day.

B- Adjustment Programmes

416- Effort made by MIMEE to improve on the standard of living of Cameroonians include the improvement on water supply, increase in the number of households with access to water, and continuous brainstorming on the management of water resources with special emphasis on the protection of the water table.

417- The following actions were taken with regards to water supply in urban areas: search for funding to improve on water supply in Yaounde and Douala;
completion of the following works:

- water supply to Soa;
- water supply to Maroua;
- water works in Kaele;
- rehabilitation of taps in the Sanaga Maritime Division; and
- water wells in 113 localities of the country.

• launching of consultations to realise the following projects:

- studies for the treatment and supply of water in 12 towns;
- studies for securing the supply of water to Yaounde and the Mefou Division;
- sanitation in towns;
- negotiation and funding of the treatment and supply of water in 16 centres; and
- studies for 10 dams.

- Carrying out the following studies:

• drawing up of a water treatment and supply policy in urban areas; and
• inventory of water supply works.

418- Rural water supply projects:

- The realisation of the following project:

• Batcham rural water project;
• Public Investment Budget (PIB) sponsored rural water projects; and
• HIPC sponsored rural water projects.

- 4th Japanese rural water project:
• rehabilitation of initial Japanese rural water projects;
• organisation of water inspection;
• Integrated National Water Resources Management Action Plan;
• Water for African Cities phase II (WACAP II) project; and
• supply of water to 20 centres.

419- These achievements notwithstanding, the right to the protection of water is an acute problem in Cameroon considering the abuses suffered by users as a result of untimely water supply cuts, fictitious bills and poor water quality. Yearly cholera epidemics, especially in 2006 prove that this right is not respected in Cameroon. It is, therefore, necessary to amend the 1998 Law to clearly and concretely protect the right of citizens to water as required by the CESCR.

§2- Energy Sector

420- Government effort in this sector included the improvement of power supply, boosting the capacity of electricity production, security of energy supply, improvement of service quality, improvement of petroleum and gas products and the promotion of new sources of energy.

A- Improvement of Power Supply

1) Institutional Reforms of the Electricity Sector and Privatisation of SONEL

421- The Cameroon Electricity Corporation (EDC) was set up in application of a recommendation by the Power Steering Committee.

422- This corporation is required to constitute a financial expert group to oversee and manage State interest in the electricity sector. To this end, it shall carry out, on behalf of the State, studies and the promotion of hydroelectric projects, the realisation and exploitation of national and regional projects as well as the accounting and financial management of State property in the electricity sector.

423- One of its main duties will be to prepare and construct the Lom Pangar Dam of which it shall be the delegated project owner and contractor as well as the exploitation of control dams which are no longer under AES SONEL concession.

424- In 1998 the electricity sector was liberalised to encourage private investments and to ameliorate its contribution to the country's economic growth.

425- Within the framework of this reform, two new organs were set up:

- the Electricity Sector Regulatory Board (ARSEL) in charge of ensuring the smooth functioning of the electricity sector, maintaining its economic and financial stability and protecting the interest of consumers and operators; and
- the Rural Electrification Board whose duty is to promote the development of rural electricity in Cameroon.

426- The National Electricity Corporation was privatised in 2001 and a limited liability corporation set up in partnership with AES SONEL.

B-Electricity Production

427- To curb the country's electricity production deficiency, the following projects to increase power supply were realised:

- The construction at several "South Interconnected Network" points of diesel thermal power plants with a capacity of 48 MW since 2001;

- The construction since 2004 of a heavy fuel oil power plant with a capacity of 85 MW in Limbe and a 95 KV power transport line to carry energy to the Limbe station.

428- These projects have increased AES SONEL power supply from 812 MW before privatisation of SONEL to 945 MW.

429- To lay the basis of our country's electrical power supply security, the study for the 2030 Electricity Sector Development Plan (PDSE) has been realised. This study represents the transposition in the electricity sector of the determination of the Head of State to "develop Cameroon".

430- The stakes of PDSE 2030 consists on the one hand, in promoting demand and strong economic growth, and on the other, in ensuring cheap electricity supply with acceptable risks.

431- With regard to demand, PDSE 2030 takes into consideration increase demand by the public sector and that of industry especially the aluminium industry which alone consumes 40% of the country's electricity.

432- Pertaining to production, PDSE 2030 defines for the various demands, the optimal investment programme of the country's production means mainly from the rich hydro electric potential (115 TWh 80% of which are found in the Sanaga Basin) as well as the country's huge natural gas reserves. It equally analyses interconnection possibilities with neighbouring States from existing hydro electric projects and especially the Inga-Calabar network.

433- The following production changes identified and made on the said plan are being prepared for subsequent realisation:

- a reservoir dam at Lom Pangar with a holding capacity of 7 billion m3 of water;
- a gas plant of 150 MW in Kribi linked to a power transportation line with a capacity of 225 KV at a cost of CFA 85 billion;
- a hydro electric plant of 230 MW at Nachtigal at a cost of CFA 250 billion within the framework of the extension of the aluminium plant in Edea;

- a hydro electric plant at Memve'élé on the Ntem with a capacity of 201 MW at a cost of CFA 145 billion;
- a hydro electric plant at Colomines on the Kadey with a capacity of 6 MW expandable to 12 MW and a 30 KV line to carry energy to Bertoua.

434- As concerns increase in the access of households to energy, about 310 new localities were electrified from 2003 to 2006 through different electrification programmes, bringing the number of electrified localities from 2,100 to about 2,500. These programmes account for investments worth CFA 7.582 billion.

435- The National Poverty Reduction Energy Plan (PANERP) was drawn up with the support of donors within the framework of the implementation of the Millennium Development Goals (MDG). It aims at improving access to modern power services in priority sectors with a view to reducing poverty.

C-Energy Supply Security

436- Shortage which existed before and after the privatisation of SONEL was gradually reduced. This is mainly due to the following investments by AES SONEL within the framework of the implementation of concession and licence agreements signed with Government in 2001:

- the construction and operation of an 85 MW heavy fuel power plant in Limbe which raised total power supply to 945 MW;
- the conversion of the heavy fuel power station of Oyomabang in Yaounde;
- the rehabilitation of isolated power supply plants; and
- the installation of condenser banks at different points of the South Interconnected Network to compensate for technical reactive power loss on the transport network resulting in power gains estimated at 20 MW.

437- This situation is fragile because Cameroon faces a structural shortcoming that can be solved only by the successful implementation of the following projects envisaged by the Head of State:

- the Kribi gas plant of 150 to 200 MW to go operational in 2008;
- the Lom Pangar reservoir dam to stabilise the flow of the River Sanaga the construction work of which will commence in 2009;
- the 25 MW power plant at the Lom Pangar reservoir dam;
- the hydro electric plant of 280 to 300 MW at Nachtigal which will go operational in 2010;

- the 75 MW hydro electric plant on the Bini at Warak to boost electricity supply on the North Interconnected Network from 2011 and to meet the interconnection requirements with neighbouring countries;

- a hydro electric plant at Colomines on the Kadey with a capacity of 6 MW expandable to 12 MW to supply power to the East; and

- a 150 to 200 MW hydro electric plant at Memve'élé on the Ntem to meet part of the local demand and supply some neighbouring countries.

439- Most of the feasibity studies for the realisation of this project were started and continued in 2006.

D -Quality Service

440- In towns and the countryside, households and businesses suffer from frequent power cuts. In most cases, power cuts stem from obsolete and saturated transport and distribution equipment owned by the public service contractor. This equipment that was installed to supply a volume of electricity that has been considerably exceeded have outlived their technical lifespan and have not been regularly maintained and renewed.

441- To redress this situation AES SONEL, under the impetus of Government and a group of donors led by the "Société Financière Internationale (SFI), has signed a loan agreement of about CFA 157 billion for investments over 5 years. This major international funding which had never been granted by donors to an electricity corporation in SubSaharan Africa, allows for the gradual rehabilitation and modernisation of AES SONEL's production equipment and consequently the re-establishment of quality electricity service.

442- Changes in electricity cost were marked by constant price hike consequent on the implementation of three of the four price increases provided by the concession and licence agreement signed between the State and AES SONEL. These increases raised electricity bills in our country to a relatively high level compared to water the primary source of energy.

443- However, with a review of the concession and licence agreements, Government succeeded in annulling the fourth increase of 7.65% in real value stipulated in the agreement which had to go into effect on 18 July 2004 as well as the cancellation of two successive rate hikes which would have been enforced in 2004 and 2005. This led to a drop in electricity bills.

444- Three rural electrification programmes were implemented for 185 localities in 2006: a programme for 70 localities funded by PIB resources, a programme for 100 localities funded by HIPC resources and a programme for 15 localities funded by the Rural Electricity Agency (AER).

445- However, the impact of these programmes on the supply and access of households to electricity was insignificant. The proportion of households with access to electricity has not increased substantially. The electrification rate stated in the report on the number of households with access to electricity is modest as compared to the total number of households throughout the country (about 45%) and low in rural areas (less than 10%). About 2,400 out of the 13,104 localities in Cameroon have been electrified.

446- This weak performance is caused by exorbitant connection costs which homes cannot afford and the inefficient electrification implementation programmes.

447- Until quite recently, connection costs varied between CFA 60,000 and CFA 150,000 depending on the type of connection required and more if the client went 60m beyond the network.

448- Programming of localities to be electrified has until now been based on the frugal use of budgetary allocations without any preliminary studies. In several cases, credits allocated have been insufficient and the projects have not been successfully executed thereby restricting the socio-economic impact of programmes and access of households to power. About CFA 15 billion is required to redress this situation.

449- Several actions were taken in the 2006 financial year to rectify this situation and increase access of households to electricity.

450- On the instructions of the Head of State and in keeping with his poverty reduction policy, connection costs were reduced by 20%-40% according to connection categories.

451- Moreover, two rural electrification programmes are being finalised:

- the first concerns the electrification of 26 localities in the South West and North Provinces along the Cameroon-Nigeria border costing about CFA 4.160 billion. The Development Aid Fund (FAD) of the Kingdom of Spain shall provide 5.3 million euros (about CFA 3.476 billion). The contract was signed in June 2006 and the decree to authorise the Minister of Economy and Finance to conclude the funding agreement with the Spanish Government has been signed.

- the second relates to the electrification of 33 localities in the North, North West and Centre Provinces at a cost of CFA 6.2 billion. The Islamic Development Bank (IDB) will make available the sum of US$ 9.49 million (about CFA 5 billion). A loan protocol agreement has already been signed between Government and the IDB. The consultation process is being prepared.

452- Finally, brainstorming is going on with the main electricity stakeholders on ways and means of rationalising the programming process and the implementation of electrification programmes. An outcome of this reflection is the decision to draw up and permanently update a five-year electrification plan guided by the studies of the Rural Electrification Master Plan (PDER).

453- The new organisation of Cameroon's electricity sector provides, among others, the coexistence of competitive producers with the right to access to public transport networks to supply clients with whom they freely sign electricity supply agreements. Reflection on the conditions for the implementation of this approach continued in 2006.

454- This Government impetus should be compounded by spot actions taken by some private and state-owned companies who through their social programmes are increasingly involved in this sector. The electrification of the Nsing-Mbongo Village in the District of Nyanon (Littoral Province) in 2006 by CIMENCAM-LAFARGE can be mentioned.

E- Supply of Petroleum and Gas Products

455- The liberalisation of the petroleum sector to private and public operators has enabled local enterprises to get involved in different activities of the sector. This justifies the appearance of new commercial logos in addition to existing ones.

456- There was an increase in petroleum prices in 2006. However, Government took measures to ensure:

- the continuous and regular supply of petroleum products in our country; and
- price control within acceptable limits by the adjustment of transport cost through the Hydro Carbons Stabilisation Fund, an institution that guarantees equal access of all localities to petroleum products without penalising traders.

457- Concerning domestic gas especially, a filling station was inaugurated in Maroua to augment the number of people in the Far North Province who have access to this form of energy with a view to fighting efficiently against desertification that is a threat to this part of Cameroon.

458- In the petroleum production sector, studies were carried out:

- in SONARA to determine the optimal capacity and the technical state of its installations. These studies would improve on the finances of this refinery which could better meet national demand in petroleum products; and
- in SCDP to identify possible sources for the funding of infrastructure to enhance storage capacity. This requires providing our country with appropriate logistics capable of responding to daily uncertainties and hazards.

F- New Sources of Energy

459- Cameroon which, with the exception of firewood, has vast but under exploited potentials, launched the promotion of new forms of energy in 2006. Thus a fund for the development of renewable sources of energy, which is the hope of many citizens, was set up in SNI.

CHAPTER 3 : RIGHT TO HEALTH

460- Health is a *"fundamental human right indispensable for the exercise of other human rights"*.[156] Every human being is entitled to the enjoyment of the highest attainable standard of physical and mental health conducive to living a life in dignity.[157] According to the World Health Organisation (WHO), health is a state of complete physical, mental and social well-being, and not just the absence of illness or infirmity.[158]

461- It has been acknowledged that, *"the right to health is one of the most extensive and complex human rights in the international code"*[159]. This right is recognised in several international and regional instruments on human rights ratified by Cameroon including, the UDHR, Article 25(1); the ICESCR, Article 12; the Convention on the Elimination of Racial Discrimination (CERD), Article 5(e)(iv); the CEDAW, Articles 11(1)(f) and 12; the CRC Article 24; and the ACHPR, Article 16.

462- These international instruments notwithstanding, Cameroon has over the years, enacted a plethora of domestic legislation to govern the health sector and to promote and protect the right to health[160].

463- To achieve the full realisation of this right, State Parties to the ICESCR are expected to take steps necessary for:

- *"The provision for the reduction of stillbirth-rate and of infant mortality and for the healthy development of the child;*
- *The improvement of all aspects of environmental and industrial hygiene;*
- *The prevention, treatment and control of epidemic, endemic, occupational and other diseases;*
- *The creation of conditions which would assure to all medical services and medical attention in the event of sickness"*[161].

464- The right to health is therefore a right to an effective and integrated health system, which encompasses health care and the underlying determinants of health, responsive to national and local priorities and accessible to all[162].

465- Given the importance of good health in enhancing the well-being of the people of any given country, and in line with Cameroon's determination to continue in its endeavour to provide "health for all" in reference to the Millennium Development

[156] See General Comment No. 14 of 11 August 2000.

[157] Ibid.

[158] Preamble of the Constitution of the WHO.

[159] Statement by Paul Hunt, Special Rapporteur on the Right to Health, 21 September 2006, p. 2, para. 5.

[160] For some of the relevant laws, see the 2005 report paras 759, 762, and 791-1.

[161] Article 12 (2) of the ICESCR

[162] Statement by Paul Hunt, Special Rapporteur on the Right to Health, 21 September 2006, p. 3, para. 6.

Goals, Government drew up the Health Sector Strategy (HSS), which is the health sector development plan for the period 2001-2010. The purpose of this development plan, drawn up consonant with the orientations of the Poverty Reduction Strategic Paper (PRSP), is to:

- reduce morbidity and mortality by one-third among the most vulnerable groups;
- set up a health system to deliver the Basic Health Package (BHP) at an hour's walk for 90% of the population; and
- practise effective and efficient resource management in 90% of public and private health units and services at the various levels of the pyramid.

466- To meet these objectives, the HSS sets out eight programmes with specific actions designed to considerably improve the health of Cameroonians. Concrete actions carried out in 2006 to implement the above programmes were aimed mainly at improving on the health system and controlling health programmes.

Section 1- Improvement of the Health System

467 - The improvement of the health system includes measures taken within the framework of the global implementation of health services. In 2006, Government action focused on the following 5 main aspects:

- improvement of the managerial process;
- institutional development;
- improvement of health care and services;
- improvement of access to drugs; and
- health financing.

§1- Improvement of the Managerial Process

468- The managerial process includes improvement of the inspection and control missions, award and control of projects execution, data base management with regard to payroll objectives, management of infrastructure and equipment, human resource management, health information and operation management (support to planning activities, district development and health research).

469- **To improve management, inspection and control missions of public health, facilities were carried out in the Provincial Hospitals of Bafoussam, Bamenda, Limbe, Ebolowa, Maroua, Garoua, Bertoua, Ngaoundere, PDPH of the Far North, North, Adamawa, East, Centre, Littoral and in PPSC of the East Province. The recommendations of the said missions were followed up during coordination meetings of the external services held in five Provinces.**

470- A Special Technical Unit is ensuring the management and follow-up of the award and control of project execution.

471- Data base management with regard to payroll objectives was ensured using the SIGIPES software in collaboration with MINFOPRA. The improvement of financial management through the definition and approval of a financial management plan and the training of managers in budgeting by objective is still to be designed.

472- The management of infrastructure and equipment was initiated by the organization of a seminar to validate the national health technology policy. The inventory of private maintenance companies in the North West, South West and Littoral Provinces, and updating of the building and equipment standards and costs as well as the adoption of an Integrated Health Centre (IHC) reference plan was carried out.

473- At the level of human resource development, SIGIPES services (HR-Soft) were extended to the PDPH and to the Central Hospital, Yaounde as well as the Laquintinie Hospital, Douala.

474- With regard to the Health Information and Management System, the following were carried out:
a national situation analysis;
study of the health map of the Lom Pangar dam under construction; and
initiation of exploration of the health map database.

475- The budgetary planning support plan and the execution of the 2006 – 2010 Medium-Term Expenditure Framework (MTEF) programmes for the Ministry of Health were updated.

476- With regard to operations management, the mid-course evaluation of the 2001 – 2010 HSS has been launched. Similarly, support to the planning of health activities and development of districts was initiated with the training of 18 national trainers out of the 20 planned. This made it possible to draw up 20 Health District Health Development Plans (HDHDP) out of 173 with WHO support as well as the drawing up of the following management documents:

- the conceptual framework of the Viable Health District in Cameroon;
- the Basic Health Packages (BHP) document;
- the file of health districts including their health units; and
- national annual planning guidelines.

477- In the area of operations management, health research with the view to improving managerial process was intensified by the following:

a- a draft health sector research policy document was drawn up;

b- with respect to the normative framework, the Administrative Research Authorizations (ARA) procedures were standardized;

c- as concerns coordination, three platforms for the coordination of research actors in the area of HIV/AIDS, diseases caused by mycobacteria (leprosy, tuberculosis, buruli ulcer), social science and health were rendered operational;

d- four quarterly conferences on issues of ethics were organized and an Ethics Committee was put in place at the Chantal Biya International Reference Centre (CIRCB); and

e- as concerns the conduct of research activities,
- CIRCB and the "Centre for Disease Control, Atlanta" (CDC) Laboratory in Mutengene were rendered operational;
- the technical level of the Public Health Laboratory (Hygiene Mobile) and the study to validate the HIV mobile testing approach were reinforced;
- an analytical study of the integration of ITN distribution activities into immunization campaigns against measles was conducted by the Division of Operations Research (DROS); and
- thirty ARA files were issued and research projects are ongoing notably the HIV incidence cohort in the Nyete plantations by the Walter Reeds John Hopkins Cameroon Programme (WRJHCP), an evaluation of the Cameroon antiretrovirals access programme by ANRS; a study on the efficiency of the antiretroviral protocol in Management Units.

f- With regard to the promotion of research utilization, the "Evidence Informed Policy Network" pilot project was launched with WHO support and the Network of AIDS Research Information Dissemination with the support of the *Agence Universitaire de la Francophonie*.

g- To strengthen the legal framework, a draft bill relating to the general framework of health research activities as well as a draft decree to set up and organise a National Bioethics Council and the Health Research Ethics Committees drawn up by the Health Research Advisory and Strategic Commission and forwarded to hierarchy in 2005 is still under study. There is an urgent need for this draft legislation to be promulgated into law.

§2- Institutional Development

478- Improvement of governance and reinforcement of cooperation and partnership were at the centre of this programme.

479- At the level of governance, the launching of "corruption-free hospitals" was effective and supported by the campaign to post the anti-corruption charter. The fight against illegal practice of health professions in the East, South and West Provinces was enhanced with the commencement of the closure of Common Initiative Health Groups and destruction of impounded drugs.

480- Along the same lines, inspection and control missions carried out led to the following actions:

- investigation on the presumption of drug manipulation at the *Compagnie Camerounaise Pharmaceutique* (CCP);
- implementation of Decree No. 1445/A/MSP/CAB of 19 May 2006 to withdraw CCP's licence;
- verification of compliance with application of insulin prices in the 10 provinces;

- investigation into the management of drugs in the Provincial Hospital, Maroua;
- control of the financial situation of the PPSC and other health facilities of the Centre Province; and
- inspection of three problematic private wholesalers and six private dispensing pharmacies in Yaounde and Douala.

481- The major actions carried out at the level of cooperation and partnership consisted in the preparation of the Health Sector-Wide Approach (SWAp) coordination of technical and financial partners, strengthening of bilateral cooperation, notably through the finalisation of the first instalment of the health debt relief and development contract (C2D) and review of the strategic framework and administrative and legal partnership tools.

482- Within the framework of the preparation of the Health SWAp, major activities were carried out, notably:

- the organisation in Kribi from 2 to 5 May 2006 of a workshop on the preparation of the Health SWAp, which mobilized all technical and financial partners of the Ministry of Public Health (MOH) and officials of the central and external services of the same ministry. This important meeting confirmed the effective launching of the Health SWAp programme from January 2008. On that occasion, the major MOH partners reaffirmed their support to Government decision to institute the sector-wide approach. In this context, the German Technical Cooperation mission has just granted some additional funds for the financing of preparation of the Health SWAp following intergovernmental negotiations which took place in Bonn in November 2006;
- the effective setting up of the Health Sector Strategy Steering Committee by Ministerial Order No. 132/PM of 12 October 2005 and its executive body, the Technical Secretariat;
- the drawing up and adoption of the Conceptual Framework of the preparation and monitoring/evaluation of the Health SWAp following a participatory approach, involving all the technical and financial partners of MOH; and
- the effective launching of mid-course evaluation activities of the Health Sector Strategy with the view to updating it.

483- Within the framework of the coordination of the technical and financial partners, all the activities which mobilise MOH partners were provided support through the organisation of the second coordination partners' meeting on 19 April 2006. Henceforth, the regular organisation of this consultation meeting has significantly fostered the dissemination of information on the actions of the various stakeholders in the health sector for better efficiency. Similarly, the coordination meeting facilitated the membership of partners to the Health SWAp preparation process.

484- As concerns bilateral and multilateral cooperation, all the technical and financial partners of MOH continued to support Government in the implementation of actions

to develop the health sector. These multifaceted support packages mobilised by the Global Fund, GAVI, WHO, UNICEF, UNFPA, UNAIDS, German Technical Cooperation missions (GTZ and KFw), the French Technical Cooperation mission, (SCAC and AFD), the Belgian Technical Cooperation mission, the Japanese Cooperation mission, the Chinese Cooperation mission, the Organization of Petroleum Exporting Countries (OPEC) Funds, the Islamic Development Bank (IDB), the African Development Bank (ADB), the Canadian Fund, GTZ, Plan Cameroon, Helen Keller International (HKI) and the technical support of national NGOs made it possible to enhance the management of HIV/AIDS, malaria, tuberculosis and problems relating to mother and child health.

485- The health C2D totalling CFA 60 billion (about €90 million) now constitutes the greatest funding mechanism of the Cameroon health sector for the 2007 to 2011 period. The preparation process of the first health C2D instalment totalling CFA 36 billion (about € 55 million) was supervised.

486- The strategic framework and administrative and legal partnership tools, which have become obsolete owing especially to changes in the legislative and regulatory framework recorded since the beginning of the 1990s, were reviewed with the support of GTZ and other technical partners. The revision and updating operations led to the adoption on 15 February 2006, of a partnership strategy, which is the result of a broad-based consensus and a new operational health partnership framework comprising:

- framework conventions;
- contract implementation;
- collaboration agreement letters; and
- obligations and resources framework[163].

§3- Improvement of Health Care and Services

487- As concerns improvement of health care, emphasis was laid on the development of infrastructural resources, financial and technical support, continuation of the hospital reform process, quality management, human resource development and the management of non-endemic emergencies.

488- In the infrastructure development sector, the second phase of the programme "construction of 1,000 IHC within five years" continued with the delivery of 50 IHCs, 58 service accommodations, 120 water wells with HIPC funding, 171 contracts to construct new IHCs and more than 54 additional water wells. In addition, 23 subdivisional medical centres were refurbished, including 20 financed by the State and three by Kfw (a German technical co-operation mission). Some 95 IHCs were rehabilitated, including 89 financed by the State and 6 by Kfw. Similarly, two new Health Districts, two Provincial Hospitals and 166 new health centres (public and private) were set up.

[163] The bulk of the information contained in this chapter was obtained from the 2006 Activity Report by the Ministry of Public Health.

489- Second-generation reforms initiated were carried out, notably the hospital reform and health-risk sharing, by way of mutualisation as well as through reflections on the setting up of Centres of Excellence.

490- At the level of management of the quality of health care and services, the health-care protocol document was drawn up and validated.

491- As concerns human resource development, effort was made to reduce the qualitative and quantitative shortage of staff notably through the forwarding to MINFOPRA of the absorption files of 1,200 HIPC workers, as well as that of the recruitment of 1,500 workers. The drawing up of the human development plan was carried out with the support of experts.

492- At the level of management of non-endemic emergencies and disasters, the Emergency Medical Services (EMS) system was systematically involved in the health coverage of 25 major events. There were 95 health evacuations abroad and 40 free medical assistance actions in the country in relation to road accidents.

493- Within the purview of the development and integration of traditional medicine, framework documents have been drawn up, namely the finalisation and validation of the draft bill relating to the organisation and practice of traditional medicine in Cameroon and the code of ethics of the traditional health practitioner, the validation of the traditional medicine development strategic plan and the drafting of the monograph on medicinal plants for 6 diseases.

§4- Improvement of Access to Drugs

494- 2006 was marked by the reduction in the price of insulin to CFA 3,000, increase in stocks of antiretroviral drugs and rapid HIV/AIDS tests, withdrawal from the local market of oral drugs in monotherapy for the management of uncomplicated malaria to prevent the development of resistance to plasmodium, institution of Artemisinin-Based Combination Therapies (ACT), and the drawing up of the first edition of the equivalence table of essential drugs, the free supply of anti-retrovirals to pregnant women as well as free treatment to children infected with HIV/AIDS

495- Other noteworthy actions carried out include, the setting up of 107 new pharmacies throughout the national territory, training of the first batch of 25 pharmacists for the Inter-University Diploma in Pharmacy and Public Health and the training of 22 drug managers of the approved treatment centres and management units of the Adamawa, North and Far North Provinces.

496- At the level of regulation, 2006 was marked by the:

- development of solidarity in the management of essential drugs at the provincial level in Provincial Pharmaceutical Supply Centres (PPSC) and in pharmacies of public health facilities;

- drafting of an order to lay down the conditions of marketing of food complements initiated in collaboration with the Department of Health Promotion (DHP);
- drafting of an order to enforce the WHO good manufacturing practices in Cameroon, the storage and distribution of pharmaceutical products;
- drafting of a decree to set up , organise and operate PPSC;
- commencement of work by the group of experts in charge of the organisation of a forum on the development of the local manufacture of drugs;
- publication of vaccines supply conditions ; and
- drafting of an order to lay down drug monitoring conditions.

§5- Health Financing

497- With respect to health financing, focus was on increasing state financing and cash flow, health-risk sharing and the institution of a pricing system per treatment protocol.

498- Public health financing has been on the rise (CFA 59,512,800 in 2005, CFA 84,077,000,000 in 2006, that is, an increase of 30% and CFA 105,660,000 in 2007, that is, an increase of 20%). However, the Health's share in the budget for 2007 represents about 4.6% as against 5.2% for 2006. Besides, the commitment of the budget from existing resources in 2006 stood at 97.2%, whereas the consumption of HIPC credits stood at about 64.51%. On the whole, the budget enforcement rate (rate of consumption) stood at 67% thus highlighting weak cash flow for the sector.

499- Concerning mechanisms likely to restructure healthcare demand so as to render it solvent, work on health risk-sharing continued with effective mobilisation of the civil society and donors whose funding were available: ADB, C2D, CTB, GTZ. On the other hand, a healthcare protocol pricing system is still to be improved on.

Section 2- Control of Health Programmes

500- Health programmes under specific control include diseases (pandemics and epidemics) and reproductive health.

§1- Disease Control

501- With regard to disease control, Government effort centred on the following four categories:

- control of communicable diseases, notably major endemic diseases;
- control of other communicable diseases (other endemic diseases);
- implementation of special programmes; and
- control of non-communicable diseases.

A- Control of Communicable Diseases

502- In this domain, emphasis was laid on the control of major health threats, such as malaria, HIV/AIDS and tuberculosis among others.

1) Malaria

503- The Malaria prevention plan was marked by the commencement of distribution of Insecticide-Treated Mosquito Nets (ITN) to children below the age of 5. Effectively, 674,062 out of a target of 825,495 ITN were distributed to households with a child below the age of 5. Similarly, with regard to the objective of placing 60% of pregnant women on Intermittent Preventive Treatment (IPT), 30% are already on sulphadoxine-pyrimethamine (SP).

504- Furthermore, 2,316 out of 2,445 service providers have been trained in the use of Artesimine-based combination therapies and 394 out of 750 microscopes are available. The commencement of home-based management by means of treatment kits is not yet effective. However, over one million home visits were made. At the level of operations research, a study on the therapeutic effectiveness of anti-malarial drugs and two studies on vector likelihood were carried out.

2) HIV/AIDS

505- The special HIV/AIDS sub-programme activities were decentralised at the operational level (Health District), leading to:

- the reinforcement of prevention programmes for youths and women, with the distribution of 12,937,394 condoms, including 61,800 female condoms, the screening by two mobile teams of 14,445 persons, out of which 952 tested positive, representing 6.6%;
- the strengthening of HIV counselling and testing services among tuberculosis patients as a gateway to the management of People Living With HIV/AIDS (PLWHA);
- the comprehensive management of PLWHA with Antiretroviral (ARV) drugs and the treatment of opportunistic infections; and
- the home-based treatment and the scaling up of implementation of activities relating to the prevention of mother-to-child transmission of HIV following the district approach.

506- At the level of management, 23 Approved Treatment Centres (ATC) and 65 Management Units went operational. Some 28,500 PLWHA were on ARV treatment by the end of December 2006, including 1,014 children out of a target 27,000. Furthermore, the 2006-2010 HIV/AIDS operational control plan of the health sector drawn up was adopted and launched officially on 1 March 2006 by the Prime Minister, Head of Government. Funds from the Fifth Round Global Fund, WHO, OPEC funds, UNICEF, among others, were made available to carry out activities.

3) Tuberculosis

507- Under the special tuberculosis sub-programme, Diagnosis and Treatment Centres (DTC) were decentralised attaining a national coverage of all the 191 DTCs with free anti-tuberculosis drugs. With respect to the screening target of at least 70% smear-positive tuberculosis cases, 96% of cases were tested; and with regard to the objective of curing at least 85% of the newly tested tuberculosis cases, 74% of them were cured.

B- Other Endemic Diseases

508- The control of other endemic diseases such as leprosy, buruli ulcer, trypanosomiasis and Guinea worm continued. There is full integration of the activities of these sub-programmes in the basic health package at the operational level, therefore, heralding the eradication of these diseases, especially Guinea worm which has reached the certification phase of eradication in Cameroon.

509- With regard to the control of schistosomiasis and intestinal helminthiasis, de-worming activities began in the Adamawa and Littoral Provinces where 170,000 children of school age were de-wormed. Close to 700 Headmasters and 2,500 teachers were trained. Thanks to the choice of Cameroon as the country for the launch of the new Global De-worming Initiative (GDI), Government, in November 2006, received a consignment of 4 million tablets of mebendazole 500mg donated by the Johnson & Johnson drugs company. This support is a lever likely to scale up worm control nationwide from 2007.

C- Special Sub-programmes

510- The management of emergencies, epidemics and disasters was reinforced with integrated surveillance set up at all levels of the health pyramid as well as proper response mechanisms to disasters, epidemics (cholera in Douala and the Adamawa Province, measles in Limbe, yellow fever in Messamena, wild polio in Darak in the Mada Health District and Makari Health District) and other emergencies such as the influx of immigrants from the Central African Republic to the East and Adamawa border provinces. No case of human bird flu was recorded in Cameroon in 2006.

511- The oral health and deafness sub-programmes are being drawn up.

512- There are several eye care centres for blindness-provoking diseases, including onchocerciasis and lymphatic filariasis, supported by NGOs and communities. In addition, an authorisation was issued to open a specialisation cycle for ophthalmology in the University of Yaounde 1. Furthermore, 40 doctors and 150 community workers were trained in primary eye care in the East Province. As regards the control of onchocerciasis, all the project areas were covered with the provision of mectizan. 11 projects have already been completed. The Community-Directed Distribution (CDD) and four other projects are under distribution. CDD has recorded a therapeutic coverage of more than 65% in each hyper/meso-endemic community of Cameroon.

513- Indeed, the control of onchocerciasis represents a significant lever for convergence at the community level of the other community-based programmes, given that, the 12,134 trained Community Directed Distributors (CDD) constitute a network of community relays used by other community-based programmes.

514- At the international level, with the holding of the special African Programme for Onchocerciasis Control (APOC) partners meeting in Cameroon on 26 and 27

September 2006, bringing together 19 African countries, the achievements of its programme could be consolidated up to 2015 and could extend to 11 former OCP West African countries in which donors ended their support in 2002.

D- Control of Non-communicable Diseases

515- As far as the non-communicable disease sub-programme is concerned, the policy consisted in promoting awareness activities on risk factors, early screening, and treatment cost reduction especially for hypertension, diabetes and cancer.

516- As concerns the management of cancer, two community-based cancer registers were opened in the two major cities, Douala and Yaounde. The officials in charge of each cancer register were trained in Lyon/AIRC, France. Cancer surgery has been subsidised by CFA 250,000 per patient in approved hospitals. Furthermore, antimitotics, sold in Douala and Yaounde at between 50 and 75% below pharmacy prices (HIPC funding and the convention signed with SANOFI AVENTIS) have been acquired.

517- With regard to research in oncology, visual inspection following imprinting of the cervix with acetic acid is being experimented, in collaboration with WHO and PATH FOUNDATION of the United States. 20 Doctors and nurses of provincial hospitals were trained in the UVIA technique for the screening of cervical cancer at the Central Hospital, Yaounde. Cytotechnicians were trained at the University Teaching Hospital, Yaounde with the support of the French Technical Cooperation.

518- In the management of diabetes and hypertension, insulin price was reduced to CFA 3,000, while 77 out of 191 general, central and district hospitals were equipped with diabetes diagnosis kit. Similarly, 40 doctors from Yaounde and Douala have been trained in High Blood Pressure (HBP) management. The supervision rate of diabetes clinics and the country's HBP stands at 75% while that of the training of personnel, traditional practitioners and NGOs stands at 25%.

519- The policy to integrate epilepsy, sickle cell anaemia, asthma, and rheumatic infections control into the health care system is being drawn up.

§2- Reproductive Health

520- In this domain, innovative efforts have been made through the adolescent health component, Integrated Management of Childhood Illnesses (IMCI), the immunisation sub-programme and reduction of maternal mortality. The only activities carried out at the national level are those of the immunisation sub-programme. The activities of the other sub-programmes will be extended gradually following their respective scaling up plans.

521- The adolescent and elderly health component has been effective within the framework of the National Reproductive Health Programme (NRHP) as well as within the Family Life Education (FLE) programme with UNFPA support and the Adolescent Reproductive Health Programmes (ARH) in and out of school with support from UNICEF. However, the elderly persons health component still needs further development.

522- There has also been considerable improvement in CDIM[164].

523- As concerns activities to reduce maternal mortality, Basic Emergency Obstetrical Neonatal Care (BEONC) for 4 out of 10 Provinces have been covered with support from WHO, UNICEF and AWARE. In addition, the strategy to control fistulas in Cameroon has been drawn up and a workshop to present the results of the survey on obstetrical fistulas in two Northern provinces organized. A theoretical and practical training workshop was organised in Garoua in December 2006 with UNFPA support, during which 84 women suffering from fistulas were operated upon.

524- The road map for the Reduction of Maternal and Neonatal Mortality as well as the Strategic Condom Security Plan have been drawn up, validated and distributed. Besides training organised for personnel, a Communicator's Guide and sensitisation tools for BEONC have been produced. Community self-diagnosis actors have also been trained. An integrated training manual for service providers in BEONC, Family Planning (FP), and management of Sexually Transmistted Diseases (STD), reorientated Antenatal Consultation (ANC) and Prevention of Mother-to-Child Transmission (PMTCT) has equally been drawn up and is still to be validated.

525- On the whole, 93.8% of women were registered for antenatal consultation in urban areas against 74.4% in rural areas. In the same vein, 84% of women in urban areas against 44% in rural areas were attended to by a health worker during delivery.

526- However, although the above achievements to develop the health sector for the promotion and protection of the right to health in 2006 may seem great and groundbreaking, the gap between reality and the ideal situation is still very wide[165]. To bridge this gap, it would be necessary for Government to change its strategies and re-examine and re-orientate the motives behind every reform programme so as to render them more beneficial to the masses[166].

[164] See infra, chapter on vulnerable groups

[165] According to information contained in page 3 of the 2002 edition of the HSS document published by the Ministry of Public Health, our health system is sick and needs improvement. For example, only 15% of Cameroonians have access to treatment. Health institutions lack human resources, infrastructure and equipment. There is one doctor for every 10,000 inhabitants and one nurse for every 2,200 inhabitants.

[166] Some authors are of the opinion that reforms in Cameroon in general and in the health sector in particular, like in most developing countries, are generally propelled from the external world and often motivated by the need to impress the donors and save face rather than improve on the situation of inhabitants. See "Politique sectorielle et Document Stratégique de Réduction de la Pauvreté (DSRP), Myléne Lagarde, ASPROCOP, décembre 2003, accessed at http://cimac.africa-web.org/pages/politiksect.htm on 7 April 2007.

CHAPTER 4: RIGHT TO EDUCATION

527- The Preamble of the Constitution and international legal instruments especially Articles 13 and 14 of the ICESCR recognize the right to education. To fulfil this right, each State Party should have sufficient number of schools and fields of study. Similarly, classes should be offered in a reasonably accessible place (for example, a school in the neighbourhood) or with the use of modern technologies (for example, distance education)[167].

528- After a diagnosis of its education system, Government in 2006 drew up an Education Sectoral Strategy with the following four main objectives:

- broaden access to and maintain children in the education system while correcting disparities;
- improve on education efficiency and quality;
- develop an efficient partnership with stakeholders of the civil society; and
- improve on the management and governance of the education system.

529- Government action was geared towards the reorganisation of primary school based on improving the quality and increasing the number of schools, reforming secondary education and controlling the transformation of higher education.

Section 1- New Organisation of Primary Education

530- The new organisation involves both measures taken to facilitate access to education and the innovation introduced for teaching at this basic education level. Henceforth, teachers should adopt a new teaching/**learning** approach. They are required to cause pupils to deduce and discover implications, formulate, verify, analyse and summarise hypotheses. Learning is thus pupil-orientated and the teacher a discrete guide. Children easily appropriate the good use of their rights through this participative approach. These reforms have led to the construction of school infrastructure, increase in the budget of basic education, use of appropriate pedagogy and the recruitment of new teachers. Reforms can be carried out as follows:

- promotion of access to primary education;
- quality education;
- budget increase; and
- yearly basic education statistics.

§1- Access to Primary Education

531- This promotion is based on free education in public schools, the elimination of disparities between boys and girls and the enhancement of the gender-based approach.

[167] Extracts of General Comment by the CESCR quoted by Olivier de Schutter in « Le Protocole Facultatif au Pacte International relative aux droits économiques, sociaux et culturels », Revue belge de droit international, vol.XXXIX, 2006-1, Bruylant Bruxelles, p. 30 et 32.

A- Free Public Primary Education

532- The decision by the Head of State to provide free public primary education for all encourages massive enrolment in many public primary schools. In spite of the continued presence of some obstacles such as the insistence by some head teachers on the payment of PTA levy which is optional, many parents send their children to public instead of private schools where fees are very high.

533- In 2006, the enrolment rate in public primary and nursery schools was 95.5% and 16.5% respectively. As regards nursery education, Government is making remarkable effort with the assistance of Cameroon Association for the Promotion of Nursery Education (ACAPEM), which was granted the status of association serving public interest by Decree No. 2006/235 of 25 July 2006 to promote preschool education.

534- In conclusion, it should be noted that the percentage of children in full-time primary and nursery schools in 2006 stood at 10.4% and 16.5% respectively.

B- Elimination of Disparities between Boys and Girls and Promotion of the Gender-Based Approach

535- Actions to eliminate disparities between boys and girls are carried out in partnership between the Ministry of Women Empowerment and the Family and UNICEF, FAO/WFP, UNFPA[168], the Ministry of Basic Education and the Ministry of Social Affairs. These actions vary according to whether they are carried out in the formal or informal education system.

1) Measures Taken in the Formal Education System

536- Measures taken in the formal education system to curb disparities and promote equality between the sexes include:

- planning and implementing the education sectoral strategy which includes sex equality concerns;
- considerable increase in formal and informal education in Cameroon;
- cancelling of school fees in public primary schools to ensure free primary education and continuous supply of minimum packages[169];
- granting 40% of scholarships to girls;
- producing folders on innovative teaching on education of the girl child;
- setting up of a Council for the Approval of School Books and Teaching Aid whose duties include analysing discriminatory stereotypes;
- implementing the programme "accelerating the education of the girl child";
- granting scholarships to the best female candidates in official examinations to promote female excellence;

[168] United Nations Fund for Population Activities.

[169] The supply of minimum packages in primary schools started in 2001.

- supporting families; and
- appealing to decision makers and the education community to educate girls.

2) Measures Taken in the Informal Education System

537- To reduce disparities and promote equality between the sexes, special instructions are given to some public services that ensure informal education and that continued their activities in 2006. This is the case with the:

- Ministry in charge of Women Empowerment that ensures training of women in Women Empowerment Centres;
- Ministry in charge of Social Affairs that sets up and rehabilitates training and supervisory centres for girls who are school dropouts and support for vulnerable families and communities;
- Ministry of Youth Affairs that ensures the training and supervision of young girls in youth and animation centres; and
- Ministry of Employment and Vocational Training which supervises Intensive Vocational Training Centres for Office Employees and Intensive Vocational Training Centres for Industrial Professions.

§2- Education Quality

538- Education quality whose impact can be assessed through the evaluation of academic performance comes at the wake of the reorganisation of primary education based on curbing repeating and the division of the academic year into appropriate assessment sequences, the introduction of human rights in schools and the use of diversified and complementary pedagogic approaches.

A- Controlling, Repeating and Division of the Academic Year

539- This strategy is implemented through the Education Project II, division of the academic year and collective promotion system.

1) Division of the Academic Year

540- The timetable that lays down periods for the interruption of classes during the academic year specifies the normal time for teaching and evaluation. The academic year is divided into 6 sequences of 6 weeks each. The fifth week of each sequence is devoted to uplifting the pupils' level if they have some shortcomings.

541- This division has the advantage of harmonising different lessons taught taking into consideration weekly syllabuses. Respect of this syllabus enables the pedagogic inspector to ascertain that all teachers covered a given area of the syllabus at a specific time of the academic year. It equally allows for the determination of the precise time when the syllabus was covered.

542- The division of the school year into sequences is advantageous if the school has qualified and sufficient number of teachers or if many interruptions do not perturb the syllabus.

2) Controlling, Repeating and the Collective Promotion System

543- The Minister in charge of Basic Education signed Order No. 315/BI/1464/MINEDUB of 21 February 2006 to lay down conditions for the promotion of pupils with a view to curbing repeating. Pursuant to this Order, primary education is divided into three levels:

Level 1: Infant Section (section for introduction to reading and preparation for classes 1 and 2);
Level 2: Junior Primary (classes 3 and 4);
Level 3: Senior Primary (classes 5 and 6).

544- This reform which is based on the collective promotion system presupposes that all the pupils in a class must be promoted to the next class. Repeating should be excluded. The system assumes that the teacher provided good quality education, the pupils understood the lessons as ascertained by an evaluation, and that pupils in the same class attained the minimum required level to be promoted to the next class.

545- The first approach of the collective promotion system is to train children such that repeating at the same level (for example in the infant section) is avoided. The second approach consists in avoiding repeating between levels.

546- Government action is supported by UNESCO through the project "Ecole Amie des Enfants, Amie des Filles" (School: A Friend for Children, A Friend for Girls). Within the framework of the collective promotion system, this project contributes to reducing repeating and dropout rates in priority education areas. The strategy seeks to embellish, render the school environment attractive and construct water points.

547- The Education Project II funded by the ADB equally supports this approach which consists in adopting the compensatory teaching method after a working session with pupils. The teacher identifies, collects and groups their shortcomings. Once these shortcomings are categorised, the teacher follows up the pupils after normal class hours until their level is satisfactory.

548- In 2006, the average repeating rate stood at 19.4% for the English-speaking subsystem as against 26.4% for the French-speaking subsystem. The graduation rate stood at 56%.

B- Human Rights Introduction

549- The major innovation relating to primary education concerns teaching human rights from infancy. Thus, a Committee in charge of drawing up and implementing the world programme plan of action for human rights education was set up by Decision No. 748/B1/1464MINEDUB/SG/IGE of 10 November 2006 by the Ministry of Basic Education.

550- The Committee comprises a coordinator, rapporteur and 10 members representing the different structures of the Ministry of Basic Education. It meets at least once a month and is in charge of:

- coordinating and elaborating the implementation and follow-up of the national strategy for the 2005 to 2007 period with a view to implementing the Plan of Action for the Teaching of Human Rights in Primary School in close collaboration with all the actors concerned;

- publishing initiatives and information on national human rights education; and

- implementing actions carried out during the 2006 academic year especially :

  - preparing a course content for primary schools and Teacher Training Colleges;
  - defining the general methodology for teaching human rights:
  - training of pedagogic supervisors at the central services in collaboration with the NCHRF and UNDP; and
  - participating in the drawing up of the first draft of the National Action Plan for the Promotion and Protection of Human Rights in Cameroon.

551- Lesson notes and curricula for the introduction of human rights in primary education were prepared and validated with the help of the NCHRF.

C- Pedagogic Approaches

552- To improve on the system's internal efficiency, two major pedagogic approaches are applied in most schools by combining teaching objectives with the competence of pupils.

New Pedagogic Approach

553- The new teaching approach in Cameroon is the result of research[170] done by a Cameroonian. It is based on BLOOM's cognitive levels namely:

- knowledge;
- understanding;
- application;
- analysis;
- synthesis; and
- evaluation.

554- With the introduction of human rights in primary education, this approach turned out to be the best and most appropriate to efficiently obtain the expected results from pupils.

2) Competence-Based Approach or Pedagogy by Integration

555- This approach involves pupils, teachers, designers and publishers of school books as well as parents.

556- Competence-based approach in class consists in:

- specifying initially two or three basic skills that each pupil must develop at the end of the cycle, level or course for each discipline or group of disciplines.
- defining the knowledge to be acquired by the pupil on the basis of the skills identified above. Teachers ensure that this is done by including these skills in the syllabus as objectives of their courses or activities geared towards attaining teaching by objectives;
- indicating to pupils the usefulness of their knowledge. For example, grammar is not studied out of pleasure but because it helps in reading and writing. This motivates them; and
- enabling pupils to use knowledge acquired in solving difficulties which resemble those of daily life. Like in NAP, problem solving is essential in this case.

557- Competence-based approach equally enables pupils to handle complex situations which require the application of what they have learned.

558- This approach is being put in place gradually. Teachers are trained to plan lessons with specific objectives which enable pupils to acquire the necessary resources to develop these skills.

[170] This work is presented in the thesis entitled : « Le développement de la pensée inférentielle chez les enfants de l'école primaire », juin 1996 ENS, Yaoundé. This thesis was submitted in partial fulfilment for the award of the Grade II Teachers Training Tutor Certificate, by Mr NDOUMOU ESSOMBA Joseph, current National Pedagogic Inspector at the General Inspectorate for Teaching (IGE) at the Ministry of Basic Education (MINEDUB).

559- At the end of each sequence, a period for exercise should be included to enable pupils to develop their skills by using the newly acquired resources. In this case, evaluation is more didactic and aims at identifying help to be given to the pupils who face difficulties.

D-Follow-up and Evaluation of Academic Performance

560- Academic follow-up and evaluation are ensured by:

- designing individual lesson notes;
- systematic inspection of schools;
- organisation of pedagogic seminars; and
- preparation, follow-up of examinations and publication of results.

561- The following results were obtained in examinations organised in 2006:

CEP: Certificat d'Etudes Primaires (FSLC for French-speaking pupils)

- registered : 227,831
- sat : 222,509
- passed : 159,037

Percentage pass : 72.14%

FSLC : First School Leaving Certificate

- registered : 69,475
- sat : 68,822
- passed : 51,162

Percentage pass : 77.79%

Common Entrance

- registered : 38,509
- sat : 38,015
- passed : 24,532

Percentage pass : 59.26%

CAPIEPM : Teacher's Grade I Certificate

- registered : 2,313
- sat : 2,302
- passed : 2,295

Percentage pass: 99.14%

562- The Tables at the end of this section illustrate primary education coverage for the 2006-2007 academic year.

§3- Budget Increase

563- Government is committed to gradually increase the budget for education from 15% to 22% during the next few years. For example, the budget for Basic Education rose from CFA 103,500,000,000 in 2006 to CFA 121,929,000,000 in 2007 representing an increase of CFA 18,429,000,00 in absolute value and 17.5% in relative value. The budget for primary education equally rose from 35.5% to 36.8% during this same period. However, these resources are still insufficient due to the magnitude of the problems in this sector.

A- Contributions

564- Cameroon's attainment of the HIPC Initiative completion point, on 28 April 2006, helped her obtain additional resources to reduce poverty and improve the quality of education. A diagnosis of the education sector policy established that families were essentially responsible for financing basic education. A household survey "ECAM I" revealed that families bear 44% of the global basic education expenditure. Only 15% of the State budget is allocated to basic education. This amount is mainly used to pay salaries, which take up about 86%. Funds from the *Fast-track Initiative* helped Cameroon to consolidate the orientation of teaching curriculum by recruiting and ameliorating the status of part-time teachers. Other funding possibilities including C2D support (Debt Reduction and Development Contract) are envisaged to considerably improve education system performances ruined by ten years of economic crisis.

565- Several cooperation projects with bodies and NGOs are implemented to revive Cameroon education system. Actions to improve education quality have been increased by the Education Reform Support Project (PARE), the Education System Support Programme (PASE), or the Support of Guidance of early childhood in the Northern Provinces supervised by UNICEF.

566- They also comprise the setting up of new infrastructure. Thus, the Education II Project, Japanese Grant, FCB Grant and Plan Cameroon contributed to rehabilitating, equipping and building classrooms in the country.

567- WFP gave food assistance to primary schools found in provinces in priority education areas.

B- Infrastructure

568- Within the framework of promotion of infrastructure, Government continued to build and equip classrooms, rehabilitate existing infrastructure and execute building and construction works with partners. Thus:

- 1,442 new classrooms were built and equipped with desks in public primary schools;

- 105 classrooms were rehabilitated;
- fences were built around 12 public primary schools;
- latrines were built in 162 public primary schools;
- 10 nursery schools were built; and
- 20 classrooms were rehabilitated in nursery schools.

C- Recruitment of 13,300 Teachers

569- The public service recruited 13,300 teachers to serve in public primary schools. Their salaries were paid by Government with the help of some foreign partners. All these teachers were holders of the basic professional diploma. In 2006, 71% and 41% respectively of teachers of primary and nursery schools were qualified.

570- There were 12,349 teachers for 217,284 pupils in nursery education and 72,827 teachers for 3,120,357 pupils in primary education.

571- At the date of writing this report, public primary schools were in need of about 14,000 teachers.

§4- Basic Education Data

572 - Data :

NURSERY EDUCATION

Subsystem/ Ordre-Agency		French speaking	English speaking	Total		
				Pu	Pr	Pu+Pr
Pupils	B+G	159 192	58 092	81 931	135 353	217 284
	G	79 397	29 030	41 106	67 321	108 427
Teachers	M+F	9 037	3 312	5 620	6 729	12 349
	F	8 774	3 178	5 540	6 412	11 952
Schools		2 348	971	1 408	1 908	3 316
Classrooms		4 624	2 194	2 369	4 449	6 818

PRIMARY EDUCATION

Subsystem/ Ordre-Agency		French speaking	English speaking	Total		
				Pu	Pr	Pu+Pr
Pupils	B+G	2 504 433	615 924	2 430 020	890 337	3 120 357
	G	1 131 992	299 632	1 099 437	322 187	1 421 624
Enseignants/ Teachers	M+F	45 746	25 849	50 712	22 115	72 827
	F	18 140	11 834	20 287	10 465	30 752
Schools		9 801	2 704	9 000	3 505	12 505
Classrooms		49 662	14 838	44 865	19 635	64 500

ENSEIGNEMENT NORMAL/TEACHERS' EDUCATION

Student-Teachers		Teachers		Schools	
B+G	G	M+F	F		Classrooms
7 485	4 056	1 152	565	60	288

Source: Data obtained from 2006/2007 census/ Planification Unit

NURSERY EDUCATION

Province	School Year 2006/2007							
	Population likely to be literate		Literate Population		TBS (%)			
	B+G	G	B+G	G	B	G	B+G	IPS
AD	80 043	29 161	4 392	2 194	7.12	7.52	7.31	1.06
CE	186 955	89 583	72 868	36 339	37.51	40.56	38.98	1.08
ES	62 548	30 324	11 606	5 790	18.05	19.09	18.56	1.06
EN	205 839	205 839	5 054	2 439	2.49	2.42	2.46	0.97
LT	181 471	86 779	47 544	23 458	25.44	27.03	26.20	1.06
NO	116 301	56 962	3 911	1 852	3.47	3.25	3.36	0.94
NW	141 441	71 232	22 430	11 314	15.83	15.88	15.88	1.00
W	152 170	78 559	25 481	12 795	17.23	16.29	16.75	0.95
SO	43 796	21 024	8 911	4 478	19.47	21.30	20.35	1.09
SW	97 624	46 576	15 085	7 768	14.33	16.68	15.45	1.16
Ens/Total	1 248 188	610 991	217 284	108 427	17.08	17.75	17.41	1.04

Source: Data obtained from 2006/2007 census/ Planification Unit

PRIMAIRE/PRIMARY EDUCATION

Province	Année scolaire 2006/2007 School year							
	Population likely to be literate		Literate Population		TBS (%)			
	B+G	G	B+G	G	B	G	B+G	IPS
AD	147 438	70 903	148 009	62 974	111.11	88.82	100.39	0.80
CE	474 689	226 722	546 441	267 251	112.59	117.88	115.12	1.05
ES	153 592	73 733	160 918	74 069	108.75	100.46	104.77	0.92
EN	525 047	254 796	501 356	198 366	112.11	77.85	95.49	0.69
LT	385 669	180 999	316 300	155 429	78.60	85.87	82.01	1.09
NO	285 568	138 502	281 859	109 776	117.02	79.26	98.70	0.68
NW	358 097	178 884	363 930	174 766	105.55	97.70	101.63	0.93
W	387 339	196 696	458 083	221 111	124.30	112.41	118.26	0.90
SO	107 547	51 120	113 930	54 705	104.96	107.01	105.94	1.02
SW	239 783	113 252	229 531	113 177	91.97	99.93	95.73	1.09
Ens/Total	3 064 739	1 485 607	3 120 357	1 431 624	106.94	96.37	101.81	0.90

Source: BUCREP/ Data obtained from 2006/2007census/ Planification Unit

PRIMAIRE/PRIMARY EDUCATION

Province	School Year 2006/2007							
	Net scolarisation rate				General pass rate (%TBA)			
	B	B	B+G	IPS	B	B	B+G	IPS
AD	83.46	68.93	76.47	0.83	116.92	95.86	106.67	0.82
CE	87.33	92.15	89.63	1.06	105.02	107.87	106.40	1.03
ES	81.74	77.46	79.68	0.95	109.33	105.16	107.30	0.96
EN	91.36	65.11	78.62	0.71	109.05	79.87	94.72	0.73
LT	61.64	67.86	64.56	1.10	70.26	74.61	72.32	1.06
NO	80.53	66.23	73.59	0.82	104.26	80.01	92.36	0.77
NW	79.61	74.64	77.13	0.94	71.84	68.88	68.84	0.92
W	81.34	79.51	80.41	0.98	86.05	77.40	81.65	0.90
SO	80.17	83.51	81.76	1.04	96.47	98.72	97.55	1.02
SW	75.22	81.87	78.36	1.09	79.16	85.45	82.16	1.08
Ens/Total	80.76	75.44	78.18	0.93	93.25	84.09	88.76	0.90

Source: School Map 2006/2007

Province	Année scolaire 2006-2007/2006-2007 school year			
	Taux d'Achèvement (%)/ Completion rate			
	G/B	G/B	B+G/B+G	IPS
AD	73.00	46.91	59.88	0.64
CE	84.34	86.21	85.27	1.02
ES	64.25	50.20	57.36	0.78
EN	58.08	26.70	42.47	0.46
LT	76.48	77.44	76.96	1.01
NO	76.32	34.71	56.05	0.45
NW[a]	114.7	114.1	114.4	0.99
W	85.60	84.29	84.94	0.98
SO	71.88	68.99	70.48	0.96
SW	97.55	90.27	93.86	0.93
Ens/Total	80.83	69.68	75.28	0.86

@ The unusually high rate in these zones is due to the transition from the 7 to the 6 year cycle in the English speaking subsystem which is in the majority in these regions. For this academic year, graduants are from both classes 6 *and 7 with the 11 year population as reference* population likely to be literate.

PRESCOLAIRE/NURSERY EDUCATION

Province	Pu :public Pr :prive	Enseignants/Teachers		Ecoles/Schools	Salle de classe /Classrooms	Ratio Elèves/ Salle de classe Pupil/ Teacher Ratio	Ratio Elèves/ Maîtres Pupil/ Teacher Ratio
		M+F	F				
AD	Pu	137	136	41	60	47	20
	Pu+Pr	2245	219	64	103	43	20

Source : Data obtained from 2006/2007 census.

PRIMARY EDUCATION

CE	Pu	1950	1 911	399	835	31	13
	Pu+Pr	4396	4 233	998	2426	30	17
ES	Pu	312	308	79	99	43	14
	Pu+Pr	650	616	196	270	43	18
FN	Pu	222	218	57	96	42	18
	Pu+Pr	258	254	70	118	43	20
LT	Pu	590	528	182	303	36	18
	Pu+Pr	2445	2 381	676	1577	30	19
NO	Pu	191	187	39	67	44	15
	Pu+Pr	233	224	54	95	41	17
NW	Pu	376	370	122	228	26	16
	Pu+Pr	1268	1 221	437	832	27	18
W	Pu	886	882	228	278	46	14
	Pu+Pr	1328	1 306	392	582	44	19
SO	Pu	529	526	127	139	44	11
	Pu+Pr	668	661	168	210	42	13
SW	Pu	427	420	134	264	26	16
	Pu+Pr	878	837	259	605	25	17
Ens./Total	Pu	5620	5 540	1408	2369	35	15
	Pu+Pr	12349	11 952	1908	6818	32	18

Source : Planification Unit-MINEDUB/ School census 2006/2007.

Province	Pu :public Pr :prive	Enseignants/Teachers		Ecoles/Schools	Classrooms	Place assises/ Seats	Ratio Elèves/ Maîtres Pupil/Teacher Ratio	Ration Elèves/ Salle de classe Pupil/Classroom Ratio
		M+F	F					
AD	Pu	1 969	566	512	1 900	7 767	67	69
	Pu+Pr	2 435	677	651	2 295	88 993	61	64
CE	Pu	11 009	5976	1 601	8 231	359 230	36	49
	Pu+Pr	16 629	9 095	2 297	12 683	513 001	33	43
ES	Pu	2 923	1 097	617	2 570	95 536	49	55
	Pu+Pr	3 355	1 211	730	2 972	11 2746	48	54
EN	Pu	6 150	591	1 398	5 990	163 820	74	76
	Pu+Pr	7 139	670	1 675	6 926	188 126	70	72
LT	Pu	3 940	2 016	632	3 858	154 293	39	39
	Pu+Pr	9 414	4 697	1 279	8 717	363 710	34	36
NO	Pu	3 851	589	722	3 181	105 488	68	82
	Pu+Pr	4 347	638	839	3 568	114 566	65	79
NW	Pu	5 499	2 431	934	5 078	185 171	45	49
	Pu+Pr	9 364	4 402	1 620	8 721	276 105	39	42
W	Pu	7 719	3 470	1 154	7 101	307 300	48	52
	Pu+Pr	10 046	4 442	1 636	9 633	375 510	46	48
SO	Pu	3 863	1 619	693	2 986	97 659	26	34
	Pu+Pr	4 232	1 763	763	3 319	107 708	27	34
SW	Pu	3 789	1 932	737	3 970	131 437	44	42
	Pu+Pr	5 866	3 157	1 015	5 666	197 456	39	41
Ens./Total	Pu	50 712	20 287	9 000	4 4865	1 658 810	48	54
	Pu+Pr	72 827	30 752	12 505	64 500	2 337 920	43	48

Source : Planification Unit-MINEDUB/ School census 2006/2007.

AVERAGE REPEATING RATE PER SUBSYSTEM AND PER CLASS

	Sil/Class 1	CP/Class 2	CE1/Class 3	CE2/Class 4	CM1/Class 5	CM2/ Class 6	Total
French speaking subsystem	33.10%	22.20%	27.60%	22.00%	24.70%	24.30%	26.40%
English speaking subsystem	21.60%	18.00%	18.10%	20.20%	27.20%	14.20%	19.40%

Section 2- Reform of Secondary Education

573- The education forum identified the shortcomings which the State is gradually redressing. In 2006 a study for the adequate reform of secondary education was carried out by a committee put in place by the Prime Minister. Government equally discriminated positively in favour of handicapped persons, protected pupils in school and continued the building of school infrastructure.

§1- Execution of Reform Programme

574- The committee, set up by Order No. 63/PM of 20 June 2006 of the Prime Minister, Head of Government, is in charge of ensuring the:

- smooth functioning of the programme and the follow up of all activities related to the progress of primary education, the improvement of general secondary education and the management of the education system; and
- validation of budgets of programmes of action by components and activities for each year or future semester, progress reports of the former semester and all subsequent reorientation accepted by the partner.

575- The committee comprises the following members:

- Chairperson : The Secretary of State for Secondary Education;
- Vice-Chairperson : The Secretary General of the Ministry of Basic Education;
- Members :
  - a representative from the Prime Minister's Office;
  - a representative from the Ministry in charge of Employment and Vocational Training;
  - a representative from the Ministry in charge of the Economy and Finance;
  - a representative from the Ministry in charge of Planning, Programming and Regional Development;
  - the Head of Division for Planning, Projects, Cooperation and Academic Orientation at the Ministry of Secondary Education;
  - the focal points of PARE components designated by each competent minister concerning components 1 and 2;
  - the Head in charge of drawing up the global strategy of the education sector concerning component 3; and
  - French technical assistant experts involved in PARE.

576- The composition of this Committee was criticised because it did not include representatives from the civil society especially parents and students who could have made relevant contributions to the development of secondary education.

577- MINESEC has since November 2006 been brainstorming on the following:

- restructuring of cycles into three sub-cycles:
  - Observation Cycle;
  - Guidance Cycle;
  - Determination Cycle;
- redefinition of disciplines; and
- reform of syllabuses and evaluation modalities.

578- However, reform is hardly taking shape because of the two strongly opposing education systems: English-speaking and French-speaking sub-sectors.

579- Most of the reform is carried out today within the framework of component II of PARE relating to the:

- managerial capacity building of general inspectors and heads of schools; and
- professional training of French teachers.

§2- Pedagogy in MINESEC Activities

Teaching Methods and Evaluation Systems Strengthening

580- Teaching and evaluation methods is obtained through the:

- reorganisation of the pedagogic supervision network with increase in the number of provincial and material inspectors;
- setting up of posts of pedagogic adviser under the authority of Divisional Delegates;
- revalorisation of the functions of pedagogic animator in schools; and
- setting pedagogic inspectorates per discipline, which shall be coordinated by an Inspector General of education.

581- Furthermore, since the beginning of the 2005/2006 academic year, there has been a solemn pedagogic reopening presided over by the Minister of Secondary Education. This important forum that brings together national and provincial inspectors makes it possible to draw up teaching strategies for the school year.

582– As concerns evaluation, focus is on setting examination questions expected to produce results that meet teaching standards (see courbe de Gauss). The institutionalisation of the division of the school year into sequences for continuous evaluation of the student is still going on.

B- Guidance and Counselling[171]

583– An education system needs Administration, Pedagogy, Guidance and Counselling in order to be performant and efficient. It is important to bring guidance and Counselling to the limelight so as to increase the output and efficiency of our system. The counsellor is closer to the students and provides them with psychopedagogic care. He enables the student to better know and integrate himself in the school and social milieu. He helps the student to improve on their performances and as such contributes to increasing the output of our education system.

584– To significantly improve the quality of education with the help of counsellors, the Minister of Secondary Education by Order No.4477/6 of 3 August 2006 appointed school guidnace service heads in secondary schools.

§3- Multimedia Centres

585– On the instructions of the Head of State, the Minister and the Secretary of State in charge of Secondary Education inaugurated 17 multimedia centres with 60 computers per centre in the 10 provinces of Cameroon during the 2005/2006 academic year. The Centres can receive 60,000 students per day. The introduction of ICTs in schools is a real revolution and will certainly improve the efficacy and efficiency of education.

586 – Diversification in education clearly illustrated by the introduction of human rights[172] in the syllabus of civic in secondary and high schools.

587 – To improve the quality of education, MINESEC focuses on the professionalisation of education and benefits from the Technical Education and Vocational Training Reform Support Programme. This project which is funded within the framework of France-Cameroon Cooperation, contributes to improving employment-tailored education[173].

588– Decentralised cooperation equally improves on the quality of education. Thus, partnership agreements have been signed between Cameroon technical schools and European partners, notably between ENIET, SOA and Lycée Professionel des Travaux Publics de BRUNY; CETIC, Ngoa-Ekele and the Chambre de Métiers et de l'Artisanat, Pas-de-Calais [174].

589– Therefore, partnership constitutes an important innovation in the Cameroon education system. Expected results include an additional strategy to curb the emigration

[171] Guidance and counselling consists in handling the student in an apprenticeship process. In school cycles, it is known as school guidance and in vocational training, vocational guidance.

[172] The teaching of human rights in secondary schools is included in the syllabus of Civics, but due to the number of teaching hours, specific lessons to that effect are not yet envisaged.

[173] In its current composition, PARETFOP is expected to last for 5 years (2003 to 2009). According to experts, Government should envisage a short-term transfer of the inherent skills and means of this important programme for further reconsideration.

[174] See joint partnership table at the end of section 2.

of young Cameroonians as well as a school-vision prospect that will enable the student to confidently enter the market as soon as possible and with some assurance.

§4- Infrastructure

590- The Ministry of Secondary Education continued the quantitative and qualitative improvement of education, as well as the consolidation of the school map in 2006 by setting up, opening, constructing and improving the following structures:

- setting up of 160 new schools;
- opening 84 schools;
- upgrading 73 secondary schools to high schools.

591- The Ministry of Secondary Education constructed the following infrastructure within the framework of the execution of PIB for 2006:

- 175 classrooms, 6o of which are equipped with desks;
- 65 workshops for practicals;
- 22 administrative blocks;
- 7 computer halls;
- 20 guest houses;
- 1 water well;
- 16 health blocks;
- 9 AES SONEL connections; and
- 3 SNEC's connections.

592– Analysis shows that it is difficult to measure the relevance of these achievements in terms of real needs, given that the secondary education school map that can really bring out these needs is not yet completed.

§5- Care for Handicapped Persons

593- To provide education to all social classes, specific measures were taken to protect handicapped children and children of handicapped poor parents.

594- The measures include the signing of joint Circular No. 34/4/MINESEC/MINAS of 2 August 2006. This circular letter was inspired by the following legal instruments:

- The Constitution of the Republic of Cameroon;
- The Convention on the Right of the Child;
- Law No. 83/13 of 21 July 1983 relating to the protection of handicapped persons and its enforcement instrument No. 90/1516 of 26 November 1990; and
- Law No. 98/4 of 14 April 1998 on Academic Orientation in Cameroon which prescribes the following measures for this category of pupils:
- facilitating admission;

- relaxing conditions for repeating;
- exemption from school fees;
- exemption from PTA levies; and
- payment of examination fees by MINAS.

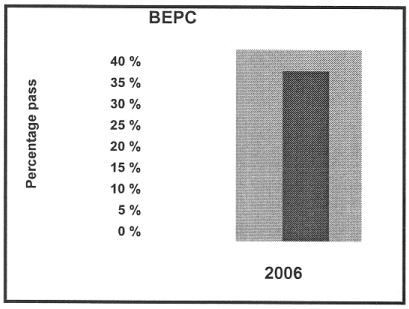
595– To further concretise these measures, the Baccalaureate Board has since 2006 instituted a special jury for the social categories concerned, especially those with poor sight and hearing. The jury shall comprise persons specialised in communication methods adapted to the handicapped.

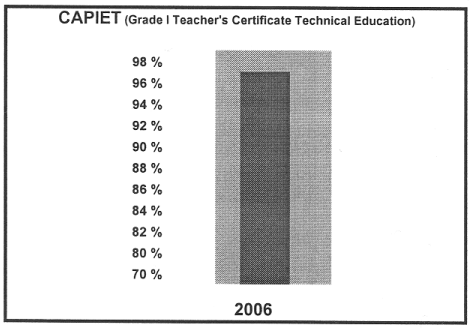
§6- Protection of Pupils at School

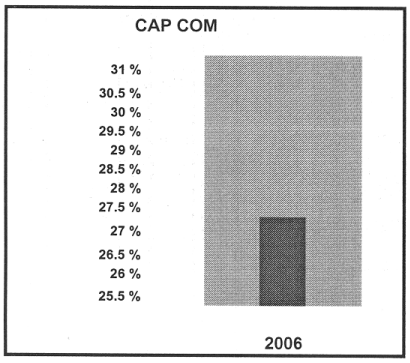
596- To protect pupils, the Ministry henceforth underscores respect of the obligation by head teachers to take out insurance policies for all pupils registered for a school year. This insurance policy covers all accidents which may occur in the establishment during school hours.

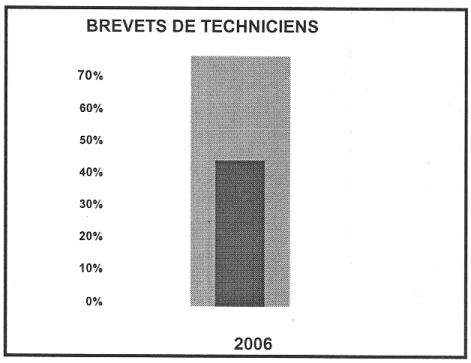
597- All these measures allow for a gradual improvement on academic performance as shown on the Tables below.

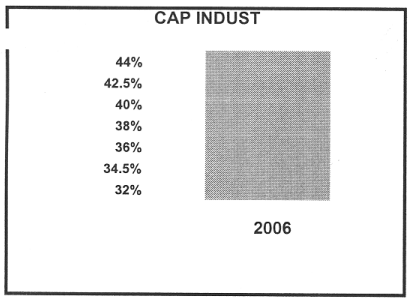
2005-2006 RESULTS

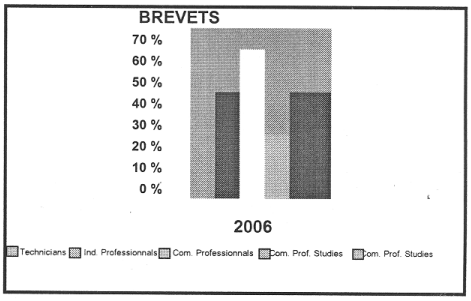


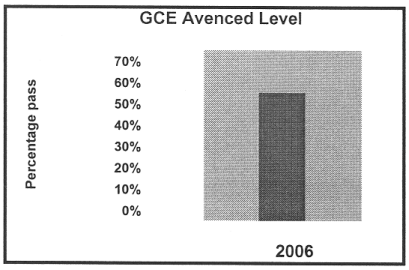


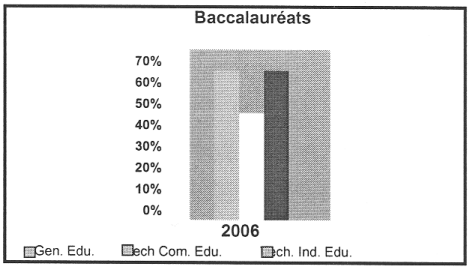









GCE Avenced Level
Percentage pass
70%
60%
50%
40%
30%
20%
10%
0%
2006


Baccalauréats
70%
60%
50%
40%
30%
20%
10%
0%
2006
Gen. Edu.
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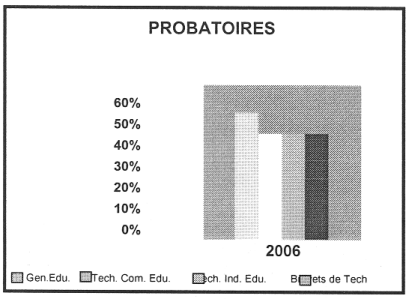
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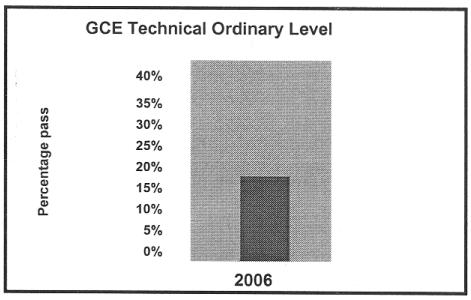
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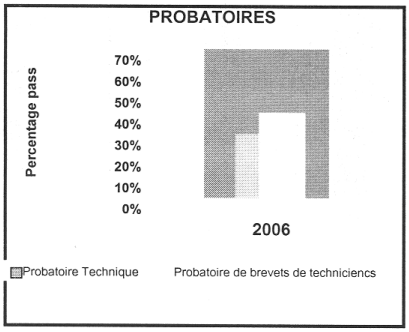
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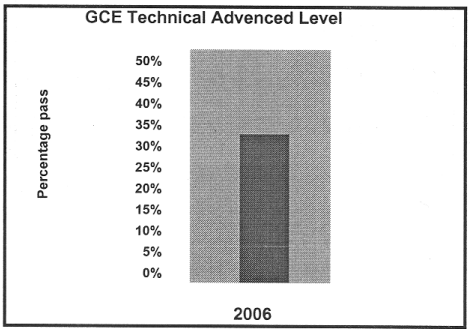
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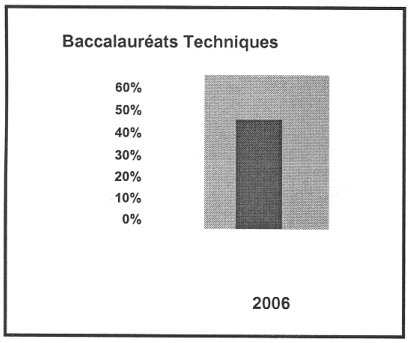
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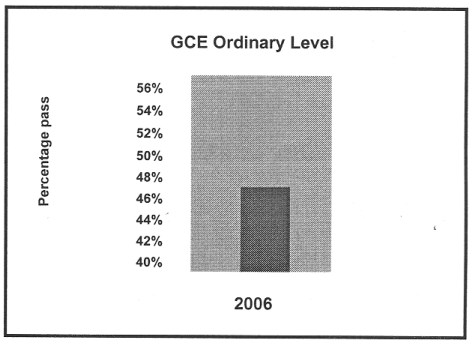
GCE Ordinary Level
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Tables on Co-operation

Cameroonian Schools	Foreign Partner Schools	Realisations
ENIET, SOA	Lycée Professionnel des Travaux Publics de Bruay	- Equipping a computer room with 16 workstations; - Installation in Canalis of 11 industrial sewing machines in the dressing making workshop ; - Installation in Canalis stabilised supplies on desks, laboratory tables, measuring and regulating apparatuses, electrical machines, supply of control and protection apparatuses as well as electrical cables for different sections and accessories for electrical installations; - Installation in Canalis of a spare parts production lathe, an elevator bridge, car engines on testing benches , breakdown diagnostic machines, et accumulators in minor repairs workshop; - Installation of conference tables in the staffroom.
Technical High Schools Koumassi and Bassa, Douala	Lycée Fernand Léger d'ivry-Sur-Seine et Lycée Henaff de Bagnolet	- Provision of two vehicles for teaching, two engines on new benches,a Facom clamping pressure pump; - Installation of thirteen P III computers in the computer room; - Supply of two spare parts machines equipped with die blocks and two lathes in the spare parts

		workshop.
CETIC, Ngoa-Ekellé - Yaounde	Chambre de Métiers et de l'Artisanant du Pas-de- Calais	- Material for car mechanics including 2 vehicles for teaching, a stepl dder, a compressor, a paint energizer, a tie tool, a press bed and spares, a palette of paints and a mixer ; - Electrical equipment and electrical installation accessories ; - A paint kiosk and its accessories as well as a colorimetric laboratory; - Standardisation of distribution and electrical installations of workshops.
CETIC Ndom	Chambre de Métiers et de l'Aisanat du Pas-de-Calais	- Laying out a computer room for 11 workstations - Electrical installation using surface raceway for the domestic science kitchen ; - Renovating and securing the electrical installation of the carpentry workshop; - Supply of modern tools and equipment and electrical cables for the electricity workshop under construction.

Technical High School, Ngaoundere	Lycée Professionnel des Travaux Publics de Bruay	- Laying out a computer room using surface raceway for 12 workstations ; - Renovating and securing the electrical installation of the former computer room; - Installation of engines, equipment and tools welding units for the maintenance of heavy duty machines ; - Renovating and securing the installation and distribution of electricity.

No.	Foreign Schools	Country	Cameroonian School
1	Lycée Professionnel Salvador Allende de Béthune	France	Technical High Edea-Technical High Ebolowa, Technical High School Batouri-Technical High Bafang – Technial Mbouda – Technical High Garoua
2	Lycée Frédéric Jolio Curie de Damarie-Les- Lys	France	Technical High Bafang
3	Lycée Général et Technologique CERIAT (Bourg-en-Bresse)	France	Technical High School Bangoua
4	Institut des Technique Industrielles de Léonardo Davinci de Florence	France	CETIC Baleveng
5	Lycée Technique Benoît Fourneyron Sainte-Etinne	France	Technical High School Bafoussam
6	Lycée Professionnel Automobile Gerges Cornier de Coulommiers	France	Technical High School Bassa, Douala, Technical High School Koumassi, Douala
7	Lycée Professionnel Hénaff de Bagnolet	France	Technical High School, Koumassi, Douala
8	Lycée Polyvalent la Pleiade du Pont de Cheruy	France	Government Bilingual High School, Ebolowa
9	EREA Edith Piaf de PAris	France	Technical High School, Ngaoundere
10	Lycée Professionnels des Travaux Publics	France	Technical High School Ngaoundere,Technical Education Grade I Teachers Training College, SOA, Technical High School Nkolbisson
11	Chambre de Métiers et de l'Artisanat du Pas-de Calais	France	CETIC Ngoa-Ekellé – CETIC Ndom
12	Lycée Fernad Leger	France	Technical High School, Koumassi, Douala, Technical High School, Bassa, Douala.

Section 3- Higher education

598- Government is making considerable effort to provide Cameroonians with access to modern higher education. However, the Cameroon university system still faces a number of difficulties, especially the:

- exponential increase of students (10,000 in 1981, 20,000 in 1986, 42,000 in 1991, about 140,000 in 2006 and more than 30,.000 by 2015);
- increase in mass education with low output to the detriment of science and technology due to virtually free access (school fees: CFA 50,000);
- quality of education due to the insufficient human (about 3,000 lecturers with less than 1,000 with the rank of professor), infrastructure (only 42,000 seats for all State Universities) and financial resources; and
- relevance of education, given the very high number of unemployed or under-employed holders of higher education certificates.

599- New approaches and great effort have been made to resolve such difficulties and guarantee students the right to education in a healthy environment.

§1- Innovation in Higher Education

600- Government validated and adopted the education sectoral strategy to meet the above-mentioned difficulties. Development partners equally adopted the following 4 strategic focuses that constitute the 4 fundamental pillars of the 2007 to 2011 Higher Education Medium-Term Framework Expenditure that corresponds to Government Higher Education priority Action plan:

- improvement on and diversification of education to match the increasing number of students, considering Government principle of free access to higher education;
- improvement of the quality and relevance of education through syllabus reform and new teaching methods with focus on professionalisation;
- co-operation, regionalisation and development support: these include partnership development with socio-professional circles and the development of multi-form co-operation (interuniversity, sub-regional South-South and North-South co-operation); with focus on income-generating activities;
- improvement of higher education governance system especially by putting in place management tools and strengthening assessment and evaluation systems, reflected by the implementation of the "new university governance" under its 4 dimensions (managerial, financial, academic and social).

A - Improvement and Diversification of Higher Education

601- Improvement of higher education is illustrated by infrastructure development and rehabilitation of existing lecture halls in the different university campuses: building of amphitheatres with different capacities, lecture halls and laboratories. Due to strikes by students of some State Universities (especially Yaounde I, Buea and Douala) in 2005 on the improvement of working conditions, Government has focused on infrastructure development and rehabilitation of all State Universities by allocating to them a special sum of CFA 2.3 billion, in addition to their yearly individual investment budget.

602– An important dimension in the improvement of higher education will be the increase and diversification of professional training. It includes curbing the existing deficit: only 2% of students of State Universities read technology-related disciplines. Thus, the setting up and effective opening of the following schools by the university reform of 1993:

- Faculty of Medicine at the University of Buea;
- Faculty of Industrial Engineering at the University of Douala;
- Faculty of Medicine and Pharmaceutical Sciences at the University of Douala; and
- ENS annex, Maroua.

603– A support project in the field of technological and professional training has been set up. It is financed by funds from the Multilateral Debt Relief Initiative (MDRI), CFA 6 billion and PIB of MINSESUP, CFA 1 billion. The project comprises the following aspects:

- restructuring of the teaching field (building of ENS Maroua: MDRI, CFA 1.6 billion, and PIB CFA 400 million; rehabilitation of ENS Yaounde: PIB/studies, CFA 30 million; ENSET Doauala: PIB/studies, CFA 25 million; ENS Bambili: PIB/works and studies, CFA 400 million);
- restructuring of the technology field (building of the Faculty of Industrial Engineering, Douala: CFA 540 million; rehabilitation of ENSAI and IUT, Ngaoundere: PIB/studies, CFA 75 million); and
- restructuring of the medical field (rehabilitation and extension of the Faculty of Medicine and Biomedical Sciences, University of Yaounde I: CFA 1,050 million; building of the Faculty of Medicine and Pharmaceutical Sciences, University of Douala: MDRI, CFA 1,283,937,877; and the Faculty of Health Sciences, University of Buea: MDRI, CFA 1,526,080,000).

604- A project to set up two virtual universities (one of which is the virtual University of Central Africa) is underway and shall be financed for the most part by the Indian Co-operation.

605- One of the main projects in the improvement and diversification of technological training is the setting up of a Free University Zone. It will enable Cameroon to effectively meet the increasing demand of highly qualified engineers to carry out huge industrial

development projects in Cameroon. The sub-regional need of the project will equally guarantee the training of a large number of engineers in the sub-region according to universal norms and standards. This will curb brain drain and highly qualified human resource flight to the North, which hinders sustainable development capacities of African countries.

606- This is why the Interministerial Reflection Committee on the draft on Free University Zones in Cameroon was set up by Order No. 11/PM of 20 January 2006[175].

B- Employment-Tailored Training

607- Government action on employment-tailored training is the fruit of the implementation of the education sectoral strategy.

608- A first step will be the award of a professional licence, a very essential element in the profesionalisation of higher education. Order No. 6/14/MINESUP/DDES of 2 February 2006 institutes employment-tailored training and sets up the education and evaluation system for professional licence in State Universities, and private institutions of higher education in Cameroon. This is a remarkable innovation.

609- Professional licence allows for training in a professional setting with a view to completing university studies with practical professional experience corresponding to required and acquired competence. It equally makes the acquisition of attitude, behaviour and ability to be rational and responsible possible by gradually adapting to job requirements[176].

610- Many other studies were carried out in 2006 especially a study on the implementation of the programme on the widespread use of ICTs in higher education disciplines (CFA 20 million/PIB), a study on the standardisation and labellisation of computer centres of State Universities (CFA 10 million/PIB) and study on the development of innovating forms (e-learning, distance education, CFA 40 million/PIB). Thus the following results were obtained:

- the setting up and the organisation of the Interuniversity Centre for Documentary Resources (CIRD) by Order No. 6/70/MINESUP/CAB of 19 June 2006;
- the setting up and the organisation of the Interuniversity Centre for Information and Communication Technology by Order No. 6/71/MINESUP/CAP of 19 June 2006; and
- the finalisation of instruments relating to the setting up of the Research and Professionalisation Support Fund (FARP) and the Global Development Learning Network (GDLN).

[175] The Committee was immediately installed and its activities have enabled the organisation of two international seminars on Free University Zone and its operationalisation. Furthermore, a pre-feasibility study was carried out and instruments on its set up and functioning are currently being drawn up.

[176] Other relevant measures especially a study on the implementation of the BMD system (CFA 70 million/PIB/studies) from 2008 are envisaged. This major study shall define and set up the institutional and statutory framework to review programmes especially with emphasis on the possibility of students to chose their course of study, the acquisition of skills and the professionalisation of education in the CEMAC sub-region.

611- The putting in place of structures of the Education System Support Programme PASE/higher education component, (GDLN, Interuniversity Centre for Information Technology, FARP and CIRD) continued with World Bank support. The same obtained for Profitable Initiatives Management and Higher Education Professionalisation Support Project (CFA 1,500 million/AGIR-HIPC/ENSP).

612- The French co-operation project, COMETES, which is the coordination and modernisation of higher education schools of technology is a real catalyst in Higher Education changes in Cameroon.

613- Human rights courses[177] have been intensified in the Maîtrise, DEA and DESS levels.

614- Courses are also offered for the award of Masters Degree in Human Rights and Humanitarian Law in many public and private universities. Specialised courses shall also be taught to students in the Faculty of Economic Sciences and Management, Faculty of Fundamental Sciences, Philosophy and Social Sciences among others. They focus on aspects of trade and human rights, intellectual property and human rights, ICTs, and ethics and human rights.

C- Partnership and Co-operation for Poverty Reduction

615- In 2006, MINSESUP normalised relations with its development partners. The adoption and validation of the education sectoral strategy in June 2006 raised awareness of the essential role higher education and universities play in poverty reduction and economic growth. Their contribution in the training of quality human resources and capacity building is unavoidable in poverty reduction and economic growth.

616- Henceforth and in the absence of proper means for quality higher education (in accordance with the education , sectoral strategy, out of every CFA 100 allocated to education, 50% shall be granted to Basic Education, 35% to Secondary Education and 15% shared between Higher Education and Vocational Training up till 2015), priority has been given, on the one hand, to varying partnership especially with the private and socio-professional sectors, and on the other, to the development of different forms of co-operation with a view to strengthening higher education contribution to development, as per the university development support mission.

617- The following main actions were carried out:

- a study on the draft to set up interface centres between university institutions and socio-professional sectors, (CFA 10 million/PIB);
- the setting up of a higher education development foundation;
- the development of income-generating activities in universities, in collaboration with socio-professional sectors; and

[177] In the short-term, human rights courses shall be offered from year one to three in the Faculty of Laws and Political Sciences to raise the awareness of students and enable them to master the discipline.

- strengthening university independence to enable them to develop co-operation and partnership relations suitable to their development.

D – New University Governance

618– In 2006, it was necessary, given financial scarcity and huge higher education needs, to give full effect to the "new financial and ethical governance" propagated by President Paul Biya[178] in State Universities.

619– MINESUP carried out the following actions contained in Presidential decrees of September and October 2005 relating to the new managerial and financial governance of State Universities:

- the re-dynamisation of activities of the anti-corruption unit and ethics promotion in higher education;
- the organisation of seminars on the appropriation of new rules relating to the managerial and financial governance of universities;
- the drawing up of the terms of reference of studies with a view to the putting in place of management tools of assessment and evaluation systems notably a study on the achievement of the Institutional and Organisational Audit of Higher Education Project (CFA 10 million/PIB), studies on the drawing up and updating of short-term Guiding Development and Expenditure Framework Plans of the six State Universities (CFA 150 million/PIB), a study to set up a higher education information system PASE/IDA), a study on costs handling and standardisation of building and equipment of higher education infrastructure (CFA 80 million/PIB) and a study on the setting up of an Education Financing Specialised Institution (CFA 10 million/PIB).

§2- Right to Education in a Healthy Environment

620- Government is constantly concerned about guaranteeing students the right to education in a healthy environment. Furthermore, it is aware that hope for a better future lies on a well-trained youth. However, successive structural adjustment programmes since the end of the 1980,s have been a serious obstacle. Government has, notwithstanding the strain of insufficient financial resources, and aware of poverty increase in university circles, continued to provide students with viable development and working conditions.

A- Rehabilitation and Development of Social Infrastructure

621– The following major achievements have been made to improve on the living conditions of students:

- the building of a hall of residence with a capacity of 800 beds in the Ngoa Ekelle University Campus by MINESUP;

[178] See his address to the Youths on 10 February 2006.

- studies on the building of halls of residence in the University of Yaounde II-Soa Campus;
- negotiations with a major financial South African group that has a solid Cameroon company as partner, for joint financing and building of halls of residence in all State Universities;
- the beginning of rehabilitation of the University of Yaounde I, hall of residence;
- the rehabilitation of the different State Universities restaurants; and
- continuation of the building/rehabilitation policy of sports infrastructure in University campuses (notably the University of Buea that hosted the 2006 University games.

B- Poverty Reduction in Universities

622– Poverty, which is conspicuously felt in different sectors of activity and social groups, equally concerns students, lecturers and support staff. Many actions have been carried out to assist the different components of the university community.

623– As concerns students, the following actions were carried out in addition to the above-mentioned infrastructural effort intended to improve on their living and working conditions:

- grants to hundreds of state university students;
- award of more than 100 bursaries to students studying abroad, under co-operation with friendly countries;
- 1,200 holiday jobs to State university students under the framework of partnership between higher education and public establishments and local councils;
- grants to different students associations;
- organisation of many campaigns on the prevention and free screening on HIV/AIDS in different State universities;
- management of students living with HIV/AIDS by university sick bays; and
- implementation of programmes to improve on the reception conditions and management of handicapped students, in partnership with MINAS, in accordance with Law N0. 83/13 of 21 July 1983 on the protection of handicapped persons and its enforcement instrument N0. 90/1516 of 26 November 1990 to lay down the terms and conditions of application of this law.

624– Lecturers face a lot of difficulties in the exercise of their daily duties. However, Government has taken the following significant actions in their favour:

- allocation of CFA 36,250,000 by MINESUP and funds from the universities autonomous budgets to continue the institutional support of the academic mobility programme;
- revitalisation of many research laboratories;

- compilation of the additional technical support application file for authorisation to recruit 1,000 lecturers (400 part-time and 600 permanent lecturers) in all State universities;
- operation " *one lecturer, one computer*" continued;
- reinforcement of the rationalisation of lecturers promotion procedures and acceleration of procedures to finalise management instruments of the career of permanent lecturers (47 decrees were signed to that effect in 2006);
- payment of academic debt to lecturers; and
- taking of a health insurance policy with AXA Insurance Company under advantageous conditions to enable an increasing number of lecturers, students and support staff to enjoy the benefits of such insurance policy, with the best clauses possible to curb what is commonly known as the pauperisation of lecturers".

625– Government is seeking lasting solutions to improve on the living and working conditions of State university support staff through especially continued negotiations aimed at drawing up their rules and regulations.

C- Dialogue and Participative Democracy

626– The new university governance advocated by the Head of State in his address of 10 February 2006 includes the social aspect which MINESUP effected by setting up a Division for the Promotion of University Dialogue and Solidarity.

627– Dialogue, democracy and participation in decision-making were clearly carried out by the following activities:

- holding on 12 April 2006 of the 11th session of the Permanent Consultation Framework with lecturers (CCP MINESUP/LECTURERS);
- holding on 31 May 2006 of the 6th session of the consultation and follow-up framework (CCP MINESUP/Support Staff);
- holding of many formal and informal consultations and working sessions between MINESUP and delegates of students associations, including ADDEC which is yet to be recognised as a students associations;
- organisation of free and fair elections in all State universities to enable students, lecturers and support staff to freely choose their respective delegates;
- participation of students, lecturers and support staff delegates in University Board meetings and school assemblies; and
- organisation of activities to bring together in conviviality students, lecturers, support staff and administrative officials.

628– The implementation of the new university governance under different headings (managerial, academic, financial and social) ensured relative peace within the university community in 2006, except for the incidents that occurred at the University of Buea due mainly to lack of dialogue. The situation was immediately brought under control.

629- However, Government ambition to provide quality higher education is seriously hampered by the lack of both financial and human resources. Some progress can be made taking into account gender, handicapped persons and disparities relating to increasing poverty in the university community. These are some projects for which Government has unfortunately not yet mobilized resources.

CHAPTER 5: RIGHT TO WORK AND TO SOCIAL SECURITY

630- Cameroon, as a State Party to almost all ILO and ICESCR Conventions[179], is determined to promote and protect the right to work throughout the national territory. This endeavour was further concretised by the commencement of the programme, *"Projet d'appui à la mise en oeuvre de la Declaration Relative aux Principes et Droits Fundamentaux aux Travail"* (Support Project for the Implementation of the Declaration relating to Principles on Fundamental Right to Work) (PAMODEC), for the promotion and protection of the rights of persons at work.

631- Decree No. 2004/320 of 8 December 2004 to organise the Government, sets up three Ministries: the Ministries of Employment and Vocational Training, Small and Medium-Sized Enterprises, and Labour and Social Security (MINTSS) to cater for issues related to employment and job security.

632- The National Employment Fund, the National Employment and Vocational Training Observatory, as well as the National Labour Advisory Board were set up specifically to facilitate access to employment.

633- The aim of these reforms by Government was to resolve problems brought about by the economic crisis in the 1990s with serious ramifications on employment. According to analysis by the Ministry of Employment and Vocational Training, the economic recession caused a high rate of unemployment especially among the youths and women[180]. There was a drop in economic activities in the informal sector. Employers became reluctant to abide by the rules of hygiene and sanitation, to grant leave to workers, encourage the setting up of trade unions and promote the right to strike[181].

634-To revamp the economy and reduce unemployment, Government revised the Labour Code (Law No. 92/7 of 14 August 1992) to establish a better working atmosphere between employers and employees and to liberalise the private sector. It equally set up the industrial free trade zone, professionalised the education system and liberalised workers unions.

635- In spite of the effects of the economic crises, Government did its best to maintain a steady employment policy. Professional training institutions like ENAM, the Faculty of Medicine and Bio-Medical Sciences (FMBMS), ENS, ASMAC, the Public Works School, Higher Police College and Military Academy, Post and Telecommunications School, among others, kept recruiting students for eventual employment into the Public Service.

636- This determination to recruit into the Public Service is partially due to the fact that whereas in developed countries the private sector is pivotal to economic growth as reflected in the social employment policy, in developing countries, the State is the main employer.

[179] See 2005 report pp. 159-160.

[180] See 2005 report pp. 164 – 167.

[181] Source: Ministry of Employment and Vocational Training.

637- In 2006 specifically, several activities to foster the promotion and protection of the right to work and social security were carried out in Cameroon.

Section 1- Promotion and Protection of the Right to Work

638- 2006 was marked by strengthening the measures to facilitate employment, setting up of trade unions, negotiating collective agreements, settling many collective disputes, improving on working conditions, taking professional training into consideration and the right to strike.

§1- Employment

639- Measures to promote and facilitate employment are perceptible by an analysis of recruitment into the Public Service, the assessment of the role played by the National Employment Fund and especially through the draft project to draw up a National Employment Policy.

A- Employment into the Public Service

640- The figures below reflect Government dynamic employment policy in 2006. In fact, the Public Service recruited the following workers:

- 10,300 contract teachers;
- 3,000 probationary teachers;
- 100 technical school teachers;
- 100 veterinary nurses;
- 10 computer engineers in MINFOPRA;
- 20 forest rangers; and
- 19 researchers (Ministry of Scientific Research and Innovation).

641- The following statistics indicate the number of students admitted into specialized professional institutions during the 2006/2007 academic year for subsequent absorption into the public service.

Faculty of Medicine and Bio-Medical Sciences

- Medical students: 90
- Senior state registered nurses:
  - BSc Level: 20;
  - Maîtrise: 28;
  - Specialization: 46.

Public Works School

- Senior civil engineers: 99;
- Civil engineers: 635;
- Senior rural engineers: 56

- Rural engineers: 259;
- Senior topography technicians: 117.

National Institute of Youth and Sports

- Physical Education Teachers: 60;
- Senior Youth and Sports Counsellors: 44;
- Youth and Animation Counsellors: 60.

National Advanced Polytechnic School: 566

National Advanced School of Post and Telecommunications

- Cycle for Post and Telecommunications Technicians: 50
- Cycle for Post and Telecommunications Clerks: 50

B- National Employment Fund

642- In 2005/2006, the National Employment Fund placed 13,470 job seekers, trained 1,582 job seekers to own private businesses, as well as 276 youths for subsequent employment. It financed 837 micro-projects[182].

C- National Employment Policy

643- In a socio-economic context characterised by serious unemployment and disturbing underemployment, where the absence of a coherent and articulated framework document on a national employment policy has thwarted the massive mobilisation of resources for employment and better coordination of employment actions, the Ministry of Employment and Vocational Training drew up, in 2006, a draft National Employment Policy Declaration.

644- This Declaration which had already been validated at the interministerial level and the National Labour Consultative Board presents the following features of the National Employment Policy:

- its bases;
- its context and justification;
- its objectives;
- commitments envisaged by Government;
- Government strategy; and
- follow-up/evaluation mechanism which identifies major stakeholders, their roles and which provides for follow-up/evaluation mechanisms of the National Employment Policy.

645- Government, through the National Employment Policy Declaration, undertakes in accordance with the provisions of Convention 122 of the ILO to draw up a National Employment Policy to promote full, decent and freely chosen productive employment.

[182] Ibid .

646- NEP shall aim especially at:

- stimulating economic growth and development;
- raising the standard of living of the masses;
- training human resources to meet labour needs; and
- curbing unemployment and underemployment.

647- NEP's strategy is based on principles and strategic focuses. It aims at promoting decent job-creating productive investment in all sectors and branches of the economy. It is based on the following principles:

- employment as an issue of national interest on which Cameroon's sustainable development depends and which appeals to each and everyone's conscience;
- growth rate and the creation of decent and valorising jobs as indicator of national economic performance and good governance;
- employment considered not only as the outcome of economic growth but also and most especially as an inductive factor of such growth;
- decent employment promotion for all as a strategic focus for poverty reduction and exclusion and as a condition sine qua non for harmonious and sustainable development which guarantees peace and social justice; and
- taking into consideration the cross-cutting nature and central role of employment in political and social economy.

648- Several projects are in the pipeline for promoting the employment of some specific groups especially the youth for whom an employment plan was conceived in 2006. Other projects were envisaged for women, the handicapped, vulnerable groups and persons who have been unemployed for a long time. Their employment plans and the Priority Employment Investment Programme are being drawn up. Support for the implementation of these programmes include studies conducted in partnership between MINPLAPDAT and the International Labour Bureau in 2005 and the National Employment Policy which is being amended.

649- Besides these studies, MINEFOP continues to promote employment in the informal economic sector through the PIAASI Project and some NEP programmes. As regards this project specifically, application for support rose from 3,765 in 2005 to 4,000 in 2006 throughout the national territory. 2,020 of the 4,000 applications were addressed to PIAASI. CFA 699 million was granted representing CFA 71 million per province. Applicants were from the following fields in descending order of magnitude: agriculture, trade, clothing industry, handicraft and animal husbandry.

650- Similarly, through special Government funding, NEF provided economic placements for several youths within the framework of an agreement signed with MINPMESSA and MINEFI. Hence, to curb unemployment, underemployment and poverty, NEF placed 54% of 12,000 applicants in paid jobs, financed 63% of 1,375 projects and offered 64% of 2,132 persons self-employment. These performances complete actions

carried out by decentralised services where NEF intermediary services are inexistent. Through these means MINEFOP directly placed applicants in about one thousand small, medium and big enterprises.

§2- Trade Unions

651- Trade unionism was revamped with the setting up of 46 new trade unions in 2006 as shown in the Table below:

List of Registered Trade Unions in 2006[183]

No.	Province	Name	Activity	Post Box and Head Office	Reg. No.	Name of Chairperson	Date of registration
1	**Centre**	Syndicat National des Employeurs de l'Industrie d'Arts Polygraphiques et Activités Connexes du Cameroun (SYNEIAPAC)	Processing industry	P.O. Box 12020, Yaounde	E4 /145	TCHUITCHEU Marc René	12 January 2006
2		Syndicat National des Travailleurs Ruraux du Cameroun (SYNATRUC)	Agriculture	P.O. Box 1734, Yaounde	SN/I/43	**TIPO NDAYE Ibrahim**	12 January 2006
3		Syndicat National des Prestataires de Services et	Trade	P.O. Box 14152, Yaounde	E4 /146	**NINGA TSAI**	12 January 2006

[183] Source: Ministry of Labour and Social Security

		Assimilés du Cameroun (SYNAPREC)				**Augustin**	
4		Syndicat des Exploitants de Call Box du Cameroun (SYCALLCAM)	Trade	P.O. Box 2337, Yaounde	E/SI/2	**PROWO KETINGYE Calvin Luther**	25 January 2006
5		Confédération des Syndicats Autonomes du Cameroun (CSAC)		P.O. Box 12097, Yaounde	CSAC/ C/1	**VEWESSE**	2 March 2006
6		Syndicat Départemental des Travailleurs des Aéroports du Cameroun S.A du Wouri (STACWOCGT/Liberté	Air Transport	P.O. Box 13615, Yaounde	CGT/Liberté/SD /1	**BAKARI Aba Ali**	2 March 2006
7		Syndicat National des Exploitants Professionnels des Pompes Funèbres du Cameroun	Trade	P.O. Box 7460, Yaounde	E4/147	**TAGMIN Hubert**	2 March 2006
8		Syndicat National des Chauffeurs Employés Professionnels de Taxi, Moto, Bus, Minibus Urbain et Interurbain du Cameroun (SYNCEPROTMB MUICAM)	Urban Transport	P.O. Box 11889, Yaounde	SN/46	**MANFOUO Jean Norbert**	3 April 2006
9		Syndicat National des Exploitants des Débits de Boissons du Cameroun (SYNEDEBOC)	Trade	P.O. Box 14947, Yaounde	E4/148	**Roger TAPA TCHIESSO**	26 April 2006
10		Groupement des Revendeurs des Vivres du Nyong et Kele (GROUREVIYEK)	Trade	P.O. Box 20792, Yaounde	SID/54	**MBOGOL MBOGOL Paul T**	26 July 2006
11		Cameroon Authentic Trade Union Security Workers (CATUSSW)		P.O. Box 3628, Yaounde	SN/I/51	**OTSENG NGAMBA Laurent Francis**	26 July 2006
12		Syndicat National des Travailleurs des Industries du Commerce et des Jeux du Cameroun (SYNATICJC)	Trade	P.O. Box 6383, Yaounde	UGTC/SN/1	**MELI MAFFOUO Donatien**	17 August 2006
13		Syndicat National des Personnels du Secteur des Postes et Télécommunications (SYNAPOSTEL)		P.O. Box 6383, Yaounde	UGTC/SN/2	**NKWADI Peter**	19 September 2006

14		Fédération des Syndicats Nationaux de Commerce du Cameroun (FSNCC)	Trade	Yaounde	I/FED/07	**MOUHAMAN SALISSOUH**	19 Septembre 2006
15		Syndicat Natioale des Travailleurs aux Activites Pastorales et Explotation Connexes (SYNATAPEC)	Agriculture	PO Box 7307, Yaounde	SN/1/55	**NLOMO MVOGO Bruno**	5 December 2006
16		Fédération des Syndicats Libres des travailleurs des Etablissements Financiers du Cameroun (FESYLTEF-CAM)	Banking	P.O. Box 13994, Yaounde	USLC/FED/3	**Rose NDJIE SHE**	5 December 2006
17		Fédération Syndicale des Travailleurs de la Construction, Travaux Publics et Activités Annexes du Cameroun (FSTBC)	Building and Construction	P.O. Box 12232, Yaounde	CGT-L/FED/1	**MINKOULOU Pierre**	20 December 2006
18	**Littoral**	Union des Syndicats des Chauffeurs, des Conducteurs et Assimilés du Cameroun (USCCAM)	Transport	P.O. Box 260, Douala	E4/144	**KAMGOUE Emmanuel**	25 January 2006
19		Syndicat National de l'Energie Electrique (SNEE)	Electrical Power	P.O. Box 5059, Douala	CSTC/N/11	**FOUMAN Julien Marcel**	26 January 2006
20		Syndicat National des Conducteurs de Mini Bus du Cameroun (SNCMBC)	Transport	P.O. Box 18351, Douala	SN/I/44	**TCHUIGOUA Charles**	2 March 2006
21		Syndicat National des Transporteurs d'Hydrocarbures du Cameroun (SNTHC)	Transport	P.O. Box 13270, Douala	E4/149	**HAMAN Abdoulaye**	16 March 2006
22		Syndicat des Travailleurs de l'Industrie Textile de la Confection et Habillement du Wouri (SYTITECHW)	Industry	P.O. Box 11919, Douala	SID/48	**MABOU Jean**	3 April 2006
23		Syndicat National du Personnel Navigant Commercial (SNPNC)	Air Transport	P.O. Box 5554, Douala	SN/I/45	**Mme MAKEMBE BEBEY Lydie**	3 April 2006
24		Syndicat National des Détectives privés du Cameroun (SNDPC)	Service	P.O. Box 2522, Douala	SN/I/48	**Aurelien Joseph MATHEUS ABDOUL AZIZE**	26 April 2006

25		Syndicat Libre des Travailleurs des Garages Automobiles et Activités Connexes du Wouri (SYNDLTGACW)	Vehicle	P.O. Box 9156, Douala	SID/51	**EHAWA Anselme**	5 July 2006
26		Syndicat National de l'Audiovisuel Cameroun (SYNAVCAM)	Communication	P.O. Box 15297, Douala	SN/I/52	**Henri FOTSO**	26 July 2006
27		Syndicat Départemental Libre des Conducteurs des Moto-Taxis du Wouri (SYNDLCMTW)	Urban Transport	P.O. Box 9156, Douala	DID/53	**FOKO TOTOUOM Eric Blaise**	26 July 2006
28		Syndicat Libre des Travailleurs de l'Industrie de Raffinage d'Huile de Palme et Activités Connexes du Wouri (SLTIRHPW)	Processing Industry	Douala	SID/50	**NHEHEG Gustave**	26 July 2006
29		Syndicat Départemental Libre des Biscuiteries Boulangeries du Wouri (SYNDLBIBW)	Trade	P.O. Box 9156, Douala	SID/52	**NSANGOU Amadou**	26 July 2006
30		Syndicat des Travailleurs des Entreprises Maritimes et Connexes du Cameroun (STEMCC)	Maritime Transport	P.O. Box 1992, Douala	SN/I/49	**NOTEWO Martin**	17 August 2006
31		Syndicat National des Importateurs et Distributeurs des Matériaux de Construction et d'Equippement du Cameroun (SYNDIMAC)	Trade	P.O. Box 6787, Douala	E4/151	**PEUGHOULA Emmanuel**	13 November 2006
32		Syndicat des Personnels du Transport Aérien et Activités Connexes	Air Transport	P.O. Box 15103, Douala	CGT-Liberté/SN/1	**René Bernard EKEDI**	13 November 2006

		(SNPTA)					
33		Syndicat National Camerounais de Transport Interurbain et Bus (SYNACTRIBUS)	Air Transport	P.O. Box 3865, Douala	SN/1/54	**KIGOUM MBIANDA Jousue**	
34		Syndicat National des Gérants des Stations Services du Cameroun (SYNAGESSC)	Trade	P.O. Box 2600, Douala	E4/152	**NGUEPI Samuel**	5 December 2006
35		Syndicat Principal des Travailleurs d'Acconage et de Manutention du Wouri	Transit	P.O. Box 1992, Douala	CSAC/SD/2	**Vasco Emmanuel KENDINE**	5 December 2006
36		Syndicat Provincial des Transporteurs Routiers par Cars, Bus, Mini-Bus Urbain et Inter-Urbain du Littoral (SPTRCBUIL)	Transport	P.O. Box 123, Douala	SID/56	**FOMOSSA Joseph**	20 December 2006
37		Syndicat National des Techniciens et Consultants en Expertises maritimes et Risques Divers (SYNTECEMARD)	Transit	P.O. Box 3639, Douala	SN/I/57	**NTOMBA Moïse**	20 December 2006
38	**North**	Syndicat des Conducteurs des Motos-Taxi du Nord (SYNPROCOMON)	Urban Transport	P.O. Box 607, Garoua	SID/49	**ABDOULAYE AMADOU**	5 July 2006
39		Syndicat des Propriétaires des Pirogues à Moteurs et à Pagaies pour le Transport Fluvial du Nord (SYPPMOPATRAF)	River Transport	P.O. Box 1224, Garoua	E4/150	**Youssoufa GARBA**	5 July 2006
40		Syndicat Provincial des Conducteurs des Motos-Taxis du Nord (SYPROCOMON)	Urban Transport	P.O. Box 607, Garoua	SID/49	**ABDOULAYE HAMADOU**	26 July 2006
41	**West**	Syndicat National des Producteurs Agricoles et Paysans du Cameroun (SYNAPCAM)	Agriculture	P.O. Box 671, Bafoussam	E4/139	**SOKOUDJOU Jean Philippe Rameau**	26 July 2006

42	**SouthWest**	Manyu Transporters Syndicate (MATRYSYN)	Urban Transport	P.O. Box 282, Mamfe	SID/47	**NJING Jacob OJONG**	25 January 2006
43		Union of Manyu Urban and Inter-Urban Transporters Syndicate (UMAUIUTRASYN)	Inter-Urban Transport	P.O. Box 282, Mamfe	SID/55	**AGBOR NDIP Augustine**	13 November 2006
44	**North West**	National Actors Guide of Cameroon (NAGCAM)	Communication	P.O. Box 2184, Bamenda	SN/I/47	**VUGAH Samson Vibini**	26 April 2006
45		National Union of Professional Motor Bike Taxi Exploiters in Cameroon (NUPPROMOBITE)	Urban Transport	P.O. Box 691, Bamenda	SN/I/53	**NKWENTI AKUM OSIA**	19 September 2006
46		Mezam Union of Minibus Drivers Trade Union (MEMBUTU)	Urban Transport	P.O. Box 520, Bamenda	CSTC/SD/264	**MAMA NDOWNIE**	5 December 2006
43		Union of Manyu Urban and Inter-Urban Transporters Syndicate (UMAUIUTRASYN)	Inter-Urban Transport	P.O. Box 282, Mamfe	SID/55	**AGBOR NDIP Augustine**	13 November 2006
44	**North West**	National Actors Guide of Cameroon (NAGCAM)	Communication	P.O. Box 2184, Bamenda	SN/I/47	**VUGAH Samson Vibini**	26 April 2006
45		National Union of Professional Motor Bike Taxi Exploiters in Cameroon (NUPPROMOBITE)	Urban Transport	P.O. Box 691, Bamenda	SN/I/53	**NKWENTI AKUM OSIA**	19 September 2006
46		Mezam Union of Minibus Drivers Trade Union (MEMBUTU)	Urban Transport	P.O. Box 520, Bamenda	CSTC/SD/264	**MAMA NDOWNIE**	5 December 2006

§3- Negotiation of Collective Agreements

652- Government negotiated and facilitated the revision of some collective agreements. On 8 December 2006, a collective agreement was signed between the employers and employees of 8 security companies. Another agreement was signed between workers of the road transport sector and the Ministry of Labour and Social Security[184].

Collective agreements by hotel operators, producers and refiners of petroleum products were reviewed. Government also standardised the salary scale of workers in the fields of journalism, urban and interurban transport, trade and maritime transport[185]. Government philosophy is to guarantee job security, establish a viable social security system for all and maintain a good employer/employee relationship.

[184] CT No. 874/494 of 14 December 2006.

[185] CT No. 8513/4712/ of 12 January 2006, CT No. 8514/4713 of 13 January 2006, CT No. 8526/4725 of 31 January 2006

§4- Settlement of Labour Disputes

653- Many collective and individual labour disputes were settled by the central and external services of the Ministry of Labour and Social Security in 2006. These disputes were resolved through tripartite meetings and ad-hoc committees. Some of the collective disputes settled concerned the Cameroon Postal Services (CAMPOST)[186], Cameroon Telecommunications (CAMTEL), Cameroon Airlines (CAMAIR), Cameroon Tea Estates of Ndu, Tole[187] and Ndjuttisa, and Urban and Inter Urban Transport[188]. CAMAIR, CAMTEL and CAMPOST, were liquidated and Government spared no effort to pay off their workers. There were a series of meetings between the State and the workers during which the latter were scheduled for payment. Almost all dues owed former employees of these liquidated companies were paid in 2006. It was equally agreed that in the case where the companies were sold to third parties, priority would be given to the employment of retrenched workers if need be.

654- The cases of Tole, Ndu and Ndjuttisa Tea Estates were treated alike. Government instructed employers to pay off all employees who left and ameliorate the working conditions of those who stayed. Some of these workers received partial payment of their dues in 2006. However, a major priority of these measures is the determination to improve on working conditions.

§5- Better Working Conditions

655- PAMODEC effectively commenced in 2006.

656- The following hygiene and sanitation committees were installed in several enterprises in 2006: 15 in Douala, Littoral Province; 5 in Bertoua, East Province; 1 in Yaounde, Centre Province; 2 in Figuil, North Province; 3 in the West Province and 2 in Kribi-Nieté, South Province. These committees were in charge of the promotion of hygiene and sanitation in the different enterprises to avoid industrial accidents and professional injury.

657- HIV/AIDS control was intensified in some enterprises funded by Government[189] considering that the virus affects not only the workers environment but also their fundamental right to health. The Ministry of Defence took the lead in HIV/AIDS control. The Ministries of External Relations, Public Service and Administrative Reforms, Economy and Finance and many others followed suit in 2006.

658- All these measures would not have had the expected impact without concrete professional training.

[186] CT No. 8733/4932/ of 24 November 2006.

[187] CT No. 8658/4857 of 8 June 2006 and CT No. 8557/4856 of 7 August 2006.

[188] CT No. 8514/4713 of 13 January 2006.

[189] Source: Contribution of the Ministry of Labour and Social Security, entitled "Elaboration du Rapport sur l'Etat des Droits de l'Homme au Camroun", (Drawing Up of the Report on the State of Human Rights in Cameroon) document No. 2561/MINTSS/SG/IG/13 of 29 December 2006.

§6- Professional Training

659- Although Cameroon economic performance has been improving for about a decade now (1995-2005), this positive trend is not translated into significant increase in employment possibilities or poverty reduction for a majority of the masses. On this basis, the Education Sector Sectoral Strategy (SSE) adopted in June 2006, affirms that at least 50% of primary, secondary and higher education graduates should be guided towards vocational training by 2015. These youths should receive profession-based vocational training to improve on the external efficiency of the education system.

660- The diagnosis of vocational training system in Cameroon reveals four major problems namely:

- weak institutional and statutory mechanism;
- low qualitative and quantitative supply with respect to demand;
- insufficient financial resources; and
- under utilisation of human and material resources.

661- These problems have different causes.

With regard to the weak institutional and statutory mechanism, the following reasons can be mentioned:

- absence of a vocational training policy; and
- inappropriate legal and statutory framework.

As regards low qualitative and quantitative supply, the following reasons can be given:

- inappropriate programmes;
- insufficient number of vocational training and information centres;
- acute shortage and obsolence of infrastructure and equipment;
- insufficient vocational training fields;
- quantitative and quality lack in human resources; and
- under-utilisation of the vocational guidance system.

Pertaining to insufficient financial resource, the following causes can be advanced:

absence of an appropriate policy for the funding of vocational training;
poor funding by other partners (households, enterprises...) of vocational training; and
insufficient budgetary allocation for vocational training

Concerning under utilisation of human resources and equipment, the following causes can also be cited:

lack of strategic planning of resources allotted to vocational training; and insufficient institutions for different actors of the sector.

§7- Right to Strike

662- Trade unions and dissatisfied employees carried out a number of strikes. This was the case of the National Union of Road Transporters[190], Urban Transporters (Taxi Drivers), CAMPOST[191], ACIERIES, and part-time teachers among others. Government management of these strikes demonstrated its determination to promote peace[192].

663-Government made many concessions to quell the strikes. For instance, it yielded to the call by taxi drivers to reduce the number of police check points in cities and to prevent the police from collecting bribe from them. Some probationary teachers, who felt that their probation period was overdue, asked to be absorbed. Government caved in and employed more than 10,000 contract teachers.

Section 2- Social Security Reforms

664- Government put in place a vast reform programme to ameliorate the social security system in Cameroon. The State, in its search for ways and means to achieve major macroeconomic stability and to regulate the social security sector, decided, in consultation with funding bodies, to:

restructure the NSIF in the short-term; and
reform social security system in Cameroon.

665- A steering committee in charge of reviewing some aspects of the NSIF and to reform social security was put in place in 1998. The President of the Republic validated a social security strategy reform in December 1999 to:

- preserve security funds;
- ensure the separate management of branches;
- define the role of the State;
- extend the material and professional scope, as well as employ more social security personnel; and
- combat poverty and social exclusion.

665-1- About a dozen studies were carried out to provide input on decisions on the following aspects:

- the role of the State;
- updated studies on the NSIF;

[190] CT No. 8514/4713 of 13 January 2006.
[191] CT No. 8733/4932 of 24 November 2006.
[192] CT No. 8519/4718 of 20 January 2006.

- extension of social security to the informal sector and to uncovered persons;
- transition management;
- studies on health insurance;
- studies on the NSIF sanitation and social action;
- evacuation from NSIF property;
- social security of public service personnel;
- legal and institutional framework; and
- financing of funds.

666- To enhance the recovery of social security contributions, the National Assembly adopted Law No. 2001/17 to boost the recovery of the said contributions and sealed the NSIF/taxation partnership.

667- Similarly, the Inter-African Social Insurance Conference (CIPRES) is currently harmonising national social insurance laws. Cameroon ratified the treaty by Decree No. 95/136 of 24 July 1995. This treaty was signed in Abidjan, (Côte d'Ivoire) on 22 September 1993.

668- The following studies were carried out within the framework of technical cooperation and harmonisation:

- circumspection of areas to be codified;
- definition of economic indicators and protective measures;
- adoption of CIPRES accounting system by NSIF that portrays the true image of this structure;
- preparation of a CIPRES training programme and identification of existing training centres in member countries of the Inter-African Social Insurance Conference.

669- A draft social security code and specifically a draft bill on health insurance are being drawn up to extend social security to uncovered persons.

670- Draft bills on National Social Insurance Policy were prepared by MINTSS and submitted to hierarchy for approval. Other legal instruments to organise the different social security structures have also been prepared. They concern the:

- National Social Insurance Fund (NSIF), which is to restructure the current NSIF;
- National Fund for State Personnel (NFSP) to be reserved for State employees and other personnel ranking as such;
- National Social Insurance Health Fund (NSISF);
- Social Security Agencies in charge of registering, recovering, regulating and controlling social security organs;
- Unemployment Insurance; and
- Guarantee Fund for Salary Arrears.

671- Government employment policy embraces the formal and informal sectors. While

it endeavours to reform public service employment policy to encourage the employment of youths, Government equally encourages self-employment by training and funding micro-projects and by promoting social groups, which could benefit from its assistance with a view to reaching the masses within the framework of poverty alleviation and thereby improving the well-being of the people.

672- Government further took measures against child labour as discussed in the chapter on the rights of the child.

CHAPTER 6: RIGHT TO A HEALTHY ENVIRONMENT

673- The environment comprises the atmosphere, continental waters, flood plains, coastlines and maritime waters, soils and sub-soils. It is equally composed of human settlements.

674- The international community has always shown concern for the management of the environment and nature protection for sustainable development expressed by the organisation of international conferences and world summits. The Stockholm Conference of 1972 on the Environment, the Johannesburg Summit of 2002 on Sustainable Development, the Rio de Janeiro Summit of 1992 (Brazil) on Environment and Development also called the Earth Summit have seen great mobilisation with the view to ensuring that humanity has an environment favourable for its development.

675- The international community has equally fixed objectives such as the Action 21 Programme also called Agenda 21 in 1992 at Rio de Janeiro (Brazil), Millenuim Development Goals during the social development summit organised in 2000 in New York (USA), the Johannesburg Action Plan (South Africa) in 2002 during the World Summit on Sustainable Development. During this last summit, African countries drew up a reference framework based on the New Partnership for Africa's Development (NEPAD) with a major environmental component.

676- The ratification of several international legal instruments relating to the constitutionalisation of environmental issues led to the promulgation of many legal instruments: the framework law on the environment, forestry law, biodiversity law, the mining code, the petroleum code, the water code, the law on classified establishments and the law on the security system for the prevention of modern biotechnological risks. More over, a new institutional framework has been set up and Government has put in place environment concerted management structures.

Section 1- International Protection Framework of the Right to Healthy Environment

677- To implement ratified international conventions and relevant regional instruments, Government drew up specific strategies for the implementation of the right to a healthy environment and the publication of a forestry guide. Furthermore, seminars were organised which resulted in the adoption of interesting recommendations and/or the capacity building of stakeholders in the domain of environment. Government equally received support through bilateral or multilateral cooperation.

§1- Ratification of Relevant International Conventions

678- The President of the Republic signed the following decrees to ratify treaties for the promotion of the right to a healthy environment.

- Decree No. 2006/355 of 18 October 2006 to ratify the treaty on biodiversity conservation and sustainable management of forest ecosystems in Central Africa;
- Decree No. 2006/424 of 8 December 2006 to ratify the 1990 Agreement on the preparation, control and cooperation in matters relating to pollution by hydrocarbons (OPRC 90); and
- Decree No. 2006/423 of 8 December 2006 to ratify the 1973 agreement on the prevention of pollution by vessels (Marpol 73/78) adopted on 2 November 1973.

§2- Specific Strategies for the Implementation of the Right to Healthy Environment and Publication of a Forestry Guide

679- Specific strategies were drawn up taking into account the context and the publication of the forestry guide which was highly welcomed.

A- Specific Strategies

680- Strategies for the implementation of the right to a healthy environment are classified under the following headings:

Strategic Focus I: Protection of Urban Environment

- Planting of trees during International Biodiversity and Environment Days;
- Drawing up of the procedure manual on Operation Green Towns in January 2006;
- Contact with councils to set up town greens;
- Institution of clean-up campaign days in some Provinces and Divisions;
- Participation in citizen's day instituted by Urban Councils;
- Follow-up of sanitation measures in listed establishments;
- Cleaning and drainage in partnership with development committees of the public sanitation network of some neighbourhoods;
- Technical and logistic support in the afforestation framework;
- Development and clean up of commercial areas;
- Participation in the advisory commission in charge of the management of State private property;
- Participation in the drawing up of environmental development and action plans of decentralised territorial communities;
- Urban afforestation actions; and
- Urban waste management.

Strategic Focus II: Ecologically Sustainable Industrial Development

- Controlling the impact of human activities on the environment and health of man and animals;
- Environmental inspection;

- Inventory of industries that import equipment to reduce any form of pollution or eliminate green house effect;
- Sensitisation at all levels and follow-up of the environmental impact assessment of companies in the industrial zone;
- Identification of listed establishments and other structures; and
- Drawing up of incentives to environmental protection.

Strategic Focus III: Sensitisation and Environmental Education

- Sensitisation tours;
- Availing businessmen of rules and regulations;
- Technical support to Common Initiative Groups (CIGs) and village development associations;
- Integration of environmental programmes into school curriculum; and
- Sensitisation of the people living near dams, pipeline, fragile ecological areas and other huge projects.

Strategic Focus IV: Environmental Training, Information and Communication

- Capacity building of personnel in biodiversity protection; and
- Setting up of a public information and participation mechanism.

Strategic Focus V: Sustainable Biodiversity Conservation and Management

- Project financing.

Strategic Focus VI: Nature Conservation and Rehabilitation of Degraded Sites

- Drawing up the Terms of Reference for data collection on degraded sites and biodiversity;
- Visits to distributors of equipment that use Ozone Depleting Substances (ODS);
- Sensitisation of the people on the harmful effects of indiscriminate bush fires; and
- Identification of natural disasters risks sites.

Strategic Focus VII: Prevention and Monitoring of Environmental Risks

- Conception and setting up ecological monitoring and warning systems;
- Inventory of risk areas;
- Participation in the prevention and management of natural and anthropic disasters;
- Delimitation of humid areas;
- Follow-up of the environmental impact of pipeline activities; and
- Inventory and cartography of fragile and/or risk ecological sites.

Strategic Focus VIII: Strengthening Cooperation and Partnership in the Domain of Environment and Nature Protection

- Effective participation in all multilateral agreements on the environment and nature protection;
- Drawing up of environmental programmes and projects for submission to funding bodies; and
- Application of good governance normative framework.

Strategic Focus IX: Environment and Gender

- Involvement of more women and young persons in environmental activities.

Strategic Focus X: Institutional Reinforcement and Funding

- Ensuring staff training; and
- Infrastructure development.

B- Publication of Forestry Guide

681- A *Guide on Environmental Measures*[193] has been published by the Ministry of Environment and Nature Protection in the form of a code of conduct for all businessmen and actors in the forest sector. The guide contains all the attendant measures relating to forest activity in a given area.

682- The guide, presented in the following Table further provides for measures to protect biodiversity, soils, air pollution and even water pollution:

Control measures	**Verification source**
1 – Social measures	- Meeting reports and working contacts
- Information and sensitisation on the project	- Local people, administrative and traditional authority /survey
- Setting up a people /exploiter consultation framework	-local people, administrative and traditional authority /survey
-Recruitment of local workers by the company	1- Frequency of meetings
	2- Issues resolved by concertation
- Recruitment of local workers by the company	Staff strength of works: local manpower
-Improvement of standard of living . Security . Health . Education . Roads . Financing micro-projects	Visit to physical achievements
- Measures to protect the people and workers against accidents and diseases caused by the company - Strategic STD/HIV/AIDS control	- Build speed breaks on the roads that pass through villages -Road signs of villages - Wearing appropriate work clothes by workers -Controlling saw dust - HIV control

[193] See CT No. 8559/4758 of 17 March 2006.

- Improvement of relations between workers and the people	- company rules and regulations that improve good neighbourliness
- Respect of usage right	-Result of survey on the people
- Compensation of the people	- people and exploiters
2- Biodiversity protection measures	
- Limiting the opening of tracks and trails -Reduction of deforestation Rehabilitation of borrowing sites and camps	- Width of tracks and trails - Log and borrow depots - forest camps - restoration measures of log depots and borrow areas
- Planning the building of a road network (taking) sensitive areas into consideration)	- Tracks network planning document /sites concerned; track-marking in forest
- Mapping of sensitive sites	- Map /remark on the sits/area concerned
- Take measures against poaching along penetration tracks	- Existence of functional barriers; roads/control vehicles
- Prohibition of exploitation at less than 100 metres from an ecological reserve, protected open area or plug zone	- Visit to such areas, where they are found on the map
- Closing abandoned tracks	- Effective barriers on abandoned tracks
- Avoid knocking down subjects of more than 10 cm in diameter during unloading	Unloading track /seen on the land
- Prohibition of hunting and exploitation of woody and non woody land products	- Internal rules and regulations/traps, hunting tracks and supply to camps
3 – Soil protection measures	
- Adequate functioning and existence of drainage systems	- Works inspection
- State of the project	Tracks inspection
- Measures to curb erosion of borrow areas and log depots	- Inspection of borrow areas and log depots (levelling of upper layer, adjustment…)
- Measures to stabilise excavation and embankment slopes	- State of slopes /visual observation on site
- Divergent directed towards vegetation areas and at least 30m from watercourse	Localisation and orientation of divergents
- Prohibition of felling trees on a site with a steep slope (more than 50%)	Map and visits to site
- State of bridges and crossings	- Tracks and rivers
4- Protection measures against air pollution	
- Speed limit of vehicles on site	- Internal rules and regulations - speed breaks
- Appropriate collection mechanism, of sawdust from factories	Sawmill and sawdust
- Direction and height of sawdust heaps	Sawmills
- Appropriate maintenance of machines and heat engines	Quality of exhaust gas
-Emission of power plants	Power plants
- Prohibition of burning woody matter in open air	-Visits to wood waste incineration or transformation sites
5- **Protection measures against soil and water pollution**	
- Carry out all filling, maintenance and drain of machines in areas provided for such operations	- Inspection of machine parks and garages
- Collection of used oil	-Used oil collection mechanism
- Domestic sites at least 60 metres from a water level	- Camps and living bases
- Digging of latrines in areas where workers are found	- Visits to, domestic sites, science and parks
- Use of homologated treatment products and systematic collection of packages pr wrappings	- Log factory/deport/ collection mechanism
- Preservation of a 60 m protection zone around a water source	- Water points
- Removal from water and water levels of dead parts of trees resulting from felling	- Water and water levels
6- **Protection, measuring against hydrology modification**	
- Protection measures against soil erosion	- Divergents/bridges and drainage/slopes
- Bridges over watercourses and removal of such bridges after works	- Watercourses and swamps
- Building of bridges and crossing in swamps areas	- Swamps
- Material sampling sites at least 60 m from a water level	- Borrow sites.

§3- Seminars on the Environment

A- Seminar on Capacity Building in Urban Waste Management

683- A meeting organised by "La Coalition des Associations pour la Promotion de l'Assainissement Urbain" (Coalition for the Promotion of Urban Sanitation) (CAP-SUR)

in partnership with Deutscher Entwicklung Dienst (DED), a German development organisation, was held from 20 to 21 June 2006 at the Yaounde Town Hall. Deliberations ended with the adoption of a plan of action on capacity building of CAP-SUR members in waste management, the setting up of a stimulation pool and approaches for the setting up of focal points in ministries.

B- Central African Forests Commission

684- An international seminar was organised in Yaounde from 24 to 27 October 2006, and brought together parliamentarians and senators from the Central African sub-region, observer countries with consultation platforms with parliamentarians and development partners on the theme *"La commission des fôrets d'Afrique Centrale et les parlementaires: bonne gouvernance et lutte contre la pauvreté ». (Central African Forest Commission and Parliamentarians: Good Governance and Poverty Reduction)*

685- The goal of this seminar was to ensure the effective involvement of the legislative power in the implementation of a convergent plan on the Central African Forests Commission (COMIFAC[194]).

§4- Multilateral and Bilateral Cooperation

686- Within the framework of international cooperation, Cameroon further benefits from the following financial support in the form of gifts or loan agreements to finance the forest and environment sector programme:

- gift agreement GEF No. TF 056544-CM of US$ 10 000 000, (about CFA 3.5 billion) concluded on 20 June 2006 between the Republic of Cameroon and the Forest and Environment Sectoral Programme Fund.

- IDA No.H207-CM of US$ 25,000,000 (about CFA 13.5 billion), concluded on 20 June 2006 between the Republic of Cameroon and the International Development Association for the financing of the forest and environment sectoral programme.

687- Government equally signed an agreement with the United Kingdom on the implementation of "Principle 10" on access to information, participation of the masses in taking decisions on this sector and the possibility to go to court on matters relating to environmental protection.

[194] The Yaounde Declaration adopted in 1999 repealed the different national policies on the protection of ecosystems which were unco-ordinated at the regional level. This Declaration led to the setting up of the Central African Forest Commission born of the Brazaville Treaty of 5 February 2005. This international institution stems from the determination of Central African Heads of States backed by the entire internatinal community. The aim of the Commission is to harmonise the different national policies with a view to drawing up a common sub-regional strategy for the appropriate conservation of the forest and its resources.

Section 2- New Institutional Framework and Concerted Environmental Management Structures

§1- New Institutional Framework for Environmental Protection

688- Cameroon's population growth (3%) results in intense pressure on natural resources especially the search for fertile soil, pasture, firewood, medicinal plants, water, aquatic resources and decent housing. The poor masses depend almost exclusively on environmental resources to satisfy their daily needs and unfortunately endanger its stability.

689- Government introduced several programmes to efficiently protect the environment including the National Environment Management Plan, the National Forestry Action Plan, the Forest/Environment Sectoral Programme, the National Biodiversity Strategy and its action plan, Agricultural Policy and the Action Plan for the Fight against Desertification.

690- The following principles were applied in drawing up these programmes:

- **precaution,** which implies that where there is serious threat of irreversible damage, lack of scientific proof should not be sufficient ground to delay preventive measures;

- **payment for pollution,** which means that fees for the prevention, reduction, control of pollution and cleaning up of polluted sites shall be borne by the polluter;

- **responsibility,** which implies that persons who, by their actions, create conditions which affect man's health or the environment shall redress or cause them to be redressed;

- **participation,** which means that:

- each citizen shall have access to information on the environment as well as on dangerous substances and activities;
- each citizen is obliged to safeguard and protect the environment;
- corporate bodies and individuals must, in carrying out their activities, meet similar requirements; and
- environmental decisions shall be taken in consultation with the sectors of activities or groups concerned, or after public consultation where such decisions are of general interest.

691- Based on this policy and principles integrated in the frame-work law on the environment, the restructuring of Government led to the setting up of a ministry in charge of specific environmental issues.

B- Ministry in charge of Environment

692- Before the coming into force of the framework law of 1996 on the environment, Law No. 94/1 of 20 January 1994 to govern forests, fauna and fisheries had been adopted. It equally governed sectors relating to the environment and forest.

693- Public authorities discovered that environmental issues[195] involved many domains and ministries[196]. They therefore adopted several laws to govern each domain relating to the environment. At the institutional level, Decree No. 2004/320 of 8 December 2004 to organise the Government was promulgated. It broke up the former Ministry of Environment and Forestry into two ministries: the Ministry of Environment and Nature Protection and the Ministry of Forestry and Fauna. Article 5 of the said decree provides for their respective duties.

694- The Ministry of Environment and Nature Protection defines, develops and orientates environmental policies, it follows up the establishment and improvement of natural resources, it implements the follow-up of sustainable development policies, oversees biodiversity conservation and protection. Its duties further include:

- protection of urban environment;
- ecologically sustainable industrial development;
- environmental sensitisation and education;
- environmental training, information and communication;
- biodiversity conservation and sustainable management;
- nature conservation and rehabilitation of degraded sites;
- prevention and monitoring of environmental risks; and
- strengthening cooperation and partnership in the domain of the environment and nature protection.

§2- Concerted Environmental Management Structures

695- Structures for a concerted management of the environment were set up. They include the Interministerial Environmental Follow-up Committee and the Permanent Follow-up Committee of the Yaounde Declaration on the Conservation and Sustainable Management of Tropical Forests.

[195] These include especially:
Law No. 96/11 of 5 August 1996 on Standadisation;
Law No. 98/5 of 14 vApril 1998 to Lay Down Regulations Governing Water Resources;
Law No. 99/13 of 22 December 1999 to Institute the Petrolium Code;
Ordinance No. 74 – 2 of 6 July 1974 to Establish Rules Governing State Land;
Ordinance No. 74 – 1 of 6 July 1974 to Establish Rules Governing Land Tenure; and
Decree No. 99/818/PM of 9 November 1999 to Lay Down Conditions for the Implantation and Exploitation of Dangerous, Inhygeinic and Obnoxious Establishments.

[196] These include the MIMEE, MINATD, Ministry of Mines, Ministry of Public Works, MINAGRI, Ministry of Tourism, MINDIC, Ministry of Plan and Regional Development.

A- Interministerial Environmental Follow-up Committee

696- The Interministerial Environmental Follow-up Committee was set up by Decree No. 2006/1577/PM of 11 September 2006 to assist Government in drawing up, coordinating, executing and controlling environmental policies. Concretely, its duties consist in:

- laying down quality norms for the air, water, soil and any other norms necessary to safeguard health and the environment;
- establishing relations between pollution, biodiversity conservation and the environment in general;
- carrying out research on environmental quality and related issues; and
- publishing and broadcasting information on environmental protection and management.

B- Permanent Follow-up Committee to Implement the Yaounde Declaration

697- The Permanent Follow-up Committee was restructured and its duties redefined by Order No. 3/CAB/PM of 19 January 2006 to amend and supplement some provisions of Order No. 29/CAB/PM of 9 June 1999 to set up a permanent follow-up committee for the implementation of the resolutions of the Yaounde Declaration on the conservation and sustainable management of tropical forests. The said committee has, amongst others, the following duties:

- setting up protected areas and forest reserves;
- concerted management of transborder protected areas;
- strengthening the application of good governance measures and the fight against all forms of illicit activities in the management and exploitation of forest and fauna resources;
- poverty alleviation in forest exploitation areas;
- the active participation of the masses especially those in rural areas in forest management;
- public sensitisation through seminars, colloquiums and the media on the sustainable management of national and sub-regional forest ecosystems;
- strengthening coordination and cooperation at the national, sub-regional and international levels on the implementation of concertation frameworks between governments, sponsors, businessmen, representatives of the masses and NGOs;
- harmonisation of laws on forest ecosystems and other sectoral programmes; and
- harmonisation of forest policies in the Congo Basin.

698-Although the duties of the Committee are geared more towards forest management, they also include the implementation of a harmonised framework of laws on the protection of the ecosystem and the environment.

699- Through environmental control inspectors and sometimes information from the public, fines are levied against corporate bodies and individuals who destroy the forest. Most cases brought before the competent courts end up in sentences.

700-Many international and national NGOs equally help in environmental protection and contribute to improving the standard of living of local communities. It is hoped that all these measures implemented or envisaged by Government will have an impact on the protection of the right to a healthy environment. However, it is observed that the masses have no regard for the effort made.

701- Bush fires which consume several hectares of plantation, household wastes dumped indiscriminately in disregard for public hygiene are examples which illustrate the masses' lack of civic spirit.

702- Industrialists who dump toxic waste in the wild, without any precaution, contribute to such lack of civic spirit likely to undermine the health of Cameroonians.

CONCLUSION

703- Cameroon is still far from fulfilling the criteria laid down by CESCR for the full enjoyment of economic, social and cultural rights (ESCR). It is questionable whether measures taken or the services rendered by Government meet these criteria. However, these shortcomings, given the hard times, should not undermine Government effort supported by the international community to progressively ensure minimum protection of these rights.

704- The reduction of external debt, measures prescribed and/or taken by the Head of State in favour of underprivileged groups and all the strategies put in place by Government are serious grounds to hope for the effective realisation of these rights.

PART THREE

CROSS-CUTTING ISSUES ON HUMAN RIGHTS PROTECTION

INTRODUCTION

705- *The Preamble of the Constitution states: "We the people of Cameroon, declare that the human person without distinction as to race, religion, sex or belief possesses inalienable and sacred rights;"* Human rights are prerogatives granted to persons because they are human beings. These rights are not lost simply because a person serves a prison term, for a convict remains a human being. Therefore, detention conditions are humanised to improve the status of detainees.

706- The wish to humanise prisons encompasses the determination to modernise prison administration. A major concern in 2006 was to strike a balance on the one hand, between the right to life, respect for physical integrity and fair trial, and on the other, the importance of some Government services to function permanently.

707- Moreso, the taking into account of some vulnerable classes such as children, handicapped persons and the elderly who should be distinguished from specific classes like women, equally led to minor accusations, which however allowed for the contribution of specific African cultural values to the promotion and protection of human rights.

708- The following issues will be discussed under this part, which deals with cross-cutting issues:

- detention conditions;
- strike by some Prison Administration personnel;
- promotion and protection of the rights of women and the girl child; and
- protection of some vulnerable groups.

CHAPTER 1: DETENTION CONDITIONS

709- The State, the UN and the AU specialised mechanisms show constant concern for the humanisation of detention conditions. Cameroon, particularly the Ministry of Justice, to which Prison Administration was attached in December 2004[197], continues to humanise detention conditions which remain a genuine concern given accusations levied against her by specialised mechanisms on this issue.

Section 1- Disturbing Situation

710- VERA MILANGAZURWA CHIRWA, Special Rapporteur for the African Commission on Human and Peoples' Rights (ACHPR) carried out a mission to Cameroon from 2 to 5 September 2002. Her report on prisons and detention centres addresses some concerns and makes recommendations relating to the judiciary on the one hand and Cameroon penitentiary system on the other.

711- Her presentation on the judicial system and precisely on criminal procedure refers to colonial heritage which is the bedrock of Cameroon bi-jural system. This includes notably the extensive use of French Romano-Germanic law and restricted use of British common law. She adds that the judiciary is subordinate to the Minister of Justice, a member of the executive power. The report also dwells on the right to fair trial. Her main remark with regard to our prisons relates to overcrowded cells which is a consequence of the malfunctioning of our judicial system.

712- Amnesty Intrenational[198], the US Department of State[199], some opinion leaders[200] and the United Nations Special Rapporteur on torture[201] equally raised concerns on overcrowded prisons and related issues.

[197] Decree No. 2004/230 of 8 December 2004.

[198] In its 2005 and 2006 reports Amnesty International raises the particularly difficult prison detention conditions.

[199] The US Department of State 2004 Report on the state of human rights mentions the high number of remands in custody and poor detention conditions resulting notably in lack of care and cases of the death of detainees, torture by penitentiary personnel, cramming prisoners together in confined cells, no separation of the different categories of prisoners (men and women, adults and minors, awaiting trials).
The newspaper « Nouvelle Expression » in its edition No. 1858 of 16 November 2006 published an article on Cameroon prisons entitled « Hell for Minors ». It emphasised that *« more than a thousand minors, often awaiting trial, are found in Cameroon prisons. Imprisoned with adults, they are often poorly treated and sexually abused. What a waste for the entire society ».*

[200] The newspaper « Le Messager » published an article on its website www.le messager.net entitled « Maison d'arrêt : Silence on torture » (Torture in Prisons) in which detention centres (prisons, police and gendarmerie cells) are described as unhealthy places where torture is practised with impunity.

[201] Remark by the Special Rapporteur Rodley : Based on unofficial information, the State does not provide funds to improve detention centres. Rather, detention centres will continue to be overcrowded because no law governs remand in custody and minimum imprisonment age. For example, 81 women were imprisoned in the special cell No. 17 of the Douala Central Prison (women's cell) with a capacity of 20 places. This was equally the case of cell No. 19 (cell for minors) with a capacity of 30 places where 73 minors where imprisoned.

§1- Overpopulated Prisons

A- Causes

713- Infact, Cameroon prisons are overpopulated. Overpopulation is acute in prisons in provincial headquarters and particularly in Yaounde, Douala, Bafoussam and Garoua[202].

714- There is equally a problem of population distribution in the different prisons. Thus, some prisons are overpopulated while others are not. The following factors explain the problem of overpopulation:

- cramped prisons, most of which date back to the colonial era;
- high crime wave; and
- lack of financial means to build new prisons.

715- Remand in custody is one of the major causes of overpopulated prisons. The different reports blame overpopulated prisons not only on high crime wave but also on other factors notably:

- judicial delays;
- lumping of detainees in preventive detention; and
- slow judicial inquiry.

716- These shortcomings stem from judicial delays arising essentially from judicial inquiry. Although the criticisms on overpopulated prisons are relevant, they tend to be excessive taking into consideration the financial and material resources at the State's disposal to solve problems encountered in prisons. Moreover, these criticisms will soon be unfounded especially with the innovations contained in Law No. 2005/7 of 25 July 2005 on the CPC that came into force on 1 January 2007.

717- The CPC re-establishes the position of Examining Magistrate who henceforth is a Magistrate of the Bench contrary to the system instituted by Ordinance No. 72/4 of 2 August 1972 on Judicial Organisation of the State which conferred judicial inquiry on the Legal Department. The Inquiry Control Chamber, an appeal chamber, is a second level for judicial inquiry.

718- Remand in custody, a major cause for concern, has been strictly regulated. The Code restricts cases where the Examining Magistrate may order remand in custody. Section 218 of the CPC states that a person with a known place of abode shall not be remanded in custody except in the case of a felony. The remand warrant shall be by a reasoned ruling (Section 218 (2))[203].

[202] Prison population is estimated at 22,907 as of December 2005.

[203] The remand warrant ordered by a reasoned judicial act protects litigants from an arbitrary decision. The Examining Magistrate is obliged to justify the detention measure.

719- Moreover, remand in custody shall not exceed six months. It may be extended for at most six months in the case of a misdemeanour and twelve months in the case of a felony. Concretely, the duration of remand in custody for the same judicial inquiry shall not exceed eighteen months.

720- Like the initial detention warrant, the extension of remand in custody shall be by a reasoned ruling. The ruling is liable to appeal.

721- The judicial inquiry file is prepared in duplicate such that neither transmissions to the Legal Department nor transmission from the Examining Magistrate to the Control Chamber, in case of an appeal, may delay inquiry.

722- The recruitment of more personnel (Judicial and Legal Officers, and court registrars) has allowed for the redeployment of judicial staff resulting in the prompt treatment of procedures in general and preventive detention matters in particular.

B- Solutions

723- Government is not indifferent to this situation. It has taken or envisaged the following actions:

- regular transfer of convicts from overpopulated to less populated prisons ;
- annual allocation of investment funds to rehabilitate prisons [204];
- allocation of fund for surveys of the new site for the Douala Central Prison (current financial year) ;
- increase in controls of remands in custody by magistrates of the Legal Department with a view to setting free some vulnerable categories of persons remanded in custody for extremely long periods ;
- setting up new courts[205]; and
- increasing the number of court rooms in Douala and Yaounde.

724- "PACDET I" known as Programme for the Amelioration of Detention Conditions and Respect for Human Rights, was signed in June 2002 between the European Union and Cameroon. It aimed at improving on the functioning of prisons and the judiciary and specifically the reduction of dysfunctions and abuse relating to awaiting trial in the Central Prisons of Douala and Yaounde. PACDET I came to an end in 2005.

725- Positive results obtained led to the extension of the project to the country's 10 Central Prisons. A second agreement, PACDET II, worth 8 million euros was signed on 19 December 2006, between the same partners. It aimed essentially at improving on detention conditions for the respect of Human Rights in the ten Central Prisons concerned. The programme that will last for 4 years started during the first semester of 2007 and must be over before 31 December 2010. The expected results include improving

[204] See infra

[205] This includes the following courts: Yaounde- Ekounou, Yaounde Administrative Centre, Douala-Ndokotti, Douala-Bonanjo, Ambam, Bangem, Fundong, Ngoumou, Poli, Tcholliré, Tignère,Bengbis, Menji and Ntui.

judicial and prison institutions within the project zone and improving detention conditions in all the Central Prisons. These results will be obtained through two phases:

a) Improving the functioning of judicial and prison institutions

This phase shall comprise the following activities:

- support the implementation of the CPC ;
- further reflection on alternative punishments and their implementation ;
- improve on the functioning of judicial institutions ;
- enhance the preparation and implementation of a continuous and post training programme ; and
- provide legal aid to detainees and set up provincial legal centres.

b) Improving detention conditions

This phase shall comprise :

- supporting the improvement of detainees' feeding;
- supporting the prevention of diseases and care for the sick;
- supporting the improvement of infrastructure;
- promoting the social rehabilitation of detainees;
- supporting the improvement of the functioning of prison institutions; and
- reinforcing control and follow-up of conditions of persons remanded in custody.

726- To reduce prison population, the Special Rapporteur proposed[206] the introduction of the following measures into our judicial system: mediation, suspended sentence, probation[207], release on licence, commutation of sentences, partial release, community labour and amnesty.

727- In fact, Cameroon criminal law has not yet appropriated measures like mediation, community labour and partial release. But release on licence (Sections 61 to 64 of the PC), suspended sentence (Sections 54 to 60 of the PC) commutation of sentences, amnesty (Section 73 of the PC) are used by the courts and competent authorities as the case may be. The CPC has introduced probation.

728- Moreso, commutation of sentences by the President of the Republic reduces prison population. For example, by Decree No. 2006/483 of 29 December 2006 by the President of the Republic to commute sentences, 1,944 detainees were freed. Similarly, many suspended sentences were passed.

729- Ongoing deliberations to amend the PC envisage the institution of community labour and mediation.

[206] Para 1, p. 13 of the recommendations.

[207] Some courts like the CFI, Ngaoundere implement probation with the help of social affairs services.

§2- Accusations against the State

730- Without any intention of concealing numerous accusations relating to the management of prisons, focus will be on the following two cases for which Government was severely criticised in 2006: detention conditions of presumed members of the Southern Cameroon National Council (SCNC) and incidents which occurred at the Central Prison, Douala.

A- Detention Conditions of Presumed SCNC Members

731- Amnesty International, in its 2005 annual report, evokes poor living conditions in prisons in general and those of presumed SCNC members in particular. The report states that persons are detained for political reasons. It adds that detainees in poor health were not allowed to receive required medical care. Martin CHEONUMU died in July 2006 after he had complained for several days of abdominal ache. He is the second detainee to die from a group of 18 persons convicted in 1999.

732- The organization reiterates and denounces harsh detention conditions in its 2006 Report. Many purported NGOs and human rights defenders repeated such denunciation.

733- With regard to trials, the Report states that these persons were sentenced « *after an unfair trial before a court under the Minister of Defence. The accused were not allowed to brief counsel while in custody. Government announced in December that they were granted the right to appeal but no appeal had been taken by the end of the year* ». The following remarks can be made about these criticisms.

734- Section 1 of Law No. 90/46 to repeal Ordinance No. 62/OF/18 of 12 March 1962 provides: « *Ordinance No. 62/OF/18 of 12 March 1962 on the repression of subversion as well as subsequent amendments are hereby repealed* ». Following this Law, some provisions of the PC were amended. Thus, detention, the main penalty for political offences, has been cancelled and is no longer considered punishment by Cameroon criminal law. To this end, Section 18 of the PC provides: *"the following are principal penalties:*

a) death ;
b) imprisonment
c) fine ».

Law No. 91/7 of 30 July 1991 to amend Section 2 of Law No. 90/61 of 19 December 1990 to amend some provisions of the PC expressly repeals Section 26 on detention by providing in subsection 2: *"Detention shall be replaced by imprisonment as provided by the law"*.

735- The Report by Amnesty International therefore, wrongly refers to an obsolete notion in the Cameroon Judicial and Legal system.

736- To say that the presumed SCNC members were tried by an iniquitous court controlled by the Ministry of Defence portrays poor mastery of Cameroon judicial organization.

737- Section 1 of Ordinance No.72/4 of 26 August 1972 on the Judicial Organisation of the State[208] provides *"justice shall be rendered in the name of the people of Cameroon by:*

- *Customary courts;*
- *Courts of First Instance;*
- *High Courts;*
- *Military Tribunals;*
- *Courts of Appeal;*
- *The Supreme Court* ».

738- Section 5 of Law No. 98/7 of 14 April 1998 to amend Ordinance No. 72/5 of 26 August 1972 to establish military judicial organization provides: *"the Military Tribunal shall have exclusive jurisdiction to try the following types of cases involving persons of at least eighteen years of age:*
-any offence against the law relating to offensive and defensive weapons, and to theft committed with the aid of a firearm; and
-any offence which may be committed jointly with the above".

739- Article 41 of Decree No. 75/700 of 6 November 1975 on the Regulation of General Discipline in the Armed Forces provides: *"Military Judges shall, in the exercise of their duties, be independent of Command and shall be subject only to hierarchy"*[209].

740- The presumed SCNC members committed capital murder, murder, arson, destruction, grievous harm, theft with use of firearms, theft of firearms, illegal detention of fire and defence arms, and destruction by band (Sections 74, 275, 276, 277, 316, 320,237,227 and 236 of the PC). Cameroon law considers these offences as exceptionally grave ordinary law crimes. They were tried by the Military Tribunal and assisted by counsels they briefed or by ex-officio counsels at all phases of the trial.

[208] This instrument was repealed by Law No.2006/015 of 29 December 2006: Judicial Organisation of the State which provides in Section 3 : *" judicial organisation shall comprise :*
The Supreme Court ;
Courts of Appeal ;
Lower Administrative Courts ;
Lower Audit Courts ;
Military Tribunals ;
High Courts ;
Courts of First Instance ;
Customary Courts ».

[209] Read Chapter 1, page 21, para 63 to 65, of previous report and Chapter 8 page 121 and ff on The Right to Fair Trial relating to the independence of military judges and their ability to hear and determine impartially matters referred to them.

741- They were convicted and they appealed. This matter was reviewed by the Court of Appeal, a civil court which hears matters in a panel (three Judicial Officers) comprising a military assessor « who all shall have equal votes » in accordance with Section 20(2) of Ordinance No. 72/ Judicial Organisation of the State.

742- Cameroon has constantly argued that detention conditions in its prisons reflect its level of development. Prisoners are treated humanely with dignity and consideration. Feeding and medical care are provided based on the country's means.

743- CHEONUMU Martin, a member of the SCNC, died therefore not out of abuse but of an illness treated by the doctor of the Central Prison, Yaounde throughout his hospitalisation.

744- The 18 presumed SCNC members, who are common law prisoners like all others, cannot be given preferential treatment inasmuch as Cameroon has a unique prison system for everybody.

745- However, Government is worried about this situation and that of all detainees and takes all necessary measures to improve on detention conditions.

746- In April 2006, Tata Roland EMDZE was transferred from the Central Prison, Kondengui, Yaounde to the Central Prison, Buea and the nine others to the Central Prison, Bamenda to bring them closer to their families as they so wished.

747- To respect the maximum rules of treatment of the detainees referred to above, a team of officials from the Ministry of Justice carried out an inquiry on 24 August 2005. It established, after hearing each of the prisoners, that their detention conditions did not violate the said rules. Therefore, the deceased died of illness not abuse. Some prisoners like NTUMBUN GEK SAMA and Edwin JUMVEN refused treatment provided by the doctor in charge of the prison infirmary.

748- It should be added that on 23 December 2005, Barrister DUGA TITANDJI, acting on behalf of the accused, appealed to the Supreme Court against the judgment of the Court of Appeal, Centre Province. The appeal is pending before the Supreme Court.

749- Government faced demands both from detainees and jailers in 2005 and 2006. Prisoners at the Central Prison, Douala[210] and Prison Administration personnel at the Central Prison, Yaounde[211] agitated.

[210] Facts presented by the Special Rapporteur Rodley : Based on unofficial information, prison officials who are unable to discharge their duties, continue to use detainees (commonly called « anti-gangs) as an auxilliary disciplinary force. In the Central Prison, Douala, in order to meet up with insufficient prison personnel, authorities set up a corps among detainees called « anti-gangs » to keep order. The Superintendent of Prison, Ayissi appointed Abang Pierre (a convict sentenced for life whose sentenced was commuted to 20 years imprisonment and who still had 7 years to serve) as head of this corps by granting him exceptional prerogatives. He had unlimited authorisation to go out of prison without an escort and the right to cause detainees to be spanked. Several prisoners were tortured by members of this corps who terrorised inobedient prisoners.

[211] Read Chapter relating to the strike by some Prison Administration Personnel p. 190.below.

B- Events at the Central Prison, Douala

750- Events which occurred at the Central Prison, New-Bell, Douala on 3 January 2005 are serious but isolated. Around 4.30 p.m. on 3 January 2005, the Vice-Prime Minister, Minister of Justice, Keeper of the Seals was informed simultaneously by the Secretary of State at the Ministry of Justice, in charge of Prison Administration, the Governor of the Littoral Province and the Procureur General at the Littoral Court of Appeal of a clash between two groups of detainees : the « anti-gangs »[212] and other prisoners.

751- This incident began when a member of the « anti-gang » engaged in sports jostled a sick prisoner. This led to a brawl fuelled by the various members of each group. The fighting ended with the confining of the sick detainee in a cell. The sick detainee, FOULANGNA SUNDAY (who had been jostled) died a few hours later. Because the detainee at the origin of this incident was an « anti-gang » it exacerbated tensions and resulted in a general uprising. This clash resulted in 15 victims, 7 of whom were seriously injured and admitted in the Laquintinie Hospital, Douala.

752- Urgent measures were taken by the administrative and judicial authorities of the Littoral Province:

- the Governor ordered the gendarmerie to set up an alert service in the prison ;
- the State Counsel and Senior Divisional Officer visited the prison which contributed in appeasing and disarming the detainees armed with blungeons and other blunt objects ;
- the Gendarmerie Brigade of New-Bell conducted an inquiry.

753- Government gave financial assistance to the Prison Superintendent to repair the destroyed premises and to the doctor of the prison to care for the injured.

754- The Vice-Prime Minister, Minister of Justice, Keeper of the Seals convened a crisis meeting and gave instructions to the Secretary of State at the Ministry of Justice in charge of Prison Administration to lead an inquiry team on 4 January 2005 to Douala.

755- The team comprised besides the Secretary of State:

- the Inspector General of Prison Administration;
- the Director of Criminal Matters and Pardon;
- the Director of Prison Administration;
- an Inspector from the General Inspectorate of Judicial Services; and
- the Sub-Director of Prison Personnel.

756- The Secretary of State identified the causes of this incident and evaluated actions to be taken during the mission.

[212] « Anti-gangs »: name given to some detainees used by the Superintendent of the Central Prison, Douala to keep order.

The following actions were taken:

- 64 warders, recent graduates of the National School of Prison Administration, were posted to the Central Prison, New-Bell (Douala);
- a Circular by the Minister of Justice of 11 January 2005, prohibited the use of detainees to maintain order in prisons[213];
- an application was forwarded to the Minister in charge of State Property and Land Tenure the very day for the allotment of a piece of land in Douala for the construction of a new prison;
- the Superintendent of the Central Prison, New-Bell (Douala) was replaced by another superintendent.

757- Government envisages the following actions:

- Transfer of prison personnel who have served for more than 5 years in the Central Prison, Douala;
- verification throughout the national territory of documents relating to penitentiary landed property;
- reduction of the population of the Central Prison, Douala by transferring part of the convicts to less populated neighbouring prisons;
- recruitment of additional penitentiary personnel to make up for the lack noticed in the various prisons.

Section 2- Improvement of Detention Conditions

§1- Protecting the Rights of Detainees

758- Detainees are also persons. The violation, negation or non-respect of their rights may jeopardise the duties of Prison Administration. Thus, the budget for detainees' feeding was raised from CFA 931,378,000 in 2005 to CFA 1,862,756,000 in 2006.

759- To improve detention conditions in prisons, in spite of limited means, the following actions were carried out in 2006 to promote the rights of detainees:

- search for partnership with organisations specialised in promoting the rights of detainees;
- organisation of a seminar by the Commonwealth for Provincial Delegates of Prison Administration in Yaounde from 8 to 11 April 2006 relating to the rights of detainees;
- sensitisation of prison personnel on the promotion and protection of the rights of detainees by opening up to Associations and Non-Governmental Organisations which ensure human rights protection through talks, communications and presentations;
- directives to personnel by hierarchy through circulars and messages on the humane treatment of detainees;
- double funds to improve on detainees' conditions in all prisons;

[213] See Circular No. 43/LC/MINJUSTICE/DAPEN.

- allocation of funds for health care of all detainees;
- planned transfers of some detainees for humanitarian, social and family reasons;
- transfer of detainees from overpopulated to under-populated prisons to decongest the former thereby improving on detention conditions;
- organisation of social rehabilitation, socio-cultural and educative activities;
- acquisition of a lorry for transporting detainees from the Central Prison, Douala;
- signing of PACDET II.

760- As regards the non separation of different categories of detainees, it should be noted that in accordance with Decree No. 92/52 of 22 March 1992 governing the penitentiary system, women, minors and persons remanded in custody enjoy special rights. Article 20 of the Decree provides: *"women should be carefully separated from men"*. This applies to central prisons which are divided into Sections for minors, women and men.

761- It is obvious that the full implementation of this principle depends on the construction or rehabilitation of prisons. This requires considerable funds which Government is striving to find.

762- In 2006, Prison Administration ensured that detainees were supervised through a rationalised working method by the:

- exploitation of statistics on detainees;
- exploitation of reports and petitions by detainees;
- exploitation of periodic reports by Prison Superintendents on supervision of detainees and their activities;
- exploitation of the monthly reports of prison infirmaries;
- exploitation of income generating activities carried out with the consent of detainees;
- exploitation of statistics on persons sentenced to death;
- exploitation of statistics on remand in custody of minors, women, deaths, escapes and ill-health;
- follow-up of the processing of criminal files by speeding up the process and curbing judicial delays;
- setting up of a card-index of associations and NGOs working in prisons;
- drawing up of an educational and training scheme likely to help the detainee prepare for social rehabilitation;
- installation of water points in some prisons;
- drawing up of a periodic disinfection, pest and rat control programme for prisons;
- instructing all prison superintendents to draw up and affix the rules and regulations of their respective prisons.

763- As regards illegal detentions, Cameroon law provides for the repression of violations relating to loss of liberty (oppression Section 140, false arrest Section 291). These are adopted by the Criminal Procedure Code. The law equally provides for the award of damages to victims of such detentions.

764- The Special Rapporteur[214] states that *the thorny problem of Cameroon crammed prisons is caused in part by (...) the shameful use of bail as well as the difficulty of certain poor detainees to deposit huge guarantees for their release, which could considerably reduce the population given they constitute the majority.*

765- The *"Code d'Instruction Criminelle"* and the Criminal Procedure Ordinance provided for bail in Cameroon which has been considerably amended by Law No. 2005/7 of 27 July 2005 on the CPC[215].

§2- Treatment of Detainees

A- Health

766- Decree No. 95/ 232 of 6 November 1995 sets up a Sub-Department for Penitentiary Health at the Department of Prison Administration. Besides, there are 124 health personnel as shown in the table below:

Grade	Number	Ratio
Medical Doctors	8	1/2863
State Registered Nurses	4	1/5728
Nurses	25	1/916
Assistant Laboratory Technicians	9	1/2545
Nursing Auxiliaries	74	1/309
Laboratory Nursing Auxiliaries	4	1/5726
Total	124	

767- Prison Administration has recruited 8 medical doctors in the main prisons since 2001. The Douala and Yaounde prisons, for example, have laboratories and qualified technicians who can run basic tests.

768- In fact, these personnel and infrastructure are inadequate. But they indicate efforts made by Government given the country's level of development and means.

769- Moreso penitentiary health welcomes assistance from public health in case of an epidemic or a crisis. Government is aware of the poor health care in prisons and has envisaged the following measures to solve this problem:

[214] Paras 1 and 7 of page 22 of Report

[215] See previous report: Chapter 2 on Individual Freedoms, paras 155 and following on preventive and final detentions.

provide budgetary allocation for the purchase of medications and first aid equipment ;
recruit more health personnel ;
preview nurses for prisons to be built.

770- Health care of detainees will cost at least CFA 286,000,000 based on the following distribution, at the cost of CFA 500 per day and per detainee:

- Central Prison, Yaounde: CFA 10, 000,000/Year;
- Central Prison, Douala: CFA 10, 000,000/Year;
- Main Prisons: CFA 4, 000,000/Year;
- Secondary Prisons: CFA 3, 000,000/Year.

771- With regard to poor medical care, the lack of personnel could be reduced by recruiting the following category of personnel until 2009:

- 22 Medical Doctors;
- 80 State Registered Nurses;
- 110 nurses;
- 53 laboratory technicians;
- 240 nursing auxiliaries;
- 80 laboratory nursing auxiliaries.

772- In any case, the Government of Cameroon is doing its utmost in this domain with the available means.

773- The health budget for detainees was raised from CFA 5,000,000 in 2005 to CFA48, 000,000 in 2006 then to CFA 60,000,000 for the 2007. This considerable increase stems from the awareness of recurrent health problems in prisons and denotes Government's determination to improve on it.

774- Ill health in prison is caused either internally (illness contracted in prison) or externally (detainees who arrive as patients). Medical staff consult patients and prescribe treatment borne by the Prison Administration based on available means. Complicated cases are referred to specialists for outpatient consultation. Outpatient admission is also allowed but supervised as it very often leads to escapes. Such escape is often decried by the people who feel insecure. Detainees could also be transferred due to ill health.

775- Many programmes supported by our development partners and which are beneficial to detainees have been implemented in prisons.

1) Medical Care and Vaccination

776- Medical care and vaccination have been intensified and the following actions have been taken:

- implementation of the National Programme for the Fight against Tuberculoses (PNLT); screening and treatment in 8 central prisons with 8 penitentiary medical doctors since 2003; detainees of the other two central prisons without a medical officer are treated in health centres of the said programme found in the competent local health services (PNLT funding);
- implementation of the HIV/AIDS control programme in prisons since 2002. According to the 2004 Head Count and Health Survey (EDS)[216] the seroprevalence rate is higher in prisons (10%) than among the general population estimated at 5.5%;
- permanent screening for HIV, treatment of opportunistic infections and antiviral treatment at the Douala Central Prison (funding GTZ , CNLS); screening and treatment of opportunistic infections in the other 9 central prisons by the competent local health services;
- organisation of sensitisation campaigns relating to hygiene, fecal borne diseases and HIV;
- detainees were vaccinated against meningitis during each epidemic notably during the dry season (MINSANTE budgetary allocation); and
- detainees were vaccinated against cholera during epidemic outbreaks.

2) Treatment and Prevention Capacity Building

777- Prison Administration has been concerned with treatment and prevention capacity building since 2002 and has taken the following actions:

- implementation of the HIV/AIDS control programme: screening for and treatment of opportunistic infections;
- organisation of 7 training sessions for 43 penitentiary personnel as peer educators in provincial headquarters (April, May, 2002 funded by the State);
- construction and equipment in October 2004 with funding from John Hopkins, USA of a Counselling for Prevention and Voluntary Screening Centre at the National School of Prison Administration, Buea;
- organisation of 6 training sessions for 70 peer educator detainees in HIV control in the Yaounde, Douala, Maroua, Mfou and Mbalmayo prisons in June 2004 funded by the State;
- training in 2004 at Mbalmayo with funding from the French Co-operation of 30 civil servants in charge of supervising and counselling on health as well as methods of prevention and treatment of HIV;

[216] The seroprevalence rate is 15.4% at the Main Prison, Bafoussam, 23.1% at the Central Prison, Douala, 14.7% at the Central Prison, Maroua and 37% at the Main Prison, Edea.

- training in October 2008 at Mbalmayo with funding from the National Aids Control Commission (CNLS) of 8 penitentiary medical doctors on the treatment of AIDS patients with antiviral drugs; and
- training in February 2004 at the Laquintinie Hospital, Douala and Central Hospital, Yaounde with funding by GTZ and the French Co-operation of 6 laboratory prison personnel on tuberculose and HIV screening techniques.

B- Feeding

778- The State budgets yearly for the feeding of detainees by allocating upkeep funds to each prison. These funds have increased considerably each year. They were doubled in 2006 thereby improving on the quality and quantity of detainees' food.

779- More so, parents, friends and acquaintances are allowed to bring them food.

780- To ensure food self-sufficiency, the following activities were funded during the period 2004/2005 by the United Nations Development Programme (UNDP) within the framework of the project *"Supporting Good Governance in Cameroon"*:

- setting up a poultry farm at the Mfou Prison;
- setting up a maize and tomato farm, enhancing the production capacity of the basket-making workshop as well as the supply of production input to the Main Prison, Akonolinga; and
- setting up a maize and mushroom farm and boosting the production capacity of the Main Prison, Mbalmayo.

781- UNDP supported the realisation of the following projects in 2006:

- sewing workshops at the Central Prisons of Douala and Bafoussam;
- a sculpture workshop at the Central Prison, Douala;
- shoe manufacturing workshops at the Central Prisons of Bamenda and Douala; and
- a poultry farm at the Central Prison, Bamenda.

782- The Association *"Prisoner without Frontiers"* constructed a poultry farm and fish pond at the Monatélé Main Prison.

783- Most prisons carry out agro-pastoral activities to ensure autoproduction, autoconsumption and autofinancing. The results are generally encouraging.

Improving Working Conditions and Infrastructure[217]

784- Apart from the classical administrative and judicial control, two General Inspectorates were set up in 2005 at the Ministry of Justice. One is in charge of controlling the activities of Prison Administration and the other, judicial services.

785- Provincial Delegations of Prison Administration were set up and delegates in charge of supervising and co-ordinating prisons installed in their respective jurisdictions. These measures reinforce controls and contribute in ameliorating the performances of the said prisons.

786- Besides, 13 water wells including 9 existing since 2005, were rehabilitated in Bertoua, Nanga Eboko, Akonolinga, Makary, Kaele, Tchollire I, Mora, Maroua, Bafia, Yabassi, Ebolowa, Garoua and Moulvoudaye Prisons. The investment budget which increased from CFA 79, 875, 000 (about 122,884 euros) in 2005 to CFA 267, 200, 000 (about 411,076 euros) in 2006 allowed for the realisation of the following projects:

[217] Read chapter on the strike by some Prison Administration personnel.

[218] CP : Central Prison

[219] PDPA : Provincial Delegation of Prison Administration

[220] MP : Main Prison

[221] SP : Secondary Prison

Financial Year	Province	Structure	Nature of works	Cost of works in FCFA
2006	ADAMAWA	CP[1] Ngaoundere	Rehabilitation	14, 000,000
		PDPA[2] Adamawa	Equipment (purchase of office equipment)	10, 000,000
	CENTRE	CP Yaounde	Renovation of water supply	4, 000,000
		MP[3] Akonolinga PDPA Centre	Completion of water wells (purchase of office equipment)	2, 500,000 10, 000,000
	EAST	CP Bertoua	Water wells	8, 500,000
2006		PDPA EAST	Equipment Purchase of office equipment	10, 000,000
		MP , Mora	Rehabilitation	22, 000,000
	FAR-NORTH	MP, Mokolo	Completion of water wells	3, 000,000
		SP[4], Makary	Construction of water wells	8, 500,000
		PDPA FAR-NORTH	Equipment (purchase of office supplies)	10, 000,000
2006	LITTORAL	CP Douala	-Survey works of new site - One lorry	12, 000,000 57, 000,000
		PDPA Littoral	Equipment (purchase of office supplies)	10, 00,000
	NORTH	PDPA North	Equipment (purchase of office supplies)	10, 000,000
	NORTH-WEST	MP Mbengwi	Rehabilitation	13, 000,000
		PDPA North-West	Equipment (purchase of office supplies)	10, 000,000
	WEST	SP Bazou	Rehabilitation	14, 000,000
		PDPA West	Equipment (purchase of office supplies)	10, 000,000

787- The improvement of detention conditions is in line with the modernisation of Prison Administration. Government encourages all initiatives for this collective endeavour. The accomplishment of this task requires different partners to be more cautious. They should evaluate in perspective, Government effort, undermined by the recent agitations by some prison administration personnel.

emoluments earned by judicial personnel, specification of precedence for Prison Administration officials.

792- On the morning of 2 January 2007, a group of penitentiary staff, who were not scheduled for work, scaled the prison fence and took control of the Central Prison, Yaounde. Some of them were retired and others in service at other prisons. Their aim was to spread panic in the Central Prison, Yaounde and to force the State, through vile blackmail, to grant their demands unconditionally.

793- To step up pressure, they blocked prison cells depriving prisoners of their daily relaxation. In order to associate the prisoners at all costs in their strike action and to force the State to react, the strikers encouraged some sections of the prison to riot, break their cell doors and enter the courtyard. The most violent of them headed for the women's section. Others went to the food and uniform stores to steal food, put on prison warders' uniforms in order to create confusion. Faced with this upsurge of dangerous individuals and caught in their own trap, the prison warders started shooting in the air. According to experts at least a thousand shots were fired.

794- After attempting in vain to bring the mutineers to reason, the Vice-Prime Minister, Minister of Justice, Keeper of the Seals invited the administrative authorities at 2 p.m. to issue the customary warnings.

795- At the third and last warning, while part of the prison was in flames, the forces of law and order surrounded the Central Prison, Yaounde and evacuated the civilian population living in the neighbourhood to avoid a bloodbath in case of massive evasion. It was then that the mutineers withdrew from their positions, handed over their arms and assembled under the shed in front of the Central Prison, Yaounde. The prison warders were questioned without violence, within the framework of a joint police/gendarmerie inquiry ordered by the Procureur General at the Court of Appeal, Centre Province by a conveyed message of that same day.

§2- Rules and Regulations to Govern Prison Administration Personnel

796- Section 54 of the Special Rules and Regulations to govern this paramilitary corps provides that civil servants of the Prison Administration shall be prohibited from engaging in a strike, uprising or mutiny.

797- The following actions particularly in favour of prison administration personnel had been taken by the Minister of Justice before the crises:

- reform of the Rules and Regulations of Civil Servants of Prison Administration, as well as, those of Judicial and Legal Services and Court Registrars;
- participation of Prison Administration officials in a seminar on the draft reform of Prison Administration at the National Police College from 31 July to 4 August 2006;

- provision of uniforms for two successive years to all prison administration personnel;
- provision of new prison vehicles to the Central Prison, Douala in 2006 and programming of provision of similar vehicles to other prisons;
- rehabilitation of some prisons and equipment of ten Provincial Delegations of Prison Administration;
- feasibility studies for the building of the Central Prison, Douala; and
- calling on the Minister of Economy and Finance to accelerate treatment of the salaries of newly recruited personnel of Prison Administration.

798- Consequently, the breach of Section 54 of the above Rules and Regulations led to the opening of an inquiry. The joint inquiry was meant to avoid the settling of scores. It equally ensured that the judicial inquiry was carried out serenely, rapidly and efficiently by State Counsels in strict conformity with the provisions of the CPC which came into force on the eve of the strike. Such inquiry would consider the different offences committed by the suspects, as well as their right to defence.

799- The suspects were remanded in custody during the inquiry in strict accordance with the law.

800- Men and women were remanded in separate sections under convenient security and dignifying conditions. Each individual's rights were read out to him/her in accordance with the provisions of Section 116 (3) of the CPC to wit:

- right to counsel;
- right to remain silent.

801- Moreover, in accordance with Section 122 (b) of the CPC, they were given reasonable time to rest during the investigation and throughout this period they were fed by the State. After their release, none of them said they had been tortured or physically abused.

802- The presence of a Magistrate from the Legal Department at this phase of the procedure fully guaranteed respect of the suspects' rights and dispelled any fear of torture.

803- To better inform the national and international communities and to ensure full transparency, the Minister of Justice gave a press conference on 4 January 2007 and lengthily explained arguments presented by the mutineers.

804- The strike led to:

- the death of two detainees, three days after the above-mentioned intervention, at the Central Prison, Yaounde as a result of their consumption of surgical spirit from the infirmary that had been ransacked;

- the hospitalisation of another detainee who survived after taking this product thanks to appropriate treatment;
- damage worth CFA 150 million (about 229,000 euros) due to looting of the infirmary, library, stores and the burning of the prison including hundreds of mattresses, bed sheets, pots, medicines and books.

805- Once the situation was brought under control, the prison's security was handed over to the National Gendarmerie and measures were taken.

Section 2- Judicial and Disciplinary Measures

806- Judicial and disciplinary measures were taken to maintain public order.

§1- Judicial Measures

807- During the inquiry, suspects were reminded of their rights. They read and signed the report. None of them refused to sign although the law provides for this possibility (Section 90 of the CPC). The 71 suspects were referred to the competent Legal Department in dignity and decency. They were transported in reasonable numbers in police and gendarmerie vehicles. At the Legal Department, each of them was given a seat in an empty courtroom in accordance with the law. The suspects, who were not under custody, were interrogated by the magistrate who read the charges over to them. They were all prosecuted for committing the following offences provided for and punishable under the PC:

- concert under Section 124: as public servants, they concerted and determined measures contrary to law or to any regulation lawfully issued there under. This include collective resignation designed primarily to obstruct or to interrupt the carrying on of a public service;
- resistance under Section 157: they encouraged resistance against the implementation of legitimate orders by the Prison Superintendent;
- collective resistance under Section 158 given that it was a collective action during which they bore arms openly;
- refusal of service under Section 148: they refrained from serving the Legal Department by refusing to escort detainees to court, as well as receive and execute court writs;
- disturbance under Section 185: some suspects disturbed the operations of this prison although it was not their place of work;
- damage to public or protected property under Section 187: they destroyed and defaced prison buildings;
- arson and destruction under Sections 227 and 316: they burnt and destroyed material and food stores, the infirmary and offices within the prison;
- riot under Section 232: they assembled on the public highway opposite the prison thereby perturbing traffic;

- unintentional killing under Section 289: as a result of the riots, destruction of the infirmary and stocks of medicines, detainees died due to lack of treatment because of the dangerous activity and foolishness of the suspects;
- harm under sections 280 and 281.

808- This matter came up for hearing on 16 January 2007 before the Ekonou CFI which has territorial jurisdiction in accordance with the provisions of Section 289 of the CPC and Section 13 of Law No. 2006/15 of 29 December 2006: Judicial Organization. It is pending before the court.

§2- Disciplinary Measures

809- By Order No.9/MINJUSTICE of 5 January 2007, 125 Prison Administration personnel were suspended for 4 months for serious dereliction of duty. This is not a sanction but simply a protective measure taken in accordance with Section 93 (4) of the General Rules and Regulations of the Public Service which provides that where it is presumed that an offence has been committed, the Administration may take protective measures against civil servants at fault. By Orders Nos. 7/MINJUSTICE and 8/MINJUSTICE of 5 January 2005, 16 Superintendents of Prison and the Provincial Delegate of Prison Administration, Centre Province were relieved of their duties. Two decrees signed on the same date by the President of the Republic and the Prime Minister replaced the Inspector General of Prison Administration and the Director of the said Administration.

810- By Decision No. 2007/72/D/MINJUSTICE/CAB/SEAP/SDPAP of 6 January 2007, 125 Penitentiary Administrative personnel were brought before the Disciplinary Council for:

- insubordination;
- false arrest of prison authorities;
- refusal to execute orders and prescribed duties;
- breach of instructions;
- strike; and
- mutiny.

811- The Disciplinary Council met from 15 January 2007 and forwarded its report to hierarchy on 15 February 2007.

812- By Decision No. 2007/70/D/MI NJUSTICE/CAB/SEAP of 6 January 2007 by the Vice-Prime Minister, Minister of Justice, Keeper of the Seals, an Administrative Commission of Inquiry on the strike at the Central Prison, Yaounde, was set up.

813- The duties of the Commission comprising five members: two Judicial and Legal Officers and three Prison Administrators were to:

- investigate the events which occurred at the Central Prison, Yaounde from 28 December 2006 to 2 January 2007 in order to identify the authors, instigators and the manipulators;
- identify and analyse the problems as well as the malfunctioning leading to the strike action; and
- make relevant proposals to the Vice-Prime Minister, Minister of Justice, Keeper of the Seals to improve on the management of these personnel.

814- The Commission visited ENAP Buea from 17 to 22 January 2007 to verify the entry, training and graduation conditions of the 4th batch of student prison warders who allegedly spearheaded the strike. The visit revealed that some students fraudulently entered the school while others irregularly graduated. Queries were issued for them to be heard subsequently. They were heard in Yaounde from 30 January to 14 February 2007. 36 student prison warders were summoned and 33 were heard by the Administrative Commission of Inquiry from 14 to 23 February 2007. The different hearings confirmed the irregularities observed during the visit to ENAP.

815- 16 Prison Superintendents, the former Provincial Delegate of Prison Administration, Centre Province, the former Director of Prison Administration and the former Inspector General of Prison Administration were heard from 13 to 27 February 2007. On 2 March 2007, the Administrative Inquiry Commission submitted its report. Hierarchy is examining it for necessary decisions.

816- The measures taken secured the population by preventing massive escape of very dangerous prisoners. Moreso, this event reiterates the State's commitment to search for and mobilise funds to modernise its administration and to provide dignifying working and living conditions for its personnel.

817- Furthermore, thanks to the CPC that came into force in January 2007, detainees enjoyed their full rights and had a fair trial.

CHAPTER 3: PROTECTION OF THE RIGHTS OF WOMEN AND THE GIRL CHILD

818- The Universal Declaration of Human Rights and the Constitution of Cameroon do not distinguish between men and women as concerns the enjoyment and exercise of fundamental rights. Both legal instruments acknowledge that all human beings are born free and equal, and have the same rights and duties[224].

819- To promote such equality, Government has ratified a number of international instruments[225] that aim mainly to improve on the special protection of women in spite of some hitches caused by socio-cultural context. Government policy that focused on better protection of some fundamental rights of the woman, is increasingly concerned with her full integration into society.

Section 1- Improvement of Some Fundamental Rights of the Woman and the Girl Child

820- Some fundamental rights of the woman have been discussed in previous chapters[226]. Nevertheless, this chapter will deal exclusively with the right to education and to physical and moral integrity of the woman and the girl child.

§1- Right to Education

A- Formal Education

821- The education system in Cameroon does not give priority to any sex[227]. Schools and training centres are opened to both the boy and the girl child. However, in some regions of the country, school attendance is dominated by the boy child[228]. This is due to strong traditional and cultural influences that have existed over the years.

822- According to some cultures, the place of the girl child is in a marriage. To combat some of these negative and discriminatory traditions, Government has created several modern primary and secondary schools, training centres as well as universities to ensure the widest access of Cameroonians in general and of the girl child in particular, to education.

823- In the same context, UNICEF supported Government to identify areas of very low school attendance of the girl child. After this exercise, UNICEF offered a 4-wheel drive vehicle and six computers to each Provincial Delegations of Basic Education of the

[224] Article 1 of the UDHR.

[225] See 2005 report, pp. 204 to 206.

[226] For right to health, see part 2, chapter3 ; on female detainees, see part 3, chapter2.

[227] For details, see part 2, chapter 4, section 1, sub-section 1, para 481 and ff.

[228] This is the situation in the three Northern Provinces.

three Northern, Littoral, South and Centre Provinces. With these vehicles, the educational authorities in the said provinces are now able to access the most enclaved parts of their regions to sensitise parents on the advantages of educating the girl child and even the adult woman[229]. The effect of this sensitisation campaign has been exceptional to the extent that, traditional rulers have decided to join the cue by sensitising and encouraging girls in their localities to attend school. This has gone a long way to reducing the disparity between the number of boys and girls attending primary schools from 0.96% in the 2003/2004 academic year to 0.93% in the 2005/2006 school year.

824- Government signed a partnership agreement with IAI Cameroon in 2005, aimed at rendering 100,000 women computer literate by 2012. The activities of this partnership agreement were intensified in 2006 and its effect has been felt in all the 10 provinces of the country. About 17,800 women have been trained so far in the use of the computer. This training has enabled several women to have access to the internet and this has widened their horizon in the domains of business, employment and education among others[230].

B- Informal Education

825- The majority of Cameroonian women in rural areas are ignorant of their rights. Government finds this situation disturbing and has decided to improve on it by empowering the following Ministries to provide informal education to rural women and the girl child:

- the Ministry of Women Empowerment and the Family, which has opened centres for the promotion of women and the family in urban and rural areas where women, girls and families receive intellectual, civic, moral and professional training. They can also meet to exchange experiences; and
- the Ministry of Social Affairs, which has set up some rehabilitation centres for the promotion of the girl child[231].

§2- Violence against Women

826- Family or domestic violence could be physical, sexual, psychological or emotional. About 53% of women from the age of 15 and above are alleged to have suffered physical violence. 45% of women suffered from physical violence in 2004, 30% of them were between the ages of 15 and 19 and 25% between 40 and 49 years old. 55% of married women were assaulted by their husbands in 2004 as against 19% in Yaounde and Douala, while 51% of women aged 15 and above were alleged to have been assaulted by their partners in 2004. The South, Centre and South West Provinces had the highest percentages of domestic violence with 59%, 58% and 54% respectively.[232]

[229] CT No. 8719/4918 of 6 November 2006.

[230] For details, see part 2, chap. 4, section 1, sub-section 1.

[231] For details, see part 2, chap. 4, section 1, sub-section 1.

[232] Source: Statistics of the National Survey on Multiple indicators in Cameroon, 2006, National Institute of Statistics.

827- The Table below shows the percentage of women aged 15 and above who suffered physical violence committed either by their husbands, or any other member of the family and the percentage of those who suffered physical violence during the 12 months preceding the period of the commencement of the survey[233].

Percentage of women who have suffered physical violence from the age of 15 years and above			
Socio-demographic characteristic	Since the age of 15 years	During the last 12 months	Total No. of women
Age groups			
15-19	44,2	30,3	820
20-29	56,7	48,4	1193
30-39	53,4	50,7	773
40-49	54,7	53,1	504
Matrimonial Situation			
Never married	46,2	18,7	837
Married	55,4	55,2	2160
Separated	49,5	46,1	293
Residential Area			
Yaounde/Douala	63,8	50,9	714
Other towns	50,5	42,5	1074
Urban towns	55,8	45,8	1790
Rural areas	48,6	44,3	1500
Regions			
Adamawa	30,1	28,9	124
Centre	62,9	57,9	248
Douala	63,9	49,7	382
East	46,2	43,8	150
Far North	39,2	38,1	539
Littoral	56,2	42,0	150
North	37,0	35,2	315
North West	61,1	46,2	333
West	43,2	40,0	356
South	64,5	59,0	131
South West	67,5	53,8	230
Yaounde	63,8	52,3	332
Level of education			
None	36,7	36,3	765
Primary	56,7	50,6	1256
Secondary education Plus	57,7	45,1	
Employed			
Working on a paid job	60,4	54,5	1371
Working without	43,2	38,6	556
A salary	48,4	38,4	1363
Unemployed			
The rate of economic well-being			
very poor	45,7	43,0	650
seconded	48,7	43,3	524
average	52,1	45,6	642
fourth	55,9	48,1	707
rich	58,1	45,0	768
Total	52,5	45,1	3290

[233] EDSC-III 2004, Third poulation and health survey, 2004, National Institute of Statistics

828- Another form of violence common among women in general and girls in particular is sexual abuse. Statistics reveal that 12.2% of girls got married before the age of 15, 41% before the age of 18, and 22% of women between the ages of 15 and 19 years were living as concubines. Forced and early marriages make the woman vulnerable. She cannot participate in decision-making in the family. She is often exposed to physical or psychological violence from her husband. 28.4% of marriages in 2006 were polygamous and many men and women live as common law partners or are married according to native laws and customs.

829- Government took a firm stand against this practice by organising free marriages with a view to stabilising and harmonising families. On 28 December 2006, 59 free marriages were celebrated and sponsored entirely by the Government in the Yaounde 2 Council. Sensitisation by Government on the need to legalise free unions or marriages according to native law and customs is going on throughout the country.

830- About 5% of women in Cameroon have suffered from genital mutilation[234]. However, UN estimates put the figure at about 20%[235]. This practice is still common in the Far North, North, Adamawa, East, South, West and South West Provinces. Since this practice is dangerous to the health of the victims, Government has, with the support of its international partners such as UNFPA, WHO and GTZ, undertaken to sensitise the masses on the evils of the practice and to work towards its eradication.

831- On 8 December 2006, a national forum on female genital mutilation was organised during which NGOs involved in the fight against this evil, victims, perpetrators and the civil society were invited to discuss about the ills of the practice. During this forum, it was revealed that the perpetrators of this practice are motivated by financial gains and the need to maintain the cultural practices and moral integrity of the family, which according to them, must be conserved by the woman. However, it must be pointed out that these perpetrators completely neglect the physical and psychological integrity of the victims. Female genital mutilation was strongly condemned during the forum and participants were educated on the legal consequences of such practice.

832- The campaign against female genital mutilation, domestic violence and sexual abuse has also been taken over by FIDA and Female Parliamentarians. These organisations went as far as requesting interested victims to make open declarations on their experiences[236].

Section 2- Promotion of Women

§1- Protection of Women's Right to Work and to Posts of Responsibility

833- The Rules and Regulations of the Public Service and the Labour Code propagate the equal right of men and women to employment. However, because some cultures

[234] Ministry of External Relations, Fourth Session of the Human Rights Council, Aide Mémoire, Geneva, 12 March to 6 April 2007, p.33.

[235] The Bell No. 008of August 2006, page 3

[236] Ibid

still consider the education of the girl child as a taboo, the disparity between men and women work force will certainly take a long time to be equated.

834- Currently, Government employment policy into the Public Service and appointments to posts of responsibility seeks to promote women. That is why some posts which were reserved solely for men in the past, are now conferred on women who have distinguished themselves in the public service. By Decree No. 2006/231 of 17 July 2006, Mrs Zinga Mbassi Catherine Omgba was appointed the Sub-Divisional Officer of Mengong and Mrs Owona Claudine Mbo MAYE was appointed Sub-Divisional Officer of Mfou.

835- Government is aware of the difficulties women encounter to obtain funds to finance projects which can grant them economic independence. The following measures were taken in 2006 to solve these problems:

- implementation of projects and programmes to provide financial support to women such as the Project to Improve on the Family Revenue in Rural Areas funded by ADB for women in the three Northern Provinces;
- liberalisation of the micro-finance sector that immediately resulted in the emergence of many micro-finance institutions some of which specialised in the financing of projects presented by women;
- the training of women in ICTs;
- encouragement of women's common initiative groups to take up activities in agriculture, diary industry, fish farming and trade;
- exchange of experiences between local groups; and
- organisation of training of trainers for women's groups leaders in agriculture, dairy industry, fish farming and trade.

836-The following projects and programmes were realised:

- Project on Gender, Equity and Equality carried out with assistance from UNFPA;
- the Global Programme on the Progress of Women and Gender Equality sponsored by UNDP;
- Project on Poverty Reduction and Actions in Favour of Women in the Far North Province sponsored by the ADB;
- Income Generating Micro Projects to favour Women sponsored by the Canadian International Development Agency (CIDA);
- Integrated support Projects for Women in Micro Enterprises sponsored by MINAS; and
- Projects to Support Poor Women and Families through promotion centres and the granting of stipends at the end of the training.

837- On 7 March 2006, Government, in partnership with the ADB, sponsored the training of GFAC women on how to set up fundable projects. The aim of the training

was to make it possible for ADB to open a credit line to finance women entrepreneurship[237]. 48.6% of women were involved in economic activities in the informal sector in urban areas as against 59% in rural areas (that is, 57.3% in the industrial sector, 54.2% in trade and 50.4% in other services).

838- Government, in collaboration with the Embassy of the United States, sponsored a seminar on the theme *"Free Press and Women's Access to the Media"*. The seminar was aimed at encouraging more women into the press and media sector[238].

§2- Equal Right to Inheritance

839- Applicable laws in matters of possession and acquisition of landed property do not discriminate against women. However, in some parts of the country, due to traditional beliefs, women have been relegated to a secondary role. To curb this situation, Government action centred on developing institutional mechanisms to assist women in the exercise and enjoyment of their right to possess and own property.

[237] CT. No. 8551/4750 of 7/03/06.

[238] CT No. 8592/4791 of 5/5/06.

CHAPTER 4: PROTECTION OF THE VULNERABLE

840- The vulnerable comprise persons who are exposed to certain risks due to their environment, weakness, physical, mental or intellectual handicap. They are thus different from specific groups of persons. For, although the specific classes like women require strong and special protection of their rights, the vulnerable require even stronger and more special protection.

841- Government, therefore, in 2006 focused on three vulnerable groups: the child, the handicapped and the elderly, and the marginalized.

Sub-chapter 1- Rights of the Child

842- A child must have special development conditions, given its incapacity, immaturity and especially its role in the society. As a victim of family break-up, and rupture of traditional community solidarity in towns, the child is exposed to street, health and epidemiological risks or even physical and moral violence as well as all forms of abuse and exploitation.

843- As such, the society is increasingly acknowledging that a child enjoys inalienable rights that require special promotion and protection, as well as effective application measures.

Section 1- Promotion and Protection of the Rights of the Child

844- This includes the right to health, education, life and physical and moral integrity.

§1- Right to Health

845- In responsible parenthood, childbirth is regulated to match the available finances and moral standards. Children born in responsible homes generally enjoy their basic human rights. However, the situation is different in Cameroon despite the education of the masses on birth control. Many families are unable to cope with the exigencies of a good standard of education for their children. This has resulted in a high number of street children. The phenomenon of street children is therefore a reality in Cameroon and Government is taking measures to curb it.

A –Birth Registration

846- Birth registration is essential in the protection of the rights of the child as it facilitates the identification of the child. Hence, more civil status registration centres were set up to render their services more accessible to the masses. However, paradoxically, there was a drop in the registration of births in 2006.

847- In fact, 70% of births were registered in 2006, as against 79% in 2004.[239] The drop in birth registration was due mainly to poverty and lack of education. Some parents even complained of lack of transport fare to the centres.

848- Within the framework of the PADES-BAKA Project, 500 birth certificates were issued with the support of Belgian cooperation, to Baka pygmy children in Djoum, South Province. About 10,000 birth certificates were established with support from Plan Cameroon and UNICEF. 85% of births were registered in urban areas as against 57% in the rural areas. The South West Province had the lowest birth registration of 36%. The Far North, North and Adamawa Provinces registered 58%, 62% and 55% of births respectively, while the East Province registered 56% of births.[240]

B- Protection of the Health of the Child

849- In 2006 child health care was on the whole, improved on, with 7 out of 10 children vaccinated.[241] About 27% of children were given mosquito nets. Hygiene and sanitation was also improved on. The number of children sleeping under mosquito nets increased from 12% in 2004 to 27% in 2006. 69% of children had access to water. However, chronic malnutrition remained quasi stable from 29% in 2000 to 32% in 2004 and to 28% in 2006. The fight against drug abuse in children's milieu was intensified.

850- Despite this effort, malaria control for children below the age of 5 witnessed a drop. In 2000, 66 % of children had malaria treatment, 53 % in 2004 and only 36 % in 2006.

851- Government effort towards these achievements was enhanced by support from its national and international partners such as UNAIDS, WHO, UNICEF, Global Fund, European Union, UNFPA, FAO and WFP, AWARE, USAID, CARE, MSP, HKI, GTZ, Rotary club, African synergies, Plan Cameroon, ACDI FOREDEN, ADAMS, AAPEC, AUPAES, Chantal Biya Foundation and the Cameroon Red Cross Association. NGOs, associations and Traditional Chiefs also did great work as they helped to assemble the masses during educative talks.

852- The National Working Group effectively implemented the Child Disease Integrated Management (CDIM) in four Provinces, that is, 5 Health Districts (HD) in the Centre Province, 4 HDs in the East Province, 4 HDs in the North West Province and 4 HDs in the Adamawa Province. These Provinces had constant support from WHO, UNICEF and especially Plan Cameroon. Besides, the CDIM strategic extension plan document and the community relay training programme in PCLMEC were drawn up.

[239] Ministry of External Relations, Fourth Session of the Human Rights Council, Aide Memoire, Geneva, 12 March to 6 April 2007, p. 21, para. 4

[240] MICS-3. Results of the National Survey on multiple indicator in Cameroon, 2006 by the National Institute of Statistics (INS). Preliminary Report, September 2006, p. 16.

[241] Supra, note 232, p. 17

853- The following results were obtained:

- 17 HDs develop the CDIM strategy in Cameroon, that is, an estimated national coverage of 10%;
- the above 4 Provinces have a CDIM pool of trainers and supervisors;
- 35% of targeted HDs service providers were trained;
- all the CDIM trained service providers had at least one follow-up visit;
- there was improvement in the quality of care given to sick children, with an error margin of 5%.

854- Furthermore, the sub-immunization programme was intensified through logistics, regular supply of vaccines and other input in all the Provinces and the service provision norms and standards updated. This made it possible to obtain a 78.4% DTC-Hep B3 immunization coverage of children between 0 and 11 months old in September 2006 (as against the target 80% planned for end of December 2006) and a 101% Vitamin A coverage of children between 6 and 11 months old as well as the appropriate reaction to outbreaks of poliomyelitis, measles and yellow fever, with an epidemiological surveillance rate of 86%. The coverage of two outbreaks of the wild poliomyelitis illustrates the efficiency of the surveillance system. Control of maternal and neonatal tetanus was possible through additional integrated immunization with distribution of MI and Vitamin A. The immunization coverage of other antigens stands as follows:

- 97% immunization coverage against measles in the three northern Provinces;
- National Immunization Days Polio: 98.9% in the 1st Round (1,497,582 children) and 101.7% in the 2nd Round (1,540,053 children);
- Immunization against tetanus: 80% in the 1st Round and 81% in the 2nd Round;
- Immunization against yellow fever: results awaited.

855- It is worthy of note that Cameroon has been admitted into the Global Alliance for Vaccination and Immunization (GAVI) to strengthen the health system.

C- Assistance During Birth

856- The assistance provided by trained medical staff during child birth can greatly reduce infant and maternal mortality. Delivery in the hospital is safer. About 59% of deliveries were carried out by qualified personnel. The percentage was higher in urban areas than in rural areas. In Yaounde, 97% of deliveries were carried out by trained personnel. The Far North Province registered only 19% of births. The educated and financially viable families have their babies delivered by qualified personnel.

857- 33% of deliveries in 2006 were carried out with the assistance of trained personnel. About 43% of deliveries took place in health centres. Douala and Yaounde registered 85% and 86% of births respectively. The percentage of women who deliver at

home is still very high in Cameroon especially in the North Province with 34%, Adamawa Province with 43% and the Far North Province with 47%[242].

§2- Right to Education

858- Primary education for all is one of the priority objectives of the Millennium Development Goals.

859- Education, which is an essential factor in poverty alleviation, protects the child against dangerous occupation, exploitation and sexual abuse. Government effort to ensure the education of the child in Cameroon is encouraging, although limited. Generally, 4 out of every 5 children of about 5 years old attended primary school.

860- School attendance was higher for boys than for girls (82% for boys as against 77% for girls). There was a significant gap in school attendance between the urban and the rural areas. 90% of children in urban areas attended school as against 71% in rural areas. Sex disparity stands at 0.94% in primary school, and 0.97% in secondary school.[243] School attendance in primary school for both sexes increased from 77.8% in the 2003/2004 academic year to 78.1% in the 2005/2006 school year.

861- At this rate, the millennium development goals for primary education for all by the year 2015 will hardly be attained.

862- The rate of secondary school attendance witnessed just a slight increase. During the academic year 2003/2004, 33% of children attended secondary schools while in the 2005/2006 year, the rate of attendance was 37%.

863- The low rate in school attendance can be attributed to regional imbalances. Statistics show that some regions, notably the three Northern Provinces, have been underscholarised due especially to some cultural and religious practices such as early marriages.

864- In certain regions, there was a drop in school attendance. For instance, 64.2% of children went to school during the 2003/2004 academic year in the Adamawa Province as against 59.3% in the 2005/2006 academic year. The Far North Province had a drop from 52.6% to 48.7%. Government objective to eliminate sex disparity in school attendance by 2005 was not also met.[244] However, it is putting up a relentless effort to improve on the situation by consecrating a large proportion of the national budget on education and by calling on its partners for more assistance in this domain. The tables below show the school attendance rate in 2006 in primary and secondary schools for children between the ages of 6 and 11.

[242] Supra, Note 233.

[243] Follow-up of the situation of children and women, MICS-3. Results of the National Survey on multiple indicator in Cameroon, 2006 by the National Institute of Statistics.

[244] Ministry of External Relations, Fourth Session of the Human Rights Council, Aide Memoire, Geneva, 12 March to 6 April 2007,p18 para 4.

Table ED. 3A: Primary School Attendance Rate. Percentage of Children Between 6 and 11 years attending Primary School in Cameroon in 2006[245]

		Masculine		Feminine		Total	
		Net Attendance rate in %	Number of Children	Net Attendance rate in %	Number of Children	Net Attendance rate in %	Number of Children
Douala/Yaounde Province	Douala	96.0	296	92.4	286	94.2	582
	Yaounde	95,7	257	91.8	300	93.6	558
	Adamawa	58.3	220	60.3	202	59.3	422
	Centre	94.0	314	92.3	284	93.2	598
	East	85.2	159	82.2	181	83.6	341
	Extreme North	55.5	736	42.2	767	48.7	1503
	Littoral	94.2	156	95.1	120	94.6	276
	North	61,7	427	45.9	385	54.2	812
	North West	89.7	309	94.2	303	91.9	613
	West	95.0	590	92.1	543	93.6	1133
	South	95.8	115	92.2	124	93.9	239
	South West	95.7	262	94.9	240	95.3	502
Residential Area	Y'de/D'la	95.9	553	92.1	586	93.9	1140
	Other Towns	86.6	1100	81.5	1120	84.0	2220
	Urban	89.6	1654	85.1	1706	70.8	3360
	Rural	74.2	2189	67.1	2030	71.1	4219
Ages	6	67.1	739	60.7	755	63.9	1494
	7	79.6	664	78.8	621	79.2	1285
	8	83.2	699	77.1	680	80.2	1379
	9	88.0	524	78.9	559	83.3	1082
	10	86.5	724	82.0	669	84.3	1393
	11	84.1	492	781	453	81.2	946
Home Training	Illiterate	62.1	1451	50.0	1363	56.2	2814
	Primary	89.6	1413	87.4	1358	88.6	2771
	Secondary And Above	96.1	976	933	1014	94.7	1990
Economic Welfare	The Poorest	54.3	929	42.8	837	48.8	1766
	Poor	82.3	859	77.1	851	79.7	1710
	Average	89.7	795	84.6	742	87.2	1537
	Rich	93.4	671	87.8	709	90.5	1380
	The richest	94.6	587	92.4	598	93.5	1185
Total		80.9	3842	75.4	3736	78.1	7578

[245] Source: National Institute of Statistics, Net primary school attendance rate, Percentage of children between 6 and 11 years who attended primary school in 2006.

Table ED3: Net Rate in Primary Schools
Percentage of Children between 6 and 11 years attending Primary or Secondary School in Cameroon in 2006[246]

		Masculine		Feminine		Total	
		Net Attendance rate in %	Number of Children	Net Attendance rate in %	Number of Children	Net Attendance rate in %	Number of Children
Douala/Yaoundé Province	Douala	99.6	296	97.7	286	98.7	582
	Yaoundé	99.3	257	98.3	300	98.8	558
	Adamawa	59.2	220	61.4	202	60.2	422
	Centre	95.9	314	93.1	284	94.5	598
	East	85.6	159	82.4	181	83.9	341
	Extreme North	55.5	736	42.2	767	48.7	1503
	Littoral	96.2	156	98.2	120	97.0	276
	North	62.2	427	45.9	385	54.5	812
	North West	90.0	309	94.9	303	92.4	613
	West	96.5	590	94.5	543	95.6	1133
	South	96.2	115	94.9	124	95.5	239
	South West	96.4	262	96.1	240	96.3	502
Residential Area	Y'de/D'la	99.5	553	98.0	586	98.7	1140
	Other Towns	88.3	1100	83.7	1120	86.0	2220
	Urban	92.1	1654	88.6	1706	90.3	3360
	Rural	74.5	2189	67.4	2030	71.1	4219
Ages	6	67.1	739	60.7	755	63.9	1494
	7	79.6	664	78.8	621	79.2	1285
	8	83.2	699	77.1	680	80.2	1379
	9	89.1	524	79.7	559	84.2	1089
	10	87.7	724	83.8	669	85.8	1393
	11	90.6	492	88.8	453	89.7	946
Home Training	Illiterate	62.5	1451	50.3	1363	56.6	2814
	Primary	90.6	1413	88.5	1358	89.6	2771
	Secondary And Above	98.9	976	97.9	1014	98.4	1990
Economic Welfare	The Poorest	55.5	992	44.5	894	50.3	1887
	Poor	83.4	796	77.5	790	80.5	1586
	Average	89.8	688	84.7	655	87.3	1343
	Rich	94.6	675	90.3	687	92.4	1362
	The richest	98.8	691	97.8	709	98.3	1401
Total		82.1	3842	77.1	3736	79.6	7578

[246] Source: National Institute of Statistics.
Net percentage of children of 6 -11 years who attended secondary school in 2006.

§3- Protection of Children against Poor Treatment and Violence

865- In spite of the many measures by Government to protect the rights of the child, poor treatment, exploitation and violence against some children persisted in 2006.

866- Some cases of female genital mutilation, rape, indecency, kidnapping, assault, and child abuse were noticed. One way by which Government fights against these ills is to take court action against reported cases.

867- Apart from legal actions, administrative sanctions are equally inflicted on perpetrators when necessary. On 13 March 2006, the Vice Prime Minister, Minister of Justice, Keeper of the Seals ordered the investigation of an orphanage called *"Sœur Marie Zana"* situated at Nkolndongo in Yaounde. It had earlier been reported that the rights of some children were being abused in this orphanage. The investigations revealed that Adzaba Owono Juliette was running an illegal orphanage where the rights of the boarders were constantly abused. The Vice Prime Minister advised the Minister of Social Affairs to order the closure of the orphanage.

868- To better regulate this sector, the Ministry of Social Affairs in collaboration with its partners validated from 28 to 29 March 2006, a draft bill on the opening and functioning of social private institutions to avoid child trafficking and exploitation.

869- To implement the resolutions of the first National Solidarity Forum organised in Yaounde from 21 to 24 June 2005, MINAS embarked on interministerial contacts. After a meeting with the Minister of Justice on 26 April 2006, the following recommendations were made:

- special measures should be taken to guide and protect minors below the age of 10 who are criminally irresponsible;
- minors between the ages of 10 and 14 who are criminally responsible should benefit from special protective measures;
- special courts and post conviction institutions should be set up; and
- a code on the protection of the child should be drawn up.

870- This encounter helped to accelerate the work on the draft code of the child. Book I of the code was proofread and validated during two seminars organised in Kribi from 11 to 15 April 2005 and Sangmelima from 10 to 14 May 2005. Book II was proofread and validated in Ebolowa from 12 to 16 December 2005. The draft law has been validated and forwarded to UNICEF for a consultant to read and make remarks. The Ministry of Justice will translate the draft into English.

871- Law No. 2005/15 of 29 December 2005 against Child Slavery and Trafficking came as a big relief to the Cameroon child who is a victim of poor treatment, exploitation and violence. The popularisation of this law was carried out in 2006 by Government with the assistance of international partners like WACAP[247] and LUTRENA.

[247] West Africa Cocoa-Commercial Agriculture Programme.

872- In spite of the tremendous effort by Government to reduce cases of child abuse, statistics still show that persistent cases of child labour, violence and sexual assault on children remain a reality in Cameroon today. Nevertheless, the proportion of children who work has reduced from 58% in 2000 to 43% in 2005, and then to 31% in 2006. Recently, Government has retrieved many children who were already working in cocoa farms and has sent them back to school so as to reduce the impact of child labour.

873- These objectives were achieved in collaboration with WACAP and LUTRENA, notwithstanding resistance from perpetrators of some traditional practices who encourage child labour in farms to increase production.

Section 2- Effective Implementation of the Rights of the Child

874- The effective implementation of the rights of the child includes the setting up of committees, awareness of the rights of the child and the building of infrastructure.

§1- Committees

875- By Order No. 68/MINTSS of 28 November 2005, the Minister of Labour and Social Security created a National Committee in charge of setting up the International Programme for the Abolition of Child Labour[248].

876- This Committee comprises persons working in some technical ministries, members of employers' organisation and workers unions, as well as some NGOs working in collaboration with international organisations.

877- By Order No. 1/MINTSS/SG/DINGIT/CCT/CEA of 26 January 2006, the Minister of Labour and Social Security set up a Consultative Technical Committee in charge of the implementation of the IPEC-LUTRENA Project. The said Committee is made up of representatives from different ministries, workers unions, employers' organisations, local councils, NGOs, other associations, as well as experts. This Committee is expected to assist the National Commission in the orientation of its activities and the collection of feedback relating to actions taken in the fight against child trafficking, in collaboration with LUTRENA and other UN Agencies.

878- Apart from the decisions taken by MINTSS, the Delegate General of National Security equally signed Order No.785/DGSN/CAB of 2 December 2005 to set up a Special Control Brigade at the level of INTERPOL in charge of the implementation of an institutionalised code of ethics aimed at fighting against the trafficking of persons, especially women and children who are the common victims of violence, exploitation and sexual abuse in Cameroon[249].

[248] Comité Directeur National de mise ne œuvre du Programme International pour l'Abolition du Travail des Enfants (CDNIPEC) (National Sterring Committee for the Implementation of the International Programme for the Abolition of Child Labour).

[249] IPEC-LUTRENA, Traffic News, p. 13.

§2- Awareness of Children's Rights

879- In 2006, MINAS carried out the following activities:
- prevention and handling of juvenile delinquency and social imbalances; and
- rehabilitation of the child and fight against social exclusion.

880- The International Day of the Child is celebrated in Cameroon on 16 June every year. This day is used to sensitise the masses on children's rights. The Children's Parliament is organised within this period to enable the children to speak out their difficulties themselves.

881- In 2006, the day was celebrated under the theme: "*The right to protection: halt violence against children*".

882- The Catholic Church has taken a strong stand against child exploitation. To sensitise christians against child abuses, Cardinal Christian Tumi, Archbishop of Douala, celebrated a series of masses in Douala, Bamenda and at the 20 May Boulevard in Yaounde during which he condemned the exploitation of children

883- Some workers unions are not left out in the fight against child exploitation and child labour. The following trade unions have been very influential in the promotion and the protection of the rights of the child:
- " *la Fédération nationale des syndicats des travailleurs des collectivités territoriales décentralisées du Cameroun* » (FENTEDCAM), National Federation of Decentralised Local Councils Trade Unions of Cameroon; and
- FESCOCAM.

884- The following results were obtained from Government sponsored projects and programmes relating to the promotion and protection of the rights of the child in 2006:
- 358 street children were taken care of;
- 203 abandoned children were identified and taken care of;
- 130 street children were sent for training in specialised institutions to learn trades such as carpentry, tailoring, and hairdressing among others;
- 626 convicted children received moral and material support;
- 65 orphans were sponsored in various schools; and
- 39 children were handed over to their families.[250]

885- In protecting children, Government gives priority to partnership.

886- On 18 May 2006 a partnership agreement was signed between Government and some 42 NGOs and other credible associations within the framework of the National Programme to Support Orphans and Vulnerable Children. Government gave

[250] Contribution from MINAS towards the drawing up of the 2006 Human Rights Report, correspondence No 2006/10/60/I/MINAS/SG/CJ.

financial assistance to these NGOs and associations to enable them to collaborate in the identification of orphans and other vulnerable children.

887- 67 temporary social workers were recruited to lend support to the NGOs and associations to identify orphans and vulnerable children. The result was that 150,000 orphans and vulnerable children were discovered nationwide, 10,000 of whom were given educational, nutritional and health care in 2006.

888- Furthermore, 6 campaigns against child stigmatisation were organised in the North West Province where there is a high rate of child abuse due to deep-rooted traditions. Committees were set up to identify, follow up and eradicate child abuse.

889- With assistance from Plan Cameroon, 150 birth certificates were established for some orphans and 300 vulnerable children were trained to become economically independent.

890- 160 orphans and street children were taken care of and 500 young girls counselled on the dangers of bad morals.

891- MINAS plans to improve on the conditions of partner organisations in the following manner:

- empower NGOs specialised in the protection of the rights of the child;
- carry out continuous recruitment of social workers who will be given specialised training on specific national languages and cultures;
- extend the offices of social workers to Divisional and Sub-Divisional levels to enable them to reach the people easily;
- collaborate with local authorities, chiefdoms, and lamidats to sensitise the rural masses on the rights of the child;
- create radio programmes on the rights of the child; and
- work in partnership with NGOs to establish a syllabus for the teaching of human rights in primary school[251].

§3- Infrastructure

892- Since 2006, reconstruction work began in the Bepanda-Douala rehabilitation centre to accommodate 120 vulnerable children. The aim of the reconstruction is to transform the structure into a regional centre to train children who need special protection measures. This will add to the existing structures in the country.

893- In 2006, 28 abandoned children were referred to the Accommodation Centre for Children in Distress (ACCD), Nkomo in Yaounde where they benefited from psycho-affective care and appropriate training. From time to time cases of child violence are reported, for example:

[251] MINAS should get in contact with NCHRF which has already drawn up Teaching Guides in the domain.

- On 4 May 2006, the population of Yaounde was shocked by the death of a 3 years old child at the University Teaching Hospital after being subjected to sexual abuse through rape and sodomy by an unknown individual. The matter was referred to the State Counsel at the HC, Mfoundi in Yaounde by letter No. 6/307/L/MINAS/CAB/CT2 of 5 May 2006. Investigations are going on in this matter.
- In March 2006, another case of violence inflicted on a little girl aged 29 months by her father (a gendarme working with the Presidential Guard in Yaounde) was reported to MINAS. The offender was interrogated and it was proven that he was a psychopath, an alcoholic and drug addict. As an administrative measure, the Minister Delegate at the Presidency of the Republic in charge of Defence was advised to order the offender to provide the child's health, education, feeding and material needs.

894- The Minister Delegate at the Presidency of the Republic in charge of Defence was equally advised to transfer the offender to a post where he will not be exposed to alcohol, among other administrative and therapeutic measures. Besides, the matter was referred to the State Counsel at the HC, Mfoundi for further investigations. Material assistance and psychosocial support was given to the victim's family.

895- Although several obstacles that prevent children from full enjoyment of their rights in Cameroon are still encountered, especially at the level of traditional chiefdoms and lamidats, this branch of human rights remains a priority to Government.

896- All in all, Government does not have enough means to support every family. Nevertheless, education of the child remains a priority objective, for in the long-term, it will make the attainment of all the other rights possible.

Sub-chapter 2- Rights of the Handicapped and the Elderly

897- The protection of the rights of the handicapped and the elderly is specific due to the peculiarity of their situation.

898- To better protect the rights of these vulnerable persons, the Department of Social Protection of the Handicapped and the Elderly (DPPHPA) at the Ministry of Social Affairs was set up by Decree No. 2005/160 of 25 May 2005. Its duties include the:

- drawing up of the functioning and follow up of the socio economic integration of handicapped persons and the protection of the elderly;
- provision of assistance to the handicapped and the elderly; and
- establishment of relations with national and international bodies that promote the rights of handicapped persons and the elderly.

899- The dual aspect of the said Decree requires a distinction between measures to guarantee the rights of the handicapped and those of the elderly.

Section 1- Rights of the Handicapped

900- Two sets of measures (legal and institutional) were adopted to attain this objective.

§1- Legal Framework

A- International Level

901- It is necessary to point out that, Cameroon took part in the drafting of the United Nations Convention on the Rights of Persons with Disabilities in New York from 14 to 25 August 2006. This Convention guarantees the protection and the promotion of the economic social and cultural rights, as well as the civil and political rights of the handicapped. It was adopted on 13 December 2006 by the UN General Assembly.

B- National Level

902- By a joint circular letter No. 34/6/LC of 2 August 2006 signed by MINESEC and MINAS, admissions into public secondary schools of handicapped persons and children born of poor handicapped persons were facilitated. According to the circular, the above group of persons is exempted from paying registration fees and parents teachers association (PTA) levies[252] in Government secondary general and technical schools.

903- This measure came to enhance the provision of the Constitution, which provides that primary education is obligatory and free.

Furthermore, Government endeavoured to ensure the well-being of the handicapped by implementing the following agreements and resolutions:

- MINAS and NSIF signed an agreement on 22 March 2006 to improve on the assistance given to handicapped persons and those who have suffered from industrial accidents. The implementation of this agreement was immediate in NSIF, where the handicapped persons of that institution are given special vehicles to ease their movement to work;

- A partnership agreement was signed between MINAS and the National Employment Fund (NEF) on 4 September 2006 aimed at training and employing vulnerable persons. The purpose of the agreement was to render handicapped and other vulnerable persons more socially and economically independent;

[252] For details see chapter on the right to education.

- On 13 March 2006, MINESUP and MINAS had a meeting during which a joint circular letter was issued. The objective of this circular is to improve on the conditions of the handicapped and vulnerable students by providing them with lodging, integrating them into the University "study-work-programme" and giving them holiday jobs;

- The meeting between MINTP and MINAS on 10 April 2006 sought to enhance the implementation of the Law of 1983 on access by handicapped persons to public buildings and its enforcement instrument No. 90/1516 of 26 November 1990;

- The meeting between MINAS and MINSANTE of 20 October 2006 laid the basis for discussions with the view to facilitating the access of vulnerable persons to drugs and health;

- The meeting between MINATD and MINAS of 29 October 2006 to examine the problem of the participation of handicapped persons in elections, their access to polling stations to enable them to exercise their civic rights[253].

§2- Measures to Support Handicapped Persons

904- The following activities were carried out by Government to underpin the rights of handicapped persons:

- 26 handicapped persons were trained by *"Institute Africain d'Informatique'* (IAI) on information technology. This was the outcome of a partnership agreement between MINAS and IAI-Cameroon;

- Government sponsored 20 blind persons in "*College de la Retraite*"[254], 9 in the 2005/2006 academic year and 11 in the 2006/2007 academic year;

- financial, material and technical assistance was offered to schools responsible for the care of the handicapped. These gifts include, sewing machines and television sets;

- socio-economic support was offered by CERAC in a partnership agreement with MINAS to handicapped women in Yaounde and other handicapped persons in the Far North, North and Adamawa Provinces;

- Government facilitated the acquisition of business licences by handicapped persons; and

[253] Minitry of External Relations, Fourth Session of the Human Rights Council, Aide Memoire, Geneva, 12 March to 6 April 2007.
[254] This private mission college is one of the best in Cameroon in terms of the quality of education it offers.

- Government encouraged friendship ventures by the public towards handicapped persons and received 2 sewing machines which were handed to them.

905- The following equipment was offered to handicapped persons in the different provinces to facilitate movement:

- 63 crutches;
- 45 tricycles;
- 2 electric wheel chairs;
- 4 mechanical wheel chairs; and
- 5 hearing aids.

906- The celebration of the International Day of Handicapped Persons makes it possible for the masses to be sensitised on the rights of the handicapped. The 2006 International Day of the Handicapped was celebrated on the theme "*Access by Handicapped Persons to Information Technology: Stakes and Challenges*". During this period, free pathological consultations were offered to the elderly and the handicapped. The masses were encouraged to lend them support where and when necessary.

907- MINAS noticed the rejection of the files of some candidates who had problems with their sight, and who wished to sit for the competitive entrance examination into the Higher Teachers Training College. Consultation is going on with the Ministry of Higher Education to resolve this issue.

908- On 16 and 18 September 2006 a disabled person reported to MINAS about physical violence exercised on him by his brother in Yaounde. The State Counsel at the CFI, Ekounou in Yaounde, was seised of this matter.

Section 2- Rights of the Elderly

909- A draft law to set up a National Committee for the Elderly[255] is under study. This multi-dimensional organ seeks to promote the rights of elderly persons, remobilise and reinsert them in nation building.

910- An international seminar co-organised by HELP AGE International, the Regional Centre for the Welfare of Elderly Persons in Cameroon (RECEWAPEC) and the Government of Cameroon, with the support of the AU, was held in Yaounde from 11 to 13 September 2006 under the distinguished patronage of the Prime Minister, Head of Government. The aim of this seminar was to mobilise and sensitise the national and international communities on the rights of the elderly especially in the domains of health and social security, as well as to implement the Madrid Plan of Action on the Elderly.

[255] National Committee on the Elderly (CONAVI).

911- Cameroon participated in the interregional conference in Bangkok (Thailand) from 28 November to 1 December 2006. The objective of the conference was to build the capacity of Member States towards the implementation of the Madrid Plan of Action on the Elderly. In recognition of the laudable effort made by Cameroon in protecting the rights of the elderly, Government has been granted support by the UN to draw up a national programme on the elderly.

912- Although progress has been made in the protection of the rights of the handicapped and the elderly, the following difficulties still hinder the success of the initiative:

- the majority of the elderly in Cameroon live in rural areas which are often inaccessible;
- more than 2/3 of the elderly in Cameroon benefit neither from social security nor retirement benefits;
- financial means to fund social security reforms for the elderly are limited;
- few or no experts are available in this domain;
- few institutions exist to cater for the elderly and the handicapped; and
- the elderly are attached more to traditional rites than to modern health facilities.

Sub-chapter 3- Promotion and Protection of the Marginalised

913- In Cameroon, the specific needs of the marginalised are taken care of by Government that has set up in MINAS the Department of National Solidarity in charge especially of drawing up policies, the implementation and follow-up of programmes for the fight against social exclusion and the social integration of the marginalised and disaster victims in collaboration with the services concerned.

914- This concern is expressed through policies and programmes which were reiterated through seminars organised in Cameroon in 2006.

Section 1- Policies and Programmes

5- 91Within the framework of its duties to combat social exclusion, draw up programmes on fundamental rights and promote the socio-economic integration of the marginalised, MINAS intervened in the following areas:

promotion of citizenship and the participation of the Bakas and Mbororo in society by the establishment of 600 birth certificates for members of these communities;
funding of micro-projects by the marginalised in Cameroon;

- drawing up of a draft bill on the promotion of the integration of the marginalized;

- lobbying for the representation and participation of the marginalized in society;
- the Support Project for the Socio-Economic Development of the Bakas (PADES Baka) of Djoum, Oveng and Mintom in the Dja and Lobo Division, South

Province, is the result of the co-operation between Cameroon (MINAS) and Belgium (CTB) with a view to improving on Baka integration in national life. The main aims were to:

- improve on hygiene and access to water;
- supply health centres with drugs;
- encourage and facilitate school attendance of Baka children;
- assist in the establishment of birth certificates and other official documents:
- educate the Bakas on their rights;
- educate them on inter-communal life;
- train State, regional and local authorities on community management and the implementation of inter-communal social mediation;
- help the Baka and Bantou communities in the classification of forests and protected areas;
- help the Baka and Bantou in gaining access to forest exploitation revenue and in the valorisation of local development activities;
- provide support for the commercialisation of agricultural and forest products; and
- identify and support existing Baka organisations.

916- During a joint meeting by MINATD and MINAS on 29 November 2006, emphasis was laid on the psychosocial approach in Councils with the view to improving on care for the poor and to valorising traditional chiefdoms of the marginalised (Pygmies, Mbororo) by encouraging access to land, civil status certificates and National Identity Cards.

917- Actions linked to access to citizenship, civic rights, the right to education and health as well as cultural, socio-economic and environmental rights were carried out for the marginalised with the help of the NGO, Plan Cameroon, Belgian Technical Cooperation in Cameroon (CTB), UNICEF, UNESCO and the Central African Sub-Regional Bureau of the International Labour Organization (BSRAC/OIT).

918- The following Cameroon NGOs and Associations also contributed:

- Cameroon Biodiversity Conservation Society/ Bird Life Cameroon;
- Mbororo Social and Cultural Development Association (MBOSCUDA);
- Association of the Bakas of Cameroon (ASBAK-Cameroon);
- Centre for the Environment and Development; and
- Foundation for the Environment in Cameroon.

Section 2- International Seminars and Meetings

919- The following seminars were either organised in or by Cameroon:

- workshops on the protection and promotion of the rights of the marginalised, under the patronage of MINAS in 2006;
- regional seminar organized by the AU Commission on Human and Peoples' Rights on sensitisation on the fundamental rights of indigenous people in Africa from 13 to 16 September 2006 in Yaounde;
- workshop to validate the research document on legislation on the indigenous people of Africa, by the Human Rights Commission of the University of Pretoria, from 18 to 20 September 2006 in Yaounde;
- seminar on the rights of indigenous people: instruments and good practices, by the ILO International Centre, from 27 November to 1 December 2006 in Yaounde;
- workshop for the launching and planning of the Project "PRO 169" in Cameroon from 5 to 6 December 2006 by the ILO Sub-Regional Bureau for Central Africa with the aim of encouraging ILO partners (governments, NGOs, workers and employers organizations) and indigenes, to propose activities to be included in the "PRO 169" plan of action in Cameroon for the next two years;
- workshop on the follow-up of the project on the capacity building of minorities and indigenous people in favour of the implementation of international norms, from 30 November to 2 December 2006 in Yaounde in partnership with the School Instrument of Peace and the International Centre for Ethical Studies.

920- The project to set up a National Solidarity Fund, which was the purport of a pre-evaluation workshop from 6 to 7 October 2006 and an intersectoral validation workshop from 31 October to 1 November 2006, aims at restoring the autonomy and humanity of vulnerable persons, thanks to the ability of self realisation offered by the rehabilitation process.

921- In implementing the recommendations of the National Solidarity Forum held in Yaounde from 21 to 24 June 2005, MINAS launched an invitation to tender in March 2006 for the conduct of a study to "Set up a National Solidarity Fund in Cameroon".

PART THREE: CONCLUSION

922- Government is bent on improving detention conditions. To this end, it has increased the budget to humanise the conditions of detainees and those of supervisory personnel.

923- Although the State's determination to modernise Prison Administration is unequivocal, its effort backed by development partners is undermined by its limited resources.

924- Budgetary resources are also allocated for the promotion and protection of the rights of handicapped persons, the elderly and the child. However, these rights are jeopardised by rural exodus, family disintegration and poverty and especially negative cultural practices. Increasing budgetary resources and support from sponsors will progressively consolidate the implementation of the rights of the above vulnerable persons.

GENERAL CONCLUSION

925- Human rights in Cameroon in 2006 as presented in this report brings out measures and policies taken by Government and other stakeholders to respect commitments undertaken by the country by ratifying most international instruments on the promotion and protection of human rights.

926- Within this global framework, the report highlighted a number of issues which directly or indirectly tested the State of Cameroon's ability to respect its international human rights commitments, in line with specific African cultural values.

927- Considerable effort has been made to promote, realise and protect human rights. However, the general obligation to ensure due diligence incumbent on States as regards this Herculean task was sometimes wanting.

928- It is suggested that an extensive procedural[256] review be set in motion for human rights to be more effective in Cameroon. In other words, it is proposed that at the behest of national authorities, more specific and efficient procedural mechanisms likely to better guarantee the respect of human rights and especially prevent their violation, be implemented.

929- Moreover, with the achievement of the completion point of the HIPC Initiative, the State is expected to effectively implement economic and social projects which generate wealth to reduce poverty and ensure that Cameroonians fully enjoy their ESCRs.

[256] Procedure may be understood as the establishment of additional guarantees inherent in the main general and explicit protection of human rights to ensure its full attainment. It is based on the idea that human rights protection standards provided for in an international instrument includes an implicit obligation binding States to take human rights protection measures. States may take special protection measures and set up commissions of inquiry. As such, they are bound by two obligations: objective and explicit obligation, and procedural and implicit obligation. Both obligations establish a sort of prventive protection mechanism.

ANNEX

This report was validated during a workshop organized from 5 and 6 September 2007 by the Ministry of Justice with the help of UNDP and the Subregional Centre for Democracy and Human Rights in Central Africa with the participation of the following representatives from ministries, the court and civil society organizations:

Administrative Structures and the Supreme Court
Ministry of Justice
Supreme Court
Ministry of Territorial Administration and Decentralization
Ministry of Planning, Programming, and Regional Development
Ministry of External Relations
Ministry of Basic Education
Ministry of Public Health
Ministry of Secondary Education
Ministry of Higher Education
Ministry of Public Health
Ministry of Employment and Vocational Training
Ministry of Labour and Social Security
Ministry of Communication
Ministry of Women Empowerment and the Family
Ministry of Social Affairs
Ministry of Urban Development and Housing
Ministry of Environment and Nature Protection
Ministry of Water and Energy
Ministry of Defence
Ministry of Scientific Research and Innovation
Ministry of Forestry and Fauna
Secretary of State in charge of the Gendarmerie
Secretary of State in charge of Defence
National Delegation of National Security
General Directorate of External Research
National Commission Against Corruption
National Commission of Human Rights and Freedoms
Civil Society
Cameroon Bar Association
National Financial Investigation Agency
National Governance Programme (NGP)
Christian Action for the Abolition of Torture(ACAT-Littoral)
African Action on AIDS (AAA)
New Human Rights-Cameroon(NDH)-Cameroon
Union of Cameroon Journalists(UJC)
Islamic Cultural Association of Cameroon(ACIC)
Islamic Youth Association of Cameroon (JIC)
Association of Female Jurist of Cameroon(ACAFEJ)
League for the Promotion of the Child and the Woman(LEFE)
Confederation of Workers Union of Cameroon (CTSC)
Cameroon Media Board (CMB)