







REPORT BY THE MINISTRY OF JUSTICE ON HUMAN RIGHTS IN CAMEROON IN 2012





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Report by the Ministry of Justice
on Human Rights in
Cameroon in 2012

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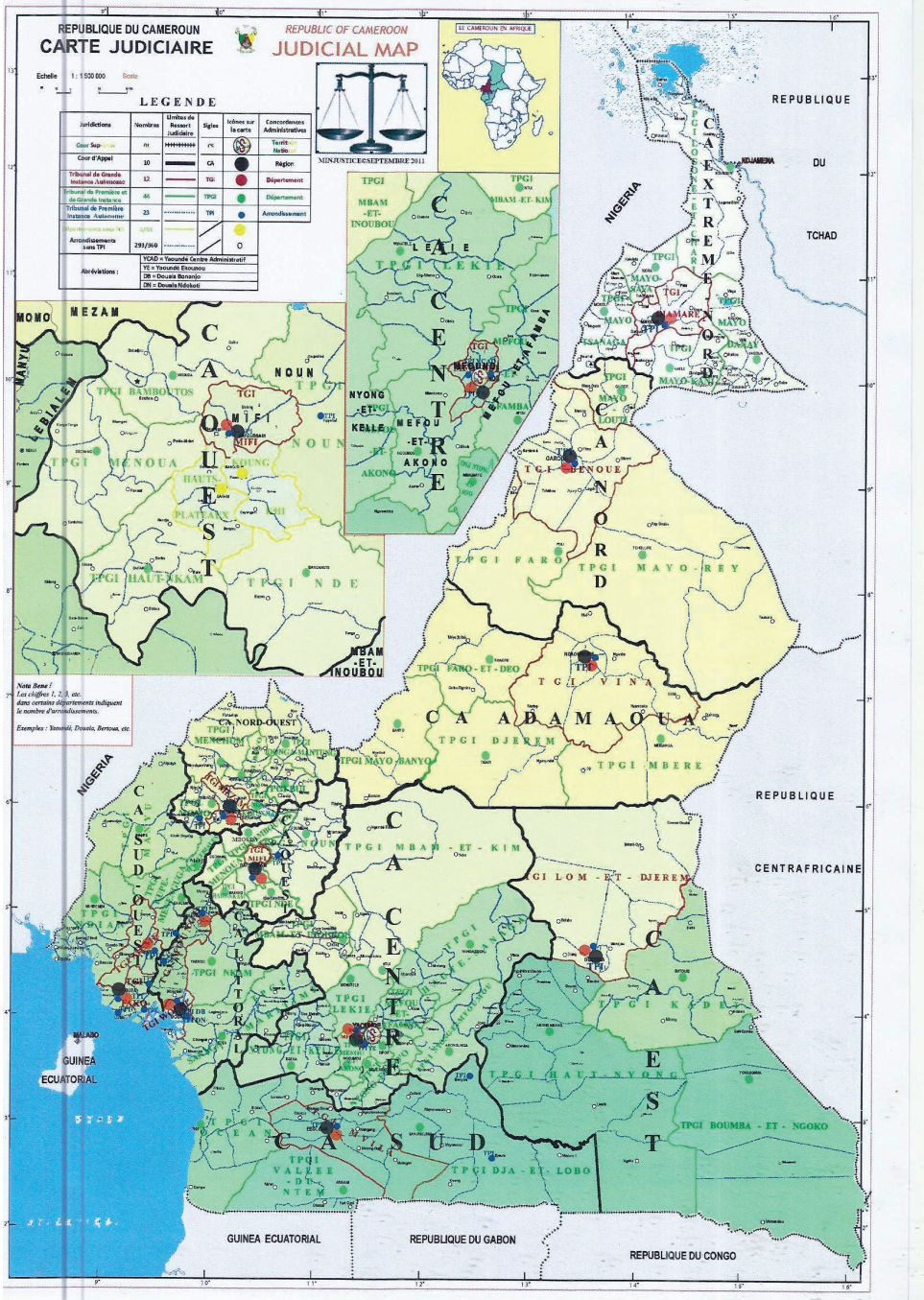
ADMINISTRATIVE MAP



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JUDICIAL MAP OF CAMEROON



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FOREWORD

“My other priority, as you know, is to improve the living conditions of our people which are not worthy of a country like ours. In this regard, the revival of growth should give us a greater leeway. Be it health, education, housing, social security, access to electricity and drinking water, rest assured that the commitments I made will be honoured as far as possible”.

Head of States New Year message to the Nation on 31 December 2011



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LIST OF ACCRONYMS AND ABBREVIATIONS

A/C	: Senior Warrant Officer
AC	: Administrative Court
ACAFEJ	: Cameroon Association of Female Jurists
ACHPR	: African Commission for Human and Peoples' Rights
Adj	: Warrant officer (2nd Class)
AES-SONEL	: National Electricity Corporation of Cameroon
AfCHPR	: African Court for Human and Peoples' Rights
AFD	: French Development Agency
AFIS	: Automated Fingerprint Identification System
AM	: Assault on Minor
ANIF	: National Financial Investigation Agency
ARSEL	: Electricity Sector Regulatory Board
Art.	: Article
BEPC	: <i>Brevet d'Etudes du Premier Cycle</i>
BIR	: Rapid Intervention Battalion
C2D	: Debt Relief and Development Contract
CA	: Court of Appeal
CAED	: Welcome Center for Children in Distress
Cal.	: Corporal
CAMNAFAW	: Cameroon National Association for Family Welfare
CAO	: Welcome and Observation Centre
CAPIEM	: Teacher's Grade I Certificate
CCT	: Confederation of Cameroon Workers
CDBF	: Budgetary and Financial Disciplinary Board
CDT	: Treatment of Tuberculosis Centre
CEDAW	: Covenant on the Elimination of all Forms of Discrimination against Women
CERAC	: Circle of Friends of Cameroon
CFC	: Cameroon Housing Loan Fund

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CFI	: Court of First Instance
CIMENCAM	: Cameroon Cement Company
CIRCB	: « Chantal BIYA » International Research Centre on HIV/AIDS
CM2	: <i>Cours Moyen Deux</i> (Class 6)
CMA	: Subdivisional Hospital
CMC	: Cameroon Music Corporation
CMS	: Customer Management System
CNRPH-CPEL	: Cardinal Paul Emile LEGER National Centre for Re-education of Persons with Disabilities
CONAC	: National Anti-Corruption Commission
CONSUPE	: Supreme State Audit
CPC	: Criminal Procedure Code
CPDM	: Cameroon People's Democratic Movement
CRTV	: Cameroon Radio and Television
CSO	: Civil Society Organization
CUD	: City Council, Douala
CUY	: City Council, Yaounde
DGRE	: Directorate General of External Research
DGSN	: General Delegation for National Security
DIDE	: Dignity in Prison
EIB	: European Investment Bank
ELAN-AFRIQUE	: School and National Languages in Africa
ELECAM	: Elections Cameroon
ENA	: National School of Administration
ENAM	: National School of Administration and Magistracy
ENIEG	: Government Teacher Training College
ENIET	: Government Technical Teacher Training College
ENS	: Higher Teachers' Training College
EPA	: School of Administration
ERSUMA	: Higher Regional School of Magistracy
ETP	: Emergency Thermal Programme

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ETP	: Professional Technical School
EVF/EMP/VIH/SIDA	: Education on Family Life, Population Matters and HIV/AIDS
FECAFOOT	: Cameroon Football Federation
FEICOM	: Special Council Support Fund
FENASSCO	: National Federation School Sports
FESADE	: Women, Health and Development
FESCIVBA	: Bafoussam Cinema and Video Festival
FGM	: Female Genital Mutilation
FSLC	: First School Leaving Certificate
FSLC	: First School Leaving Certificate
FST	: Special Telecommunication Fund
GCE	: General Certificate of Education
GDF	: General Decentralization Fund
Gend.	: Gendarmerie
GEPMI	: Gender and Economic Policy Management
GESP	: Growth and Employment Strategy Paper
GICAM	: Inter professional Group of Cameroon
GIZ	: German International Cooperation Organization
GSE	: General Secondary Education
HC	: High Court
HIV	: Human Immuno-deficiency Virus
HIV/AIDS	: Human Immuno-deficiency Virus/Acquired Immune Deficiency Syndrome
HYDROMEKIN	: Mekin Hydroelectric Development Corporation
IC	: Immunization Coverage
ILO	: International Labour Organization
ILO	: International Labour Office
IM	: Indecency to Minor of less than 16 years
IMCI	: Integrated Management of Childhood Illnesses
IPES	: Private Institutes for Higher Learning

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IRAD	: Agricultural Institute for Research and Development
IUD/HIV	: HIV through Inter University Diploma/Certificate
IWD	: International Women's Day
MATGENIE	: Civil Engineering Pool
MBOSCUDA	: Mbororo Social and Cultural Development Association
MDL	: Sergeant
MDLC	: Squadron Sergeant-Major
MILDA	: Insecticidal Nets
MINADER	: Ministry of Agriculture and Rural Development
MINAS	: Ministry of Social Affairs
MINATD	: Ministry of Territorial Administration and
MINCOM	: Ministry of Communication
MINCOMMERCE	: Ministry of Commerce
MINCULT	: Ministry of Arts and Culture
MINDCAF	: Ministry of Lands, Surveys and Land Tenure
MINDEF	: Ministry of Defence
MINEDUB	: Ministry of Basic Education
MINEE	: Ministry of Water Resources and Energy
MINEFOF	: Ministry of Forestry and Wildlife
MINEFOP	: Ministry of Employment and Vocational Training
MINEPAT	: Ministry of Economy, Planning and Regional Development
MINEPDED	: Ministry of Environment, Nature Protection and Sustainable Development
MINEPIA	: Ministry of Livestock, Fisheries and Animal Husbandry
MINESEC	: Ministry of Secondary Education
MINESUP	: Ministry of Higher Education
MINFI	: Ministry of Finance
MINFOPRA	: Ministry of Public Service and Administrative Reform
MINHDU	: Ministry of Housing and Urban Development
MINJEC	: Ministry of Youth and Civic Education
MINJUSTICE	: Ministry of Justice
MINMAP	: Ministry of Public Contracts

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MINMIDT	: Ministry of Mines, Industry and Technological Development
MINPMEESA	: Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts
MINPOSTEL	: Ministry of Posts and Telecommunications
MINPROFF	: Ministry of Women's Empowerment and the Family
MINREX	: Ministry of External Relations
MINSANTE	: Ministry of Public Health
MINTSS	: Ministry of Labour and Social Security
MIRAP	: Essential Goods Supply Regulation Authority
MLJDC	: Multimedia Legal and Judicial Documentation Centre,
MOREP	: Republican Movement
MRC	: Movement for the Renewal of Cameroon
MRP	: People's Republican Movement
MT	: Military Tribunal
MUPROF	: <i>Mutuelle pour la Propriété Foncière</i>
NACC	: National Aids Control Committee
NCC	: National Communication Council
NCHRF	: National Commission on Human Rights and Freedoms
NDC	: National Decentralization Council
NEF	: National Employment Fund
NGO	: Non Governmental Organization
NGP	: National Gender Policy
NIS	: National Institute of Statistics
NSIF	: National Social Insurance Fund
NTD	: Neglected Tropical Diseases
OHADA	: Organization for the Harmonization of Business Law in Africa
OIF	: International Organization of the Francophonie
ONPC	: Cameroon Ports Authority
OVC	: Orphans and Vulnerable Children
PADDEL	: Support Programme for Decentralization and Local Development

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PADER	: Support Programme for the Development of Jobs in Rural Areas
PADPR	: Small Ruminants Support Development Programme
PAJ	: Justice Sector Support Programme
PAJER-U	: Rural and Urban Youths Support Programme
PAME	: Self-Employment and Micro-Enterprises Programme
PC	: Penal Code
PCT	: Polyvalent Community Telecentre
PDH	: Strategic Housing Development Programme
PDUE	: Urban Sector Water Supply Development Project
PED	: Qualified Employment Programme
PGS	: Professional Guidance in School
PIAASI	: Integrated Support Project for Informal Sector Stakeholders
PIB	: Public Investment Budget
PIG	: Public Interest Groups
PKI	: Public Key Infrastructure
PLWHIV	: Persons Living with HIV/AIDS
PMTCT	: Prevention of Mother- to -Child Transmission of HIV
PSI	: Participatory Programme for Slums Improvement
PRIDE	: Protecting the Rights of Inmates and Detainees
PTA	: Parents/Teachers Association
RADO	: Douala Audiovisual Meetings
RDK	: Rapid Diagnostic Kid
SAD	: Douala Development Society
SAEP	: Drinking Water Supply Station
SASNIM	: Mother and Child Health, and Nutrition Week
SC	: Street Children
SC	: Supreme Court
SCC	: Special Criminal Court
SDF	: Social Democratic Front
SHUMAS	: Strategic Humanitarian Services

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SIARC	: International Handicraft Exhibition of Cameroon
SIC	: Cameroon Real Estate Corporation
SSPC	: Central Service for the Prevention of Corruption
UN/WOMEN	: United Nations Organization for Gender Equity
UNODC	: United Nations Office on Drug and Crime
UNAPHAC	: National Associations and Institutions of and for Persons with Disabilities of Cameroon
UNDP	: United Nations Development Programme
UNESCO Organization	: United Nations Educational, Scientific and Cultural Organization
UNHCR	: United Nations High Commission for Refugees
UNICEF	: United Nations Children's Fund
UNIFEM	: United Nations Development Fund for Women
UNO	: United Nations Organization
UPC-MANIDEM	: Union of Populations of Cameroon- MANIDEM
UPR	: Universal Periodic Review
VI	: Violation of Instructions
WFP	: World Food Programme
WHO	: World Health Organization
YEW	: Youth Employment Week
ZEP	: Priority Education Zones
ZFU	: University Free Zones



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Preface

In fulfilment of its mission to assess Human Rights in Cameroon, the Ministry of Justice publishes the Human Rights Report for 2012.

Like the previous editions, the 2012 Report presents the key facts and actions that made Human Rights news in our country and more or less marked national and international opinion.

Undoubtedly, the revision of electoral registers with the implementation of the biometric registration system is the major event that occurred in the area of civil and political rights in February. It was followed by the adoption of an Electoral Code in April whose legal instrument was amended and supplemented in December of the same year. To render the electoral process free and transparent, the Head of State postponed municipal elections while the National Assembly adopted 2 successive laws to extend the deadline for a new parliamentary election. The reform of the Constitutional Council in December 2012, guarantor of free and fair elections, crowned the political scene.

This review of the political landscape is the result of open dialogue on the recommendations made to Government by States, international institutions, non-governmental organizations, Cameroon's civil society and suggestions by political opposition parties after the 2011 presidential election for better management, organization and supervision of elections.

To consider recommendations for greater participation of women, persons with disabilities and indigenous people in the electoral process, the Electoral Code provides in Sections 151 (3), 171(3) and 218(3) on the election of Parliamentarians to the National Assembly, Municipal Councillors and Senators that "Each list of candidates must take into account different sociological components of the constituency. It must also take account of gender." It was therefore necessary to reflect on mechanisms to better implement this Law. This is what Elections Cameroon (ELECAM) did, with regard to the inclusion of Gender, by adopting the Strategic Gender and Elections Plan in Cameroon in June 2012.

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The quest for the mastery of the decentralization process, guarantee of sustainable development of the people from the base is also assessed in this Report.

Economically and socially, 2012 was marked by the laying of the foundation stone of the Memve élé Hydroelectric Plant on 15 June and the Lom Pangar reservoir Dam on 3 August by the Head of State. Both events expressed the determination of the President of the Republic to provide final solutions to the lack of electric power that slows down industrial activities which is a source of inconveniences for households. Temporary programmes are concurrently developed to make up for this insufficiency.

Regarding cross-cutting rights, it may be noted that the harmonization of the prison health system with the national health system through Decree No. 2012/389 of 18 September 2012 to organize the Ministry of Justice will better ensure the achievement of the right of prisoners to health that remains a challenge.

Without claiming to be the only source of Human Rights information in Cameroon during the period covered, it is hoped that readers of this Report will find some answers to their concerns about Government action in fulfilment of the obligation of the State to respect, promote, protect and fulfil Human Rights.

Laurent ESSO

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

GENERAL

INTRODUCTION



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1- In terms of Human Rights achievements, 2012 has been successful politically with the revision of electoral registers through biometric voter registration and the adoption of the Electoral Code. Economically, overarching projects to increase electric power supply were started with the laying of the foundation stone of the Memve'ele Hydroelectric Power Station on the River Ntem on 15 June 2012 and the Lom Pangar Reservoir Dam on 3 August 2012. The fight against corruption has been strengthened with the entry into service of the Special Criminal Court (SCC) on 12 November 2012.

2- These major political, economic and judicial developments were accompanied by other measures and actions whose objective was to ensure the welfare and development of citizens. Without being exhaustive, this Report deals with:

- progress in the dialogue between Cameroon, treaty bodies and special mechanisms of the United Nations and the African Union;
- progress in the decentralization process;
- reform of the National Communication Council and the impact of the communications forum; and
- consideration of the gender approach in policies and programmes.

3- Since the implementation of Human Rights requires an adequate normative and institutional framework, tough measures were taken in this area. The legislative and regulatory measures below can be noted:

4 - As concerns civil and political rights:

- Law No. 2012/ 001 of 19 April relating to the Electoral Code;
- Law No. 2012/007 of 19 April 2012 and Law No.2012/18 of 21 December 2012 to extend the term of office of members of parliament;
- Law No. 2012/15 of 21 December 2012 to amend Law No. 2004/4 of 21 April 2004 to lay down the organization and functioning of the Constitutional Council and Law No. 2012/16 of 21 December to amend and supplement some Provisions of Law No. 2004/5 of 21 April 2004 to lay down the rules and regulations governing membership of the Constitutional Council;
- Law No. 2012/17 of 21 December to amend and supplement some Provisions of Law No. 2012/1 of 19 April 2012 relating to the Electoral Code;
- Law No. 2012/38 of 23 January 2012: Reorganization of the National Communication Council;
- Decree No. 2012/709/PM of 20 March 2012 to lay down the general regime of State/Council Plans-Contract;

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- Decree No. 2012/240 of 30 May to extend the term of office of Municipal Councillors;
- Decree No. 2012/1643/PM of 14 June 2012 to lay down the conditions of compulsory safety audit of electronic communications networks and information systems;
- Decree No. 2012/658 of 30 December to renew the term of office of members of ELECAM Electoral Council; and
- Decree No. 2012/659 of 30 December to appoint a member of ELECAM Electoral Council.

5- With regards to Economic, social and cultural rights as well as the right to a healthy environment:

- Law No. 2012/11 of 16 July to amend and supplement some provisions of Law No. 2011/28 of 14 December 2011 to set up a Special Criminal Court;
- Decree No. 2012/31 of 31 January 2012 to lay down the amounts and conditions for payment of allowances and bonuses granted to support staff of State Universities;
- Decree No. 2012/2809 of 26 September 2012 to lay down the conditions for sorting, collecting, transporting , recovering, recycling, treating and the final disposal of waste;
- Decree No. 2012/3035/PM of 9 October 2012: conditions for implementing some provisions of Law No. 2004/1 of 21 April 2004 relating to the regime of entertainment;
- Decree No. 2012/3052/PM of 9 October 2012 to lay down conditions for implementing some provisions of Law No. 2003/13 of 22 December 2003 relating to patronage and sponsorship; and
- Decree No. 2012/29 of 21 June 2012 to organize the Ministry of Tourism and Leisure.

6- As concerns cross-cutting and specific rights:

- Decree No. 2012/339 of 18 September 2012 to organize the Ministry of Justice; and
- Decree No. 2012/638 of 21 December 2012 to organize the Ministry of Women's Empowerment and the Family

7- In the context of international cooperation, Cameroon consolidated its international commitments with the signing and/or ratification of the international legal instruments below:

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- Second Convention of 10 April 1972 on the prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, accession by Decree No. 2012/ 68 of 7 March 2012;
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted in New York on 25 May 2000, ratified by Decree No. 2012/243 of 30 May 2012; and
- Amendment of Article XXI of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, adopted during the Extraordinary Session of the Conference of the Parties in Gaborone, Botswana on 30 April 1983, approval by Decree No. 2012/244 of 30 May 2012.

8- Seminars and workshops were organised in 2012 for the development and building of national Human Rights capacities. Examples include those organised by the Ministry of Justice alone or in collaboration with development partners.

9- Some 335 participants (Judicial and Legal Officers, Lawyers, Bailiffs, Notaries Public, Judicial Police Officers, members of civil society organizations, Doctors and Penitentiary Administration staff) took part in Human Rights seminars. Regarding the right to fair trial, in particular, 35 Judicial and Legal Officers took part in a seminar on "The Independence of the Judiciary" in Yaounde.

10- In the fight against corruption and embezzlement of public property, 36 participants were trained (Judicial Officers in the Special Criminal Court and other officials from institutions involved such as the CONSUPE, NACC, ANIF, DGSN, SED, DGRE).

11- The capacity of 187 participants was strengthened (Judicial and Legal Officers, Lawyers, Bailiffs, Notaries Public) in OHADA Law.

12- Some 40 participants were trained in the enforcement of the Criminal Procedure Code including Judicial and Legal Officers and members of civil society who intervene in prisons.

13- Three staff from the Data Processing and Statistics Unit were trained in information systems management.

14- Some 55 participants (Judicial and Legal Officers, and Lawyers) were trained in administrative disputes.

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15- The other capacity building activities organised by various State bodies with or without assistance from technical and financial partners are discussed below.

16 - The methodology for the preparation of the Report of the Ministry of Justice remains the same. As usual, it involved the collection of quantitative and qualitative data from public administrations, private organizations, NGOs and CSOs involved in or affected by Human Rights outcome indicators established by the United Nations High Commissioner for Human Rights.

17- This work was done with the contribution of national and international organizations listed in the Annexe.

18- The structure of the 2012 Report is similar to that of previous reports. It contains the 3 traditional parts relating to civil and political rights, economic, social and cultural rights, the right to a healthy environment, and cross-cutting issues on Human Rights and specific rights. These parts are preceded by the common introductory chapter on the cooperation of Cameroon with international mechanisms for Human Rights promotion and protection.

¹ See Annexe, P.319

PRELIMINARY Chapter

COOPERATION BETWEEN CAMEROON AND INTERNATIONAL MECHANISMS FOR HUMAN RIGHTS PROMOTION AND PROTECTION



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19- In 2012, Cameroon continued its policy of cooperation with international and regional mechanisms for the promotion and protection of Human Rights. Beyond the ratification of instruments relating to Human Rights² and the regular participation at the UN Human Rights Council and the African Commission on Human and Peoples' Rights (ACHPR) Sessions, this drive has enabled developments in the non-contentious cooperation as well as in the contentious cooperation

SECTION 1: NON-LITIGIOUS COOPERATION

20- Visits by mandate holders of the Human Rights Council and the African Commission on Human and Peoples' Rights were the main activities in non-contentious cooperation.

§ 1: UN Special Rapporteur on the Right to Food

21- Following an invitation by Government, the UN Special Rapporteur on the Right to Food made an official visit to Cameroon from 16 to 23 July 2012. During the visit, he met with some 15 members of Government, members of Parliament, members of the National Commission on Human Rights and Freedoms (NCHRF) and some 40 civil society organizations. He had a working session with officials from the Institute of Agricultural Research for Development (IRAD). He also visited the main and the central prisons of Yaounde and carried out field visits to the Far North and South Regions. He also discussed with some UN system agencies based in Cameroon. At the end of his visit, the mandate holder released the preliminary findings of his mission³ that comprised recommendations on the adoption of a national strategy to promote the right to food based on the reform of the normative and institutional framework, the refocusing of priorities on the needs of populations, the strengthening of social protection and specific actions for vulnerable people and areas. The strategy should also include a clearly defined calendar of the time frames for adoption of the measures, the respective responsibilities of the various stakeholders, and the remedies in case of failure to implement the commitments.

A: Legal and Institutional Framework Reform

22- At the normative level, the Special Rapporteur suggested the drafting of a framework law on the right to food, including in particular, components of an agriculture-oriented law. He also suggested a land law reform so as to better protect

² See General introduction, § 7

³ The mission report was presented during the 22nd Session of the Human Rights Council that took place from 25 February to 22 March 2013.

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the rights of land users, including those of indigenous peoples as well as the need to create a legal framework to reduce the risk of proliferation of land disputes in the future, considering the competitive use of space, particularly, within the framework of mining and forestry activities.

23- As regards the institutional framework, he proposed the coordination of interventions of various Ministries and the establishment of a platform for dialogue with the civil society and producers' organizations in the development of food security policies.

B: Refocusing Priorities on the Needs of the People

24- According to the Special Rapporteur, priority must be given to stimulation of local production through incentives to local producers and a better control of large commercial farms.

25- Incentives should be effected, among others, by increasing the budget allocated to agriculture with clear distribution of public resources to the various categories of producers (smallholders, major firms, large food-producing companies), access to credit by smallholders, the integration of agro ecology which is less dependent on external commodities in the agricultural development model that should not be based exclusively on access to subsidized inputs (seeds, fertilizers and pesticides) and on the rapid scale up from manual agriculture to mechanized agriculture, improvement of counselling to producers, strengthening of smallholders cooperatives, improved access to markets for farmers in particular through the opening-up of production areas, and inclusion of local products, such as cassava, millet and maize among foodstuffs sold at controlled prices in low-cost stores.

26- The supervision of large farms could be achieved through tax increase on agricultural and forest concessions.

C: Strengthening Social Protection

27- The Special Rapporteur proposes a better protection of the rights of farm workers through enhancement of the response capacity of inspection brigades of the Ministry of Labour and Social Security (MINTSS) as well as protection of defenders of the right to food. He also suggested an extension of the social security scheme to cover the entire population.

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D: Specific Actions for Vulnerable Persons and Areas

28- The Special Rapporteur advocated consideration of the specific situation of groups such as, indigenous peoples and prisoners. With regard to indigenous peoples, he called for the integration of the definition contained in the UN Declaration on the Rights of Indigenous Peoples into the legal framework, community participation in decision-making concerning concessions on areas on which they depend for their livelihood. For prisoners, he called on the improvement of their feeding.

29- With regard to vulnerable areas, the recommendation of the Special Rapporteur focuses on setting up a structural improvement programme for the Northern Regions which is vulnerable to the effects of climatic change.

§2: Promotion Mission of Two Mandate Holders of the African Commission on Human and Peoples' Rights

30- Two mandate holders of the ACHPR, namely, the Special Rapporteur on the Rights of Women in Africa and the Chairperson of the Committee on the rights of People Living with HIV, people at risk, vulnerable and affected by HIV carried out a promotion mission to Cameroon from 4 to 14 September 2012. The visit was intended to monitor the implementation of recommendations made during the review of the last Periodic Report as well as during the previous mission.

31- At the end of their mission and based on the assessment made during the various meetings and field visits, they came up with findings on women's rights, rights of People Living with HIV/AIDS (PLWHA), and made preliminary recommendations.

A : Women's Rights

32- The Special Rapporteur noted with satisfaction:

- the ratification of the African Charter on Democracy, Elections and Governance;
- the establishment and operation of centres for Women's empowerment and the family, as well as, welcoming, listening and supervision of structures for women; and
- the institutionalisation of gender focal points and the setting up of gender committees within public administrations and parastatals as well as incentives for the education of the girl child especially in Priority Education Zones (ZEP) by granting scholarships and school kits.

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33- The following concerns were noted:

- delay in the deposit of ratification instruments of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa⁴ ;
- delay in the adoption of the Code of Persons and the Family and the amended Penal Code;
- reduction of disparities between boys and girls in schools, particularly in the Northern Regions, owing to early marriages and the distance between villages and localities with schools;
- persistence of violence against women, including the practice of female circumcision by Arabs Shoa in the Far North Region;
- low participation of women in the management of public affairs;
- need to improve prison conditions: concerns were on the absence of gynaecological visits by prisoners, the situation of women living with their children in prison;
- low budget allocated for the feeding of prisoners;
- social vulnerability of widows: the Delegation noted that despite the existence of a protective legal framework, socio-cultural constraints encourage the practice of levirate and deny the widow the right of succession, the right to remarry the man of her choice after her husband's death or the right to usufruct of her deceased husband's property;
- situation of indigenous women: discussions focused on the difficult access to health facilities and the inadequacy of the educational system to the lifestyle of indigenous peoples; and
- poor representation of women from indigenous groups in decision-making positions at central and local levels.

B: Rights of PLWHA

34- The Special Rapporteur highlighted the following best practices: development of programmes to control this pandemic among adolescents, migrant workers, refugees, sex workers, and prisoners; training of Judicial and Legal Officers and Lawyers on the rights associated with HIV, and affordability of screening, free antiretroviral (ARV) drugs and the setting up of the "Chantal BIYA" International Referral Centre for research on prevention and management of HIV.

⁴Ratification instruments were deposited on 28 December 2012.

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35- In this regard, the following issues were highlighted:

- legal framework for protecting the rights of People Living with HIV, particularly on the need to adopt a specific law relating thereto;
- high HIV prevalence in the North West and North Regions with a strong feminization of the disease, despite a slight reduction at the national level from 5.2% in 2010 to 4.2% in 2011;
- compliance with professional secrecy by health personnel with knowledge of HIV status of their patients;
- management of PLWHA, especially, the strengthening of measures for the Prevention of Mother-To-Child Transmission of the HIV virus;
- fight against discrimination in rural areas and communities based on HIV status; and
- persistence of customs and mystical beliefs surrounding the pandemic.

C: Preliminary Recommendations of the Two Mandate Holders

36- The following recommendations were made at the end of the visit:

- organization of capacity-building seminars for personnel of the Penitentiary Administration on prison conditions and on the rights of PLWHA;
- adoption and implementation of a National Gender Policy as well as a framework law on quotas; and
- improvement of prison conditions especially by drafting and implementing programmes of voluntary testing of prisoners and the setting up of healthcare units for PLWHA.

37- The hectic activity on the ground by the mandate holders during their various visits reflects the political will of the State to continue with a constructive dialogue with the various bodies even in the field of litigation.

SECTION 2: LITIGIOUS COOPERATION

38- Numerically, the analysis of the dynamics of litigation involving Cameroon before international mechanisms to protect Human Rights in 2012 reveals an increase in litigation in the African system and relative stability in the UN system.

§1: Increase in Litigation in the African System

39- The number of new communications against Cameroon before the ACHPR has increased as well as the number of decisions made by the said body.

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A: New Communications

40- In 2012, the ACHPR received 3 new Communications against Cameroon and approved an application to reopen a Communication.

1) New Cases

41- - They include Communication No. 415/12: Edward Nathaniel ETONDE EKOTO v. Cameroon; Communication No. 416/12: Jean Marie ATANGANA MEBARA v. Cameroon and Communication No. 423/12: Samuel MACK-KIT and MOUKOKO PRISO (represented by MOUALAL Ruben) v. Cameroon.

a) Communication No. 415/12, Edward Nathaniel ETONDE EKOTO

42- In the Communication, the author, a senior retired military officer, complained of judicial harassment characterized by different proceedings against him for embezzlement of public funds. He deplores the violation of the presumption of innocence, the right to be tried within a reasonable time and the violation of his right to property justified by the unlawful seizure of his assets.

b) Communication No. 416/12, Jean Marie ATANGANA MEBARA

43- The author of the communication, a former member of Government complained of the violation of his right to liberty and the right to fair trial in the different judicial proceedings against him since 2008 for attempted embezzlement of public funds and co-author in the misappropriation of public funds.

c) Communication No. 423/12, Samuel MACK-KIT and MOUKOKO PRISO

44- On 23 August 2012, Mr. MACK-KIT Samuel and Mr. MOUKOKO PRISO lodged a complaint against the State of Cameroon. The parties accused the Government of Cameroon of interfering with the management of political parties by taking sides with late Frederic KODOCK, the then Secretary General of UPC, who caused the UPC symbol to be protected at the African Organization for Intellectual Property (AOIP). Although the Administrative Bench of the Supreme Court recognized the legal existence of UPC-MANIDEM which they represent, the Administration refused to give effect to the decision. In addition, the State of Cameroon abnormally dragged the legal proceedings relating to disputes involving the faction that they represent (UPC-MANIDEM) and that of Mr. KODOCK on the issue of the UPC label and emblem.

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2) Reopening of a Communication

45- The ACHPR approved the application to reopen Communication No.290/05, Open Justice Initiative (on behalf of Pius NJAWE NOUMENI) v. Cameroon, a matter that was settled amicably in May 2006. The request was made by the rightful claimants of Pius NJAWE NOUMENI accusing the Government for failing to comply with its obligations as agreed.

B : Communications Resolved

46- The ACHPR rendered a decision in Communication No.337/2007, Dr Kevin NGWANG GUMNE and Others v. The Federal Republic of Nigeria and the Republic of Cameroon which it declared inadmissible just as it took note of the withdrawal of Communication No.380/09, Global Conscience International v. Cameroon.

47- It may also be noted that the ACHPR did not assume jurisdiction on the Communication involving EKOLLO MOUNDI Alexander v. Republic of Cameroon and the Federal Republic of Nigeria which had been rejected by the AfCHPR in a decision of 23 September 2011. Indeed, given that Nigeria did not declare Article 34(6) of the Ouagadougou Protocol to allow individuals and NGOs to seise the Court and considering the non-ratification of the Protocol by Cameroon, the Court declared its lack of jurisdiction. However, in view of the relevance of allegations made in this Communication, the above Court referred the matter to the ACHPR.⁵

48- With these decisions, 11 Communications pending before the ACHPR were brought against Cameroon at the end of 2012. In most of these Communications, the State participates in the proceedings by regularly submitting statements of the case as it does in cases brought before bodies of the UN system.

§2: Relative Stability of Litigation in the UN System

49- The number of cases involving Cameroon before the UN treaty bodies remained stable with 3 Communications pending before the Human Rights Committee since 2010. However, it is worthy of note that the Working Group on Arbitrary Detention issued Opinion No. 32/2011 on 13 January 2012 in the Case of LAMBO Pierre Roger v. the State of Cameroon. The Working Group made findings and recommendations⁶.

⁵ Petition No. 008/2011, EKOLLO MOUNDI Alexandre v. Republic of Cameroon and Federal Republic of Nigeria (Decision of 23 September 2011, § 11).

⁶ See *infra*, Chapter on Human Rights Defenders.

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50- Cooperation between Cameroon, and international and regional mechanisms for the promotion and protection of Human Rights was buoyant in 2012 with the presence of delegations to sessions of those mechanisms, responses to inquiries, participation in both contentious and non-contentious procedures as well as authorizing visits by mandate holders. This intense activity demonstrates the willingness to submit actions at national level to criticism, which can be improved upon based on recommendations and best practices exchanged on these occasions.



PART ONE

**CIVIL AND POLITICAL
RIGHTS**





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INTRODUCTION TO PART ONE

51- Measures to promote and protect civil and political rights continued in 2012. Government laid special emphasis on capacity building of law enforcement officials which were supplemented by sanctions against staff found guilty of Human Rights violation. The judicial system was reformed with the setting up of new courts, opening and establishment of Administrative Courts, reorganization of the Special Criminal Court, and restructuring of the judicial Division of ENAM. Freedom of expression and communication were specially developed by strengthening the legal and institutional framework, capacity building of sector stakeholders, and holding of the General Communications Forum. The situation of Human Rights defenders resulted in arrests and views from UN mechanisms.

52- With the signing of a Tripartite Agreement setting out the terms and conditions for voluntary repatriation to their country of origin, a giant stride was made in the situation of Chadian refugees in Cameroon. The right to participate in the management of public affairs was expressed by strengthening the legal and institutional framework with the adoption of Law No. 2012/1 of 19 April 2012 relating to the Electoral Code and the reform of the Constitutional Council. The institutional framework of the electoral process set up in 2011 was maintained and measures were taken for the smooth conduct of biometric registration.

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52-1- The presentation of progress made in the domain of civil and political rights will concern:

- right to life, freedom and security, and the right not to be subjected to torture;
- right to fair trial;
- freedom of expression and communication;
- Human Rights Defenders;
- protection of refugees; and
- right to participate in the management of State affairs.

Chapter 1

RIGHT TO LIFE, FREEDOM
AND SECURITY AND
RIGHT NOT TO BE
SUBJECTED TO TORTURE



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53- To ensure the right to personal safety, measures should be taken to preserve the right to life and to prohibit arbitrary detentions. Since 2012, Government initiatives have been geared towards achieving this objective. Some of these initiatives include capacity building of law enforcement officials and measures to sanction cases of Human Rights violation. Data relating to violent crimes will also be presented as well as litigations relating to freedom of movement. The issue of death sentence will also be discussed to underscore the requirement of transparency in relation to this ultimate punishment.

SECTION 1: CAPACITY BUILDING OF LAW ENFORCEMENT OFFICIALS

54- In 2012, the aim of these activities was to build the intellectual and operational capacities of law enforcement officials.

55- In this respect, a seminar on the prevention and punishment of torture was jointly organized by Government and the ACHPR in Yaounde from 24 to 26 January 2012. The seminar falls in line with the implementation of a recommendation made by the ACHPR following its review of the 2nd Periodic Report submitted by Cameroon.

56- At the end of the seminar, participants from the Ministry of Justice, Ministry of External Relations, Ministry of Public Health, the National Gendarmerie, the General Delegation of National Security, military and civil courts, the NCHRF, and the civil society made the following recommendations:

- deposit of ratification instruments of the Optional Protocol to the UN Convention against Torture within the shortest time possible;
- launch of a broad consultation to set up a national mechanism for the prevention of torture as provided in the said Protocol;
- publication and dissemination of the Robben Island Guidelines and other international instruments relating to the prevention and punishment of torture in favour of professionals concerned; and
- ownership of the Istanbul Protocol through:
 - its integration into training programmes for health personnel and law enforcement officials;
 - strengthening of technical levels of local referral hospitals in view of better analysis of samples collected for investigations; and
 - increase of rates of medical and surgical acts in the domain of forensic medicine.

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- delegation of prosecution powers of the Ministry in charge of Military Justice to the Government Commissioner;
- non-implementation of Section 64 of the CPC as well as Section 12(3), and 13(1) of Law No. 2008/15 of 19 December 2008 to organize Military Justice with respect to stay of proceedings;
- review of Section 2 of Law No. 90/54 of 19 December 1990 relating to law and order in order to adapt it to the CPC with respect to custody ; and
- insertion of a training module on the prohibition of torture in the curriculum of training institutions in charge of training law enforcement officials.

57- In addition to promotion actions, sanctions are imposed in case of Human Rights violation by law enforcement officials.

SECTION 2: SANCTIONS AGAINST LAW ENFORCEMENT OFFICIALS

58- In 2012, disciplinary and judicial sanctions were imposed on law enforcement officials.

§1: Disciplinary Measures

59- Disciplinary measures were imposed on the personnel of the Police and Gendarmerie for violating the right to life, freedom and security and the right not to be subjected to torture.

A: National Security

60- The Table below summarises disciplinary measures taken against civil servants of the National Security.

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Table 1: Sanctions taken against Staff of the National Security in 2012

Cadre	Rank	Number	Offence	Sanction
Superintendent of Police	Senior Superintendents of Police	3	- Violence and assault - Arrest - Torture - Negligence resulting in the death of a detainee	- Written warning - 20 days suspension without salary - Published reprimand
Assistant Superintendent of Police	Assistant Superintendent of Police 2 nd Scale	4	- Irregular arrest - Violence and assault - Swindling and extortion of funds from users on the public highway - Irregular use of weapon of war - Proven compromise in the exercise of their duties resulting in the death of a detainee	- 3 months suspension - 20 days suspension without salary
	Senior Superintendent of Police	2		
Police Inspectors	Police Inspector 2 nd Scale	17	- Negligence resulting in the death of a detainee - Extortion of funds from users at the border, on the public highway, from immigration applicants, passport applicants - Non respect of instructions from SSP on preliminary inquiry - Undue withdrawal and abusive withholding of a national identity card - Assault - Arrest	Written warning - 20 days suspension without salary - 10 days suspension without salary - 3 months suspension
	Police Inspector 1 st Scale	1		
	Police Inspector	1		
Police Constable	Senior Police Constable	8	- Arbitrary arrest - Violence and torture - Torture - Undue withdrawal of car document - Extortion of funds from users on the public highway - Negligence resulting in the death of a detainee	- 20 days suspension without salary - 3 months suspension - Written warning
	Police Constable 1 st Scale	1		
	Police Constable 2 nd Scale	4		

Source: DGSN

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61- Sanctions were equally taken against gendarmes.

B: National Gendarmerie

62- With regard to the National Gendarmerie, 128 inquiries that led to disciplinary measures and judicial proceedings were recorded in 2012. In addition, 12 cases involved personnel against whom inquiries for torture, assault or violation of the right to life and arbitrary detentions were carried out; 38 cases of disciplinary measures or judicial proceedings were recorded for torture, assault or violation of the right to life. Four persons were equally convicted and punished for torture, assault and violation of physical integrity or the right to life.

63- Disciplinary measures generally lead to judicial proceedings.

§2: Judicial Proceedings

64- Judicial proceedings were recorded before military tribunals and civil courts.

A: Military Tribunals

65- The Table below presents a summary of judicial proceedings before some military tribunals⁷ in 2012.

Table 2: Decisions taken by Military Tribunals

Name	Rank	Offence	Judgment and Date	Tribunal
NYANDA Nestor MOHAMADOU HABIBOU	Gendarme Gendarme	Oppression, assault, arbitrary arrest for the former and accessory for the latter	Judgment No. 41/CRIM/12 of 13/03/2012. Accused absent; - Found NYANDA Nestor guilty of oppression and arbitrary arrest; MOHAMADOU HABIBOU guilty of accessory in oppression and arbitrary arrest; Sentenced them to 8 years imprisonment severally and a fine of CFA 200,000 and costs of CFA 102,395; bench warrants issued against them; - To appeal within 10 days	Military Tribunal, Yaounde
NYANDA Nestor	Gendarme	Oppression, assault, torture, arbitrary arrest	Judgment No. 42/CRIM/12 of 13/03/2012 ; Accused absent; - Found him guilty of oppression, arbitrary arrest and false imprisonment; Sentenced him to 8 years imprisonment and a fine of CFA 200,000 and costs of	Military Tribunal, Yaounde

⁷This information does not include those from the Military Tribunal of Garoua and Maroua

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Name	Rank	Offence	Judgment and Date	Tribunal
			CFA 102,395. - Bench warrant issued against him ; - To appeal within 10 days	
AMAYENE Nestor	Gendarme	Assault	Judgment No. 96/COB/12 of 8/5/2012 Accused absent; - Sentenced him to 1 year imprisonment and fine of CFA 50,000; - Bench warrant issued against him; Allowed the claim of ELOMO - Awarded damages of CFA 850,000 (About 1,297.70 Euros) against AMAYENE. Ordered him to pay costs of CFA 114,810 (About 175.28 Euros).	Military Tribunal, Yaounde
EKORO OLO Eugène	A/C	Oppression and illegal retention of property	Judgment No. 5/12 of 11/01/2012 Accused absent. CA sentenced him to 6 months imprisonment suspended for 3 years. Ordered to pay costs.	Military Tribunal, Bafoussam
LOUINA MANGA Joël	GEND	Attempted murder and assault	Judgment No. 7/12 of 21/01/2012 Full hearing –requalifies initial charge of attempted murder to assault. Found him-guilty. CA sentenced him to 12 months of imprisonment, ordered to pay general damages in the sum of CFA 710,000 (About 1,083.96 Euros) to plaintiff; to pay costs.	Military Tribunal, Bafoussam
-KEMADJOU NYANDA -ISSA NGOU -MFOPOU ISSOUFA Joseph	C/E MDL GEND	Oppression and arbitrary arrest, and accessory after the fact, destruction	Judgment No. 9/12 of 25/01/2012 Full hearing-found KEMADJOU N. guilty of destruction, arbitrary arrest – found not guilty of oppression, - sentenced to 1 year imprisonment suspended for 3 years and fine of CFA 50,000 (About 76.33 Euros) –found ISSA and NFOPOU not guilty of accessory in destruction and arbitrary arrest; -Found them guilty of oppression – sentenced them to 6 months imprisonment suspended for 3 years and fine of CFA 50,000 (About 76.33 Euros) severally- to pay costs jointly	Military Tribunal, Bafoussam
- HAMAN BAIDI - NDIMINI Joseph	AC AT	Indulgence and others	Judgment No. 53/12 of 26/04/2012 Full hearing in presence of accused and default against plaintiff – takes cognizance of letter of withdrawal by plaintiff; - ordered accused to pay costs.	Military Tribunal, Bafoussam
-TATA ADAMOU -METSAM Serge -DJAM PEYOU ADAMOU -BATA BONDE Simplice	MDLC MDL MDL G/M	Violation of instruction (VI), arbitrary arrest, dangerous carriage of arms and co-offender in false pretences for all 4 and usurpation of title for BATA	Judgment No. 34/12 of 6/8/2012 Accused absent; each found guilty of all the offences; each sentenced to 5 years imprisonment; Ordered to pay costs of CFA 426,500 (About 651.14 Euros), CFA 106,500 (About 162.59 Euros) severally; Bench warrant and imprisonment warrant issued against them.	Military Tribunal, Buea
NGUIMBA NDJABA John	SGT	VI and assault	Judgment No. 26/12 of 21/2/2012 - Accused absent, found guilty; sentenced to 2 years imprisonment for VI and 1 year imprisonment for assault; Ordered to pay costs of CFA 115,000 (About 175.57 Euros); Bench warrant and imprisonment warrant issued against him.	Military Tribunal, Buea

Source: MINDEF

Legend:

CAL: Caporal

GEND: Gendarme

MDL: Sergeant

MDLC: Staff Sergeant

SGT: Sergeant

S/C: Sergeant/Chef

AT: Warrant Officer

CE: Calvary Major

AC: Warrant Officer Class I

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66- Actions of civil courts deserve also discussed.

B: Civil Courts

67- A case concerning the conviction of a Penitentiary Administration staff should be emphasised. By Judgment No. 29/Crim of 12 July 2012, the High Court, Upper Sanaga, Nanga Eboko sentenced Prison Warder, NKOUMA SINDEL Roger Constant, to 1 year imprisonment with a fine of CFA 100 000⁸ for the murder of a prisoner, redefined as assault occasioning death⁹.

68- On 3 May 2011, detainee SALL alias SAKIS was authorized to work for Prison Warder, NKOUMA SINDEL Roger Constant, in the village of the latter. The Prison Warder was armed with a gun of 29 rounds without the knowledge of his superior. He suspected the detainee of petty theft and after 2 warning shots, shot him in the head at point blank and killed him.

69- The punishment of Human Rights violation requires mastery of crime through proper statistics.

SECTION 3: STATISTICS ON VIOLENT CRIMES

70- Data from the National Gendarmerie, National Security and judicial services allow for understanding of crime and the judicial response thereto.

§1: National Gendarmerie

Table 3: Statistics on violent crime

No.	Offence	Number
1	Crimes reported to the judicial police	9040
2	Murder, violence, threats suffered by judicial staff or arbitrary discharge	14
3	Cases of children subjected to torture	8
4	Cases of children subjected to other forms of cruel, inhuman or degrading treatment or punishment, including forced marriages and female genital mutilations	126
5	Teachers or supervisory staff subject to disciplinary proceedings for assault or abuse against children	6

⁸About 152.67 Euros

⁹The Legal Department appealed against the decision.

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No.	Offence	Number
6	Violent crimes recorded by judicial police units	8128
7	Violent crimes committed with weapons	344
8	Law enforcement officials killed during the performance of their duties	26
9	Law enforcement officials subject of judicial inquiry for torture, assault and violation of the right to life and arbitrary detention	12
10	Disciplinary or judicial proceedings against law enforcement officials for torture, assault and violation of the right to life	38
11	Law enforcement officials sentenced and serving a prison term for torture, assault and violation of the right to life	4

Source: National Gendarmerie

§2: National Security

71- The Table below contains data from the National Security.

Table 4: Monthly crime trends

Month \ Offence	Jan.	Feb.	Mar.	Apr.	May	Jun.	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Agravated theft	176	149	136	123	151	105	85	97	175	101	71	172	1.544
Murder and attempted murder	24	11	09	07	06	07	13	12	10	07	05	21	132
Infanticide	09	07	06	08	07	03	05	03	06	11	03	09	77
Suspected murder	00	07	02	13	01	05	04	09	12	00	09	06	67
Homicide	18	16	10	02	10	15	14	11	13	12	04	05	130
Assault	235	122	125	156	147	53	79	41	112	158	225	251	1.704
Ultra vires	45	66	55	63	34	15	36	07	23	30	51	75	500
Rape	22	11	12	08	20	09	10	19	08	06	14	17	146
Kidnapping of minor	01	07	05	06	02	04	07	04	08	07	08	12	72
Human trafficking	00	00	01	00	00	00	01	00	01	00	01	02	6
Total	533	396	364	386	387	216	254	203	368	323	401	670	4.510

Source: DGSN/DJP

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72- The Table shows that 4,510 cases of violent crime or murder were recorded in 2012. Based on overall statistics that 18,872 crimes were committed in 2012, violent or related crime alone constitute about 22% of all offences; that is, about 1/4 of offences recorded.

73- Kidnapping related to trafficking in persons and human bones was also a new phenomenon. This is the case with ritual crimes observed at the end of December 2012.

74- Judicial services equally document the handling of crimes.

§3: Judicial Services

Table 5: Judicial statistics on hard crimes

Offences	Number of inquiries	Number of proceedings initiated		Number of convictions	Number of acquittals and discharge	Victims			Perpetrators		
		At the level of judicial inquiry	Before trial courts			Men	Women	Children	Law enforcement officials	Persons with authority over the victim	Others
Capital Murder	255	200	148	87	29	145	19	8	1	2	109
Murder	275	208	153	106	17	185	23	9	0	2	115
Torture	5	4	1	0	1	6	0	0	1	0	0
Grievous harm	101	76	89	38	6	97	67	7	0	4	29
Arrest and sequestration	96	31	60	18	9	53	8	7	2	0	19
Oppression	36	6	22	6	5	20	0	0	3	0	6
Total	32208	8164	19264	14316	4122	5137	3060	1264	10	74	8077

Source: MINJUSTICE

75- Concerning custodial sentences that may lead to the most severe forms of Human Rights violation, the legislator has provided a regulatory framework that provides a panoply of remedies and sanctions that are worthy of examination in the section below on disputes on freedom.

SECTION 4: DISPUTES ON FREEDOM

76- The Table below presents a summary of freedom related disputes recorded before courts of appeal and lower courts in 2012.

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Table 6: Freedom-related Disputes

Courts	Number of detentions	Requests for bail		Bails/		Habeas Corpus : Approved (A) Rejected (R)								Discharge/ acquittal	Decisions granting bail that have been reviewed by Courts of Appeal
		Approved	Rejected	With security	Without security	Administrative detentions		Military detentions		Detentions under ordinary law		Others			
						A :	R :	A :	R :	A :	R :	A :	R :		
<u>CFI</u>	8093	1422	634	810	673	3	0	0	0	25	12	0	0	871	3
<u>HC</u>	3846	358	269	223	243	2	0	0	0	31	181	0	0	212	1
<u>CA</u>	150	44	6	41	9	0	0	0	1	0	0	19	5	54	13
<u>SC</u>		0	0	0	0	0	0	0	0	0	0	0	0	0	0

Source: MINJUSTICE

77- In addition to the different aspects of disputes, the issue of death sentence which is topical was at the centre of judicial and penitentiary activities.

SECTION 5: JUDICIAL STATISTICS ON DEATH SENTENCE

78- Death sentence remains in force, although Cameroon has been observing a de facto moratorium on its execution. Commutation of death sentence into an imprisonment term is a constitutional prerogative of the Head of State who often uses it.

79- In fact, death sentence is provided for severe and precise offences, established at the end of a proceeding that fulfils all conditions of fair trial. Appeals for pardon are systematically examined by the Minister of Justice.

80- Prison and judicial statistics enable an overall appraisal of death sentence.

Table 7: Persons sentenced to death in Cameroon prisons (January 2012)

Categories	Men	Women	Total
Adamawa	1	0	1
Centre	28	0	28
East	1	0	1
Far North	3	0	3
Littoral	14	0	14
North	3	0	3
North West	0	0	0
West	43	0	43
South	7	0	7
South West	2	0	2
Total	102	0	102

Source: DAPEN

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81- Prison statistics reveal that at least 102 persons were sentenced to death by January 2012.

82- The Table below presents a summary of death sentence in courts in 2012:

Table 8: Persons sentenced to death as at 31 December 2012 in courts

Courts of Appeal	Number of persons sentenced to death	Number of persons sentenced to death commuted to life imprisonment	Number of persons sentenced to death at first instance and acquitted by higher courts (CA/SC)	Remarks
SOUTH	00	2	00	Sentenced to death on 25 August 2006 by the HC, Dja and Lobo. The sentences were commuted into life imprisonment on 23 April 2012 by Presidential Decree No. 2012/205 of 24 April 2012
LITTORAL	1	00	00	The convicted person has escaped
NORTH WEST	00	00	00	RAS
WEST	00	00	00	3 persons were sentenced to death in 2011 and they lodged appeal in 2012
NORTH WEST	00	00	00	RAS
SOUTH WEST	00	00	00	RAS
CENTRE	06 (HC Mfoundi)	00	00	3 cases of persons sentenced to death for capital murder are pending before the Court of Appeal
EAST	00	00	00	It can be noted that in 2011, Mrs. BOURLET Koundi Sophie, was sentenced to death by the High Court of Haut-Nyong for accessory in capital murder, but for the benefit of doubt, she was acquitted and discharged by Judgment No. 07/Crim of 28 July 2011.
ADAMAWA	00	00	00	RAS
FAR NORTH	00	00	1	It is worthy of note that 2 persons were sentenced to death at the lower court in 2011, but 1 was discharged and acquitted on appeal in 2012. The second person was sentenced to life imprisonment.
TOTAL	7	2	1	

Source: MINJUSTICE

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83- Generally, death sentence is delivered in cases of capital murder. The sentences were reviewed on appeal and persons who were sentenced to death benefited from presidential pardon. These statistics do not take into account the sentences delivered by military courts.

* *

*

84- As it was the case in previous years, the protection of the right to life, physical and moral integrity as well as the guarantee of the right to freedom were ensured by the courts and law enforcement officials. The challenge remains the full achievement of these rights. This calls for mobilization of more human and material resources as well as emphasis on capacity building of personnel and awareness of populations on Human Rights issues.



Chapter 2

RIGHT TO FAIR TRIAL



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85- To give a better visibility to the implementation of the right to fair trial, the judicial system of Cameroon recorded major reforms in 2012. Guarantees relating to the jurisdiction and trial and those granted to prosecuted persons were enhanced at various levels. The courts, through case law, reaffirmed certain principles.

SECTION 1: REFORMS OF THE JUDICIAL SYSTEM

86- The significant changes of the judicial system of Cameroon in 2012 resulted in the progressive alignment of the judicial map to the administrative map, with the setting up of new courts, opening and establishment of Administrative courts, reorganization of the Special Criminal Court (SCC), restructuring of the Judicial Division of the National School of Administration and Magistracy (ENAM) which has for the first time admitted in initial training, pupil magistrates specialized in administrative and accounts litigation, reorganization of the Ministry of Justice so as to enable it better manage judicial personnel, in addition to the creation of a Multimedia Legal and Judicial Documentation Centre for capacity building of judicial stakeholders.

§ 1: Progressive Alignment of the Judicial Map to the Administrative Map

87- In order to curb the imbalance noted between the administrative map and the judicial map¹⁰, and bring justice closer to litigants by improving access to the judge, the President of the Republic, by Decree No. 2012/120 of 15 March 2012, opened new Courts of First Instance and High Courts

88- The seat and jurisdictions of these courts are fixed as follows:

¹⁰ See Report 2010, § 95 - 99.

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Table 1: Seat and Jurisdictions of Courts of First Instance (CFI)

Court of Appeal	CFI	Seat	Jurisdiction
Centre	Yaounde-Mendong	Mendong	Yaounde VI and Yaounde VII Sub-Divisions
Far North	Kar-Hay	Doukoula	Kar-Hay, Datcheka and Tchatabali Sub-Divisions
	Makari	Makari	Makari, Fotokol, Hile-Alifa and Darack Sub-Divisions
Littoral	Douala- Bonaberi	Bonaberi	Douala IV Sub-Division
North	Touboro	Touboro	Touboro and Madingring Sub-Divisions
North West	Bali	Bali	Bali Sub-Division
West	Baham	Baham	Baham, Bamendjou and Bangou Sub-Divisions
	Bandjoun	Bandjoun	Bandjoun, Poumougne and Bayangam Sub-Divisions

Source: MINJUSTICE

Table 2: Seat and Jurisdictions of High Courts (HC)

Court of Appeal	HC	Seat	Jurisdiction
West	of Upper-Plateaux	Baham	Upper-Plateaux Division
	of Koung-Khi	Bandjoun	Koung-Khi Division

Source: MINJUSTICE

89- The jurisdictions of the Yaounde Centre Administratif, Kousseri, Yagoua, Douala-Bonanjo, Tchollire, Bamenda, Bafoussam CFI and that of the Mifi HC are amended accordingly.

90- As a result of the foregoing, the judicial map was enriched with 8 CFI and 2 HC. With specific regard to HC, Cameroon has 58 of them now, which is equivalent to the number of Administrative Divisions. All these courts will open their doors when they are provided with human and material resources.

91- After the restructuring, it is noted that an administrative map comprising 10 Regions, 58 Divisions and 360 Subdivisions corresponds to a judicial map with one Supreme Court, one SCC with a Legal Department, 10 Courts of Appeal with 10 Legal Departments, 10 Administrative Courts with Legal Departments¹¹, 58 HC with State Counsel Chambers, 75 CFI with State Counsel Chambers¹² and 447 Traditional Courts.

¹¹ Legal Departments of A C correspond to Legal Departments of Courts of Appeal.

¹² Some State Counsel's Chambers serve both the HC and the CFI

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§ 2: Establishment and Functioning of Administrative Courts (AC)

92- Established by Law No. 2006/022 of 29 December 2006, Administrative Courts (AC) were opened by Decree No. 2012/119 of 15 March 2012. The seat and jurisdictions of these courts correspond to those of Regional Courts of Appeal, according to the Table below:

Table 3: Seat and Jurisdictions of Administrative Courts

Court of Appeal	AC	Seat	Jurisdiction
Adamawa	Ngaoundere	Ngaoundere	Adamawa Region
Centre	Yaounde	Yaounde	Centre Region
East	Bertoua	Bertoua	East Region
Far North	Maroua	Maroua	Far North Region
Littoral	Douala	Douala	Littoral Region
North	Garoua	Garoua	North Region
North West	Bamenda	Bamenda	North West Region
West	Bafoussam	Bafoussam	West Region
South	Ebolowa	Ebolowa	South Region
South West	Buea	Buea	South West Region

Source: MINJUSTICE

93- The establishment of AC and their effective opening will facilitate the settlement of disputes resulting from the enforcement of the State's missions of general interest. For more efficiency, the 10 Presidents of these Courts appointed on 18 April 2012 underwent, before taking office, a refresher course funded by the European Union at the *Ecole Nationale d'Administration* (ENA) of Paris and in some Administrative Courts of France, from 15 to 26 October 2012. All subsequent Magistrates appointed to the Administrative Courts furthered their training in December 2012.

§ 3: Reorganization of the SCC

94- Law No. 2011/028 of 14 December 2011 to set up the SCC was amended and supplemented by Law No. 2012/011 of 16 July 2012. Such amendments include provisions of Sections 2, 9, 10, 12, 13, 14, 15, 16 and 18 of the Law of 14 December 2011. Their overall goals are to clarify a number of measures aimed at ensuring better efficiency, continuation and acceleration of the processing of cases and encouraging the return of misappropriated property where the damage is less than CFA 50, 000,000¹³. These changes were focused on the extension of jurisdiction, standardization of the repressive system of misappropriation of public property, supervision of the exercise of extraordinary appeals against decisions by Examining Magistrates, applications for release, and conditions for discontinuing prosecution.

¹³ About 76 225.32 Euros

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A: Extending Jurisdiction of the SCC

95- The SCC has jurisdiction to adjudicate on cases of misappropriation of public property and related offences provided by the Penal Code and international conventions ratified by Cameroon, where the injury suffered is CFA 50,000,000 or above.

96- With the amendment to the Law of 14 December 2011, the Law of 16 July 2012 substituted the misappropriation of public property, a broader concept, with embezzlement of public funds. Indeed, beyond the apparent synonym between the 2 concepts, public funds are an element of "public property".

B: Standardization of the Repressive System of Misappropriation of Public Property

97- In order to standardize the system of prosecution, the provisions of Sections 2, 9, 10, 12, 13, 14, 15, 16 and 18 of Law No. 2011/028 of 14 December 2011 were extended to Courts of First Instance and High Courts seized of cases of embezzlement of public property where the amount involved is less than CFA 50,000,000. Appeals against orders by Examining Magistrates are therefore brought before the Inquiry Control Chamber of the Supreme Court.

98- The procedure is primarily that provided by the CPC. Amendments made in the Law of 2011, in the treatment of cases related to misappropriation of public property can be summarized as follows:

- the President of the Court shall ensure that the unavailability of some members of the college of judges should not block the continuation of the examination;
- for all cases of misappropriation of public property heard and determined by the SCC, the HC or the CFI, the only remedy is appeal to the Supreme Court; and
- the processing time of applications for release was moved up from 48 hours to 5 days.

C: Supervising the Exercise of Appeals

99- The 2012 Law has set up in the specialized Division of the Supreme Court an Inquiry Control Chamber that comprises 3 Magistrates appointed by the Chief Justice of the Supreme Court; that is, 1 Judge per Chamber. Chaired by a Judge appointed for this purpose by the Chief Justice of the

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Supreme Court, the Inquiry Control Chamber is responsible for hearing appeals against orders given by Examining Magistrates. It shall give its ruling within a maximum of 15 days following its seising.

100- Consequently, inquiry rulings after having been seised could be challenged before the President of the Inquiry Control Chamber. Such applications may come from either the State Counsel¹⁴ or the Examining Magistrate¹⁵. The right to challenge any decision by the Examining Magistrate, with the exception of an adjournment decision, is upheld.

D: Conditions for Discontinuing Prosecution

101- The novelty with Section 18 (2) of the said Law lies in the fact that the concept of “*nolle prosequi*” is extended to the case of embezzlement of less than CFA 50,000,000 on the one hand, and the obligation to determine forfeiture under Article 30 of the Penal Code with transcription in the criminal record of the person concerned on the other hand.

102- In addition, the Law provides that the procedures for mentioning the *corpus delicti* shall be laid down by the regulations.

§ 4: Setting up a Multimedia Legal and Judicial Documentation Centre

103- Set up by Decree No. 2012/121 of 15 March 2012, the Multimedia Legal and Judicial Documentation Centre is a public institution with legal personality and financial autonomy, under the Ministry of Justice.

104- The Centre whose seat is in Yaounde, shall be responsible for:

- collecting legal and judicial documentation;
- collecting, processing and disseminating national and international case law;
- organizing further training sessions on its own initiative or upon request; and
- supporting any research and publishing activity in legal and case law matters.

105- The Centre shall perform any other research or consultation tasks entrusted to it by Government.

¹⁴ See Section 252 of CPC

¹⁵ See Section 253 of CPC

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106- The Head of the Centre was appointed on 18 April 2012, but the effective operation of the structure is dependent on the signature of the special instrument to lay down its organization and functioning, which is being drawn up.

SECTION 2: COURTS AND PROCEEDINGS

107- Progress on safeguards relating to courts and proceedings in 2012 will be reviewed with regard to aspects concerning access to justice and equality before the courts, public hearings and the impartiality and independence of the Judiciary.

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

108- To assess the level of access of citizens to the courts in order to obtain equitable justice in 2012, the following aspects will be considered: granting of legal aid and appointment of interpreters, the level of criminal justice including the relationship between offences and proceedings.

A: Granting of Legal Aid and Appointment of Interpreters

109- Granting legal aid and appointment of an interpreter are standards through which conditions for access to fair trial are assessed.

1) Allocation of Legal Aid

110- The Tables below indicate the outcome of the implementation of Law No. 2009/004 of 14 April 2009 on the organization of legal aid in 2012.

Table 4: Legal Aid

Courts	Number of Applications	Number of Judgments Delivered	Number of Refusals	Number of Approvals		Beneficiaries		Remarks
				Total	Partial	M	F	
CFI	89	79	31	44	4	57	22	The remaining applications are pending
HC	112	66	13	45	8	21	9	Idem
CA	19		8	11	00	1	3	Idem
SC	19	9	4	5	/	5	/	9 ongoing applications and 1 application struck off
Total	239	154	56	105	12	84	34	

Source: Legal Departments of the Supreme Court and Courts of Appeal, Adamawa Centre, East, Far North, Littoral, North, North West, West and South.

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111- A drop is noted in the number of applications for legal aid as compared to the previous year. Therefore, out of 154 applications reviewed, 117 were approved. Changes between 2011 and 2012 are as follows:

Table 5: Evolution of the Granting of Legal Aid from 2011 to 2012

Courts	Number of Applications Recorded in 2011	Number of Applications Recorded in 2012	Evolution	Number of applications approved in 2011	Number of applications approved in 2012	Trend
CFI	184	89	-95	105	48	-57
HC	202	112	-90	177	53	-124
CA	34	19	-15	19	13	-06
SC	12	19	+7	2	117	+115
Total	432	220	-212	303	112	-191

Source: MINJUSTICE

112- Explanations given by the chairpersons of Legal Aid Commissions indicate that the 2009 Law needs to be popularized within the targeted group to meet the results expected. Besides, the composition and functioning of Legal Aid Commissions may be reviewed in order to ease and consider how to facilitate working conditions.

2) Appointment of Interpreters

113- The number of cases in which the services of an interpreter were recorded dropped in 2012. Thus, the number of cases in which parties were assisted by interpreters dropped from 13,554 in 2011 to 1,517 in 2012: this gives a decline of 12,037.

114- However, it should be noted that the above statistics are purely indicative as most courts do not mention performance of interpreters in their records.

B: Criminal Justice

115- In 2012, the criminal response to various Human Rights violations following the activity of Legal Departments and the trial courts is as follows:

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Table 6: Criminal Response to Human Rights Violations

Offences	Number of reports received	Number of Prosecutions Initiated		Number of Decided Cases	Number of Convictions	Number of Acquittals/Releases.		Victims			Authors		
		At judicial inquiry	Trial Courts			M ¹⁶	F	C	Law enforcement officials ¹⁷	Persons with authority over the victim ¹⁸	Others		
Capital murder	255	200	148	116	87	29	145	19	8	1	2	109	
Murder	275	208	153	123	106	17	185	23	9	0	2	115	
Torture	5	4	1	1	0	1	6	0	0	1	0	0	
Grievous harm	101	76	89	44	38	6	97	67	7	0	4	29	
Arrest and confinement	96	31	60	27	18	9	53	8	7	2	0	19	
Oppression	36	6	22	11	6	5	20	0	0	3	0	6	
Forced labour	0	0	0	0	0	0	0	0	0	0	0	0	
Slavery	5	4	1	1	1	0	0	0	2	0	1	1	
Trafficking in persons	5	3	4	1	1	0	0	0	3	0	1	0	
Assault on children	29	9	15	14	13	1	1	19	0	4	5		
Kidnapping	103	39	56	44	37	7	8	11	40	0	9	29	
Kidnapping by fraud	41	18	31	17	14	3	12	7	13	0	0	12	
Indecency to a minor of less than 16	515	351	272	198	163	35	47	78	218	0	5	126	
Indecency to a minor of 16-21 years	193	131	116	91	80	11	29	61	53	0	4	30	
Forced marriage	1	0	0	0	0	0	0	1	0	0	0	0	
Prostitution	9	0	9	6	3	3	0	7	0	0	0	0	
Homosexuality	30	9	22	17	10	7	* ¹⁹			1	1	13	
Defamation by press	17	2	16	2	2	0	2	0	0	0	0	0	
Corruption	13	2	7	4	2	2	5	3	0	1	0	1	
Misappropriation of public property	246	206	109	66	43	23	22	1	4	0	0	95	
Rape	209	97	60	66	48	18	11	109	33	0	1	57	
Incest	5	1	2	0	0	0	0	3	1	0	2	0	
Pollution	4	0	2	0	0	0	0	0	0	0	0	0	
Other offences	30015	6767	18069	17609	13664	3945	4480	2655	842	1	38	7430	
TOTALS	32208	8164	19264	18438	14316	4122	5137	3060	1264	10	74	8077	

Source : Legal Departments of Courts of Appeal : Adamawa, Centre, East, Far North, Littoral, North, North West, West and South

¹⁶ M: Male; F: Female; C: Child.

¹⁷ E.g.: Judicial and Legal Officers, Forces of Law and Order, and Penitentiary Administration staff.

¹⁸ Family relationship, subordination relationship (professional, spiritual or otherwise)

¹⁹ This offence concerned 14 men who had sexual intercourse with other men. Four women and 5 children were also involved.

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116- The above Table indicates that the implementation of the programme for capacity building of human resources for courts has enabled a better understanding of methods for collecting data essentially based on statistics.

117- Thus, it can be noted that Legal Departments of lower courts received 32,208 police and gendarmerie reports that led to criminal prosecutions. The prosecutions added to the pending cases before both the Examining Magistrate and trial courts. Out of the 27, 428 cases registered in the Chambers of the Examining Magistrates and in the registries of the courts, 18,438 were heard and determined and resulted in 14,316 convictions against 4,122 acquittals and releases.

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

118- Safeguard for fair trial presupposes that conditions relating to impartiality, independence of the Judiciary and public trial are fulfilled.

A: Judicial Impartiality

119- The impartiality of some Judicial Officers was challenged in 2012 through procedures for recusal from the courts, as shown by statistics in the following Table:

Table 7: Right to an impartial court

	Number of applications	TC		CFI		HC		CA		SC	
		Approved	Rejected	Approved	Rejected	Approved	Rejected	Approved	Rejected	Approved	Rejected
Recusal procedures	62 ²⁰	21	3	14	1	3	1	2	2	/	/

Source: Legal Departments of Courts of Appeal: Adamawa, Centre, East, Far North, Littoral, North, North West, West and South.

B: Independence of the Judiciary

120- Indicators of the independence of the Judiciary include the proportion of judicial staff suspected or investigated for violation of ethics and the share of the budget allocated for its functioning.

1) Investigations Concerning Judicial Staff

121- The disciplinary monitoring of Judicial and Legal Officers in 2012 consisted in:

- examining denunciations from various litigants by the General Inspectorate of Judicial Services;
- examining case files of the judicial staff who may be disciplined for professional misconduct;

²⁰ Untreated applications are pending

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- preparing and forwarding files to disciplinary bodies; and
- accelerating measures of disciplinary investigations involving the integrity of the judicial staff.

122- A total of 300 cases are under investigation, 9 queries were issued, 137 warnings were sent to the concerned.

123- Disciplinary measures were imposed on Judicial and Legal Officers, including dismissal, reduction of incremental position and delay in advancement.

124- With regard to other judicial personnel, we can mention 14 cases of disciplinary proceedings under examination against Bailiffs and Notaries Public.

2) Budget Allocated to the Judiciary

125- The budget allocated to the Ministry of Justice was slightly increased in 2012 by going up from 0.61% in 2011 to 0.70 % of the total State budget. The variations are as follows:

Table 8: Budget of the Ministry of Justice

Budget of the Ministry of Justice	Amount in Billion CFA	Amount in Billion CFA	Variations
Year	2011	2012	
General budget	3776 ²¹	4 023 ²²	+ 4 430
Recurrent budget	3776 ²³	18 000 ²⁴	+ 4 430
Investment budget	2,000 ²⁵	2 000	0.00

Source: 2011 and 2012 Finance Laws

125-1- The budget of the Supreme Court also increased slightly as indicated in the Table below.

Table 9: Budget allocated to the Supreme Court

Budget of the Supreme Court	Amount in Billion CFA	Amount in Billion CFA	Variations
Year	2011	2012	
General Budget	3 776	4 023	+0 247
Recurrent Budget	3 376	3 623 ²⁶	+0 247
Investment Budget	0.4	0.4	0.00

Source: 2011 and 2012 Finance Law

²¹About 5,764,885,496 Euros

²²About 6,141,984,732 Euros.

²³About 5 154 198 732 Euros

²⁴About 27,480,916 Euros.

²⁵About 3.05300,435 Euros

²⁶About 5.531 297709 Euros

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126- The slight increase in the recurrent budget allowed MINJUSTICE to employ 856 state employees governed by the Labour Code within the framework of the special recruitment of 25,000 young graduates into the Public Service, 192 new Judicial and Legal Officers and 98 new Registrars.

C: Public trial

127- The right to public trial was guaranteed in most cases examined in 2012, as illustrated by the Table hereunder:

Table 10: Right to Public Trial

	CFI	TC	HC	CA
Number of Cases heard in Public	59,199	25,510	19,256	3,353
Number of Cases Heard in Camera	349	50	505	0

Source : Legal Departments of Courts of Appeal: Adamawa, Centre, East, Far North, Littoral, North, North West, West and South.

SECTION 3: GUARANTEES GRANTED TO PROSECUTED PERSONS

128- The implementation of the right to be assisted by counsel, to be tried without undue delay and to have a case heard and determined by a higher court was effective in 2012.

§1: Right to Counsel

129- In 2012, many litigants briefed counsel while others benefited from the assistance of counsel especially in criminal and juvenile delinquency matters, in compliance with the provisions of the CPC²⁷. The following Table is illustration

Table No 11: Right to Counsel

Courts	Number of Suspects/Accused/Applicants/Defendants Assisted							Assigned Counsel	Counsel Remunerated by the Accused/Defendant
	Plaintiff ²⁸ in civil matters	Defendant ²⁹	Plaintiff in labour matters	Defendant	Traditional Law	Summary Trial	Indictable Offences		
CFI	2612	1401	564	565	1304	6238	223	468	4608
HC	473	136	138	80	32	72	560	771	243
CA	1591	81	338	55	89	1222	235	11	608

Source: Legal Departments of Courts of Appeal: Adamawa, Centre, East, Far North, Littoral, North, North West, West and South.

²⁷See 2011 Report, §133

²⁸Plaintiffs

²⁹Defendants

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§2: Right to be tried without Undue Delay

130 - The traditional annual meeting of Heads of Court of Appeal was held from 16 to 17 October 2012. The discussions focused on the following topics:

- handling of important matters;
- holding charge and the competence of the Examining Magistrate;
- handling cases relating to misappropriation of public property by HCs and CFIs after the adoption of Law No. 2012/11 of 16 July 2012 to amend and supplement some provisions of Law No. 2011/28 of 14 December 2011 to set up the SCC; and
- extracting and taking prisoners out of prison, unannounced controls of cells and management of prisoners.

131- At the close of the meeting, resolutions were taken with a view to avoiding judicial delays and enhancing the administration of justice.

132- With regard to handling important matters, Judicial and Legal Officers suggested that circulars from the Ministry of Justice relating thereto be re-addressed so as to enable them to decide on which cases to report on which would result in the diligent processing of cases for which the obligation to report could be overridden. In response to this request, the Minister of Justice prescribed exercise of discernment in the said cases and required that he be informed of all matters of particular importance depending on the context, the nature of the matter or the status of the persons concerned.

133- The issue of holding charge and the competence of the Examining Magistrate generated lively debates on the interpretation of Section 145(2) of the CPC relating to the indictment of new persons during preliminary inquiry. Indeed, the problem was to know whether the State Counsel should issue a new holding charge seising the Examining Magistrate to charge these new persons, which would restrict the powers of the latter to "in personam" seizure. Opinions were divided on the issue and the opinion of the Supreme Court is still awaited.

134- With regard to the third issue, it was agreed to:

- to identify the cases remaining in HCs after the transfer of cases falling under the jurisdiction of the SCC;
- to raise awareness of Judicial and Legal Officers on the application of rules of procedure before the SCC in all cases of misappropriation of public property; and
- that the Procureur General of the SCC or the State Counsel of HCs and CFIs shall seise the Minister of Justice where an application for restitution of misappropriated property is made, pending the signing of the regulatory instrument provided for by the Law of 16 July 2012.

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135- With respect to reproduction and taking detainees out of prisons, it was agreed to take sick inmates to hospitals in case of need, and ensure their proper custody, under pain for the suspected warders to be sanctioned in case of escape, as no prisoner should be left to die in prison for failure to be taken to hospital.

§3: Appeals

136- The various parties appealed to higher courts, as indicated in the Table below:

Table 12: Right to Appeal

Type of Appeal	Number of Appeals Received				Applicants			Number of Convictions Reduced or Quashed				Number of Reviewed Custody Matters				
	"TPD"	CFI	HC	CA	LD	Parties	Others	TC	CFI	HC	CA	TC	CFI	HC	CA	
Court that delivered judgment appealed against																
Objection	139	808	87	67	6	730	9	00	168	6	1	00	5	00	00	
Appeal	282	2657	450	3527	965	5109	107	00	7	00	157	00	26	00	160	
Appeal to the Supreme Court	1	1	1	480	3	485	00	00	00	00	00	00	00	00	00	
Review	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	

Source: Legal Departments of Courts of Appeal: Adamawa, Centre, East, Far North Littoral, North, North West, West and South.

SECTION 4: CASE-LAW

137- In the 2012 judicial year, the Supreme Court delivered the following judgments on certain principles relating to the right to fair trial:

- Judgment No 310/Civ of 25/10/12 in **SADEUH Eric André v. Barrister HAPPI MESSACK** and others.

138- In the case, the Supreme Court quashed Judgment No. 142/Civ delivered by the Court of Appeals, West Region on 9 December 2009, for lack of sufficient motivation. Indeed, the trial Judge by declaring valid a French Notary deed, never indicated whether he had received an exequatur from the Cameroon competent authority pursuant to Article 42 of the Judicial Cooperation Agreement between the Government of the United Republic of Cameroon and the Government of the French Republic signed on 24 February 1974 according to which authentic instruments, especially Notary deeds in one of the two States shall be declared enforceable in another by the competent authority, in conformity with the law of the State where enforcement should be continued.

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139- The Supreme Court therefore recalled the principle of motivating any court judgment as established by Section 7 of the Law of 29 December 2006 on judicial organization, insufficient grounds being a case leading to appeal to the Supreme Court pursuant to Section 35 of Law No. 2006/16 of 29 December 2006 on the organization and functioning of the Supreme Court.

- Judgment No. 65/P 19/07/12 in the matter of YAYA Dairou v. the People and ISSA Babangida (wrong application of Sections 18(1) and 19(1) of the CPC).

140- The Supreme Court quashed Judgment No. 169/P delivered on 10 October 2008 by the Court of Appeal, North Region considering as inadmissible and time barred the appeals lodged by the prosecution and the civil party.

141- In this case, the Court recalls the scope of the warrant of arrest by stating that the purpose of the warrant of arrest is the search for a person absent before an Examining Magistrate or trial court and to bring him before the same for a decision to be taken on the matter involving him. The said warrant of arrest ceases to have legal effect once executed. Therefore, the judicial authority may no longer use the warrant of arrest against a suspect, an accused person or a convict present in court.

142- From the onset, the Court of Appeal, North Region had declared that the warrant of arrest issued against the accused, executed on 11 December 2007, continued to produce its full effect even though the accused was present at the hearing where the warrant was issued.

143- In conclusion, the conditions for exercising the right to fair trial made great strides in 2012 although access to justice remains a challenge for the poor and vulnerable populations mainly because of the inadequate implementation of the law on legal aid.

Chapter 3

FREEDOM OF
EXPRESSION AND
COMMUNICATION



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144- Promotion and protection of freedom of expression and communication was buoyant in 2012. It witnessed an improved legal and institutional framework, capacity building of mass communication stakeholders, access to information and communication technologies and the holding of the communications forum to address the future of the sector. Legal actions were also taken against journalists.

SECTION 1: INSTITUTIONAL AND LEGAL FRAMEWORK

145- In addition to the signing of Decree No. 2012/1643/PM of 14 June 2012 to lay down the terms and conditions for the compulsory security audit of electronic communications and information systems networks in accordance with the provisions of Law No. 2010/12 of 21 December 2010 on cyber security and cybercrime in Cameroon³⁰, the institutional framework was enriched with the reorganization of the National Communication Council (NCC).

146- From the organizational point of view, pursuant to Decree No. 2012/038 of 23 January 2012, the NCC was upgraded from a mere consultative body, as defined in Decree No. 91/287 of 21 June 1991, to a regulatory and consultative body with legal personality and financial autonomy.

147- This dual prerogative justifies the nature of the responsibilities assigned to this body which, through its decisions and opinions, ensures respect for:

- laws and regulations on mass communication;
- professional ethics;
- social peace, national unity and integration in all media;
- promoting national languages and cultures in all media;
- promoting peace, democracy and human rights;
- protecting the dignity of individuals in the media, including children and youth;
- equal access to the media, especially during elections;
- freedom and responsibility of the media;
- independence of public and private communication services; and
- transparency in pluralism and balance in the programmes of communication corporate bodies.

³⁰See 2010 Report § 136 et seq

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148- The instrument is also an innovation in that in the exercise of its regulatory powers, the NCC can issue warnings or impose sanctions against public and private operators as well as mass communication professionals. Such sanctions range from temporary suspension to permanent ban. The Council meets once every quarter in regular session and may hold extraordinary sessions. The Council meets on a permanent basis during elections.

149- The said Council received 8 complaints in 2012. Though the legal and institutional framework of the NCC was improved in January 2012, its sessions were not effective as at 31 December 2012, hence the precautionary measures taken by its Chairperson. He condemned some deviant behaviour by press organs which instead of recounting facts, the result of journalistic investigations, expose without evidence, the privacy of citizens. In this vein, following a communiqué of 22 June 2012, he issued a warning to the Editors of the newspapers "La Météo" and "L'Anecdote" for repeated breach of privacy of some citizens. He took similar measures in the form of a communiqué to call the press to order as concerns the disclosure of facts of cases under investigation.

150- Reacting to a letter from the State Counsel of the CFI, Yaounde *Centre Administratif*, the NCC Chairperson issued a circular on 27 June 2012 to all press organs reminding them of the respect of laws on deposit of newspaper copies at the Legal Department.

151- The activities add to promotion actions with regard to freedom of expression and communication.

SECTION 2: CAPACITY BUILDING

152- Training activities and public aid to private communication enhanced the capacity building of stakeholders.

§1: Training Activities

153- As part of capacity building, the Ministry of Communication held a training workshop on 17 October 2012 for journalists and Human Rights defenders on International Human Rights Standards on freedom of the press and ethics. The seminar was organized as part of implementation of recommendations made to Cameroon after the 2009 UPR.

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154- Furthermore, on 13 and 14 September 2012, the NCC held a seminar on "*Issues and Challenges for the Regulation of the Communications Sector in Cameroon.*" The objectives of the seminar were to:

- acquaint communication sector stakeholders with the provisions of the Decree of 23 January 2012 to reorganize the NCC;
- remind everyone of the rules of professional conduct and ethics to be observed in the practice of journalism to avoid injuring the honour or serenity of individuals or administrations; and
- further discussions on conditions that may guarantee the independence and improve the work of journalists.

155- As in previous years, Government provided financial support to some private press organs and media houses.

§2: Public Aid to Private Communication

156- The 11th session of the National Review Commission to grant public aid to private communication was held on 14 June 2012. A global sum of CFA 135,000,000³¹, identical to that of the previous year, was given as aid to the press.

157- At the end of deliberations, 32 files were rejected for various reasons, while 160 were eligible, an increase of 21 beneficiaries in absolute value as compared to the 2011 financial year.

158- Eligible media houses were split as follows:

- 64 newspapers;
- 11 commercial radio stations;
- 32 community radio stations;
- 5 television stations;
- 2 audiovisual producers;
- 38 professional associations and organizations;
- 3 global communication agencies; and
- 6 printing press companies.

159- Government initiatives were also focused on access to information and communication technologies.

³¹About 206,106 Euros

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SECTION 3: INFORMATION AND COMMUNICATION TECHNOLOGIES

160- In August 2012, MINPOSTEL initiated, with the South Korean cooperation, a Public Key Infrastructure dubbed PKI for the security and inviolability of electronic communications.

161- Competition was also promoted with the award in November 2012 of the 3rd mobile licence to VIETTEL, a Vietnamese telecommunications company. Besides, to extend the Internet and facilitate communications, 3,200km of optics fibre were laid across the country in 2012. Multifunctional Community Telecentres (MCTs) built and commissioned in rural areas, increased the number of operational Telecentres to 69, of which 48 are functional. Some 98 Telecentres are pending commissioning since the goal is to have 205 operational Telecentres by the end of 2013.

162- In addition to the above-mentioned actions, some cases of prosecution were also recorded.

SECTION 4: PROCEEDINGS AGAINST JOURNALISTS

163- Court proceedings were recorded in the Courts of Appeal, Centre, Littoral and Far North Regions.

§1: Court of Appeal, Centre Region

164- CFI, Akonolinga sentenced WONG II Marcelin, Editor of "ECRAN MEDIA NEWS" to 12 months imprisonment, ordered him to pay a fine of CFA 100,000³² and costs of CFA 131,400³³.

165- The High Court, Mfoundi, by Judgment No. 593/CRIM of 3 December 2012, sentenced MINTYA MEKA Harrys Robert, Editor of "LE MONDE INFO/LE DEVOIR" Group, SABOUANG YEN Serge, Editor of "La Nation" and NKO'O MVONDO Simon Hervé to 2 years imprisonment, suspended for 3 years for the first 2 and 15 years imprisonment with a warrant of arrest for the latter, for forgery and forgery of signature, prints, use of signature, fake stamps and forged or counterfeit trademarks³⁴.

§2: Court of Appeal, Littoral Region

166- Many disputes are pending before the CFI, Bonanjo, Douala as shown in the Table below:

³²About 152.67 Euros

³³About 200.61 Euros

³⁴The offences retained in the matter are not press offences, but ordinary law offences.

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Table 1: Proceedings before the Court of Appeal, Littoral Region

No.	Name	Rank	Charge	Statement of Facts	Level of Procedure
1	The People and CONGELCAM and Sylvestre NGOUCHINGHE v. KATI Guy Martial	Editor of "Le Cameroon Matin"	False news, insults and defamation (2cases)	In its issue No. 67 of 22/8/2008 Management of CONGELCAM is accused of largesse to customs officers. They are also accused of corruption, patronage, illicit enrichment and misappropriation of public property. And in its issue No. 66 of 8/5/2008, applicant is called a greedy individual who had a dubious friendship with ex MINFI ABAH ABAH Polycarpe intended to embezzle public property.	The case was adjourned to 14 March 2013 for proper composition of the Court.
2	The People and GETMA Cameroun SA -Claude BARONE -Monique PECH v. -Michel MICHAUT MOUSSALA -Samuel MBEN MBEN -Mathieu MVOGO -The newspaper <i>Aurore Plus</i>	Editor of <i>Aurore Plus</i>	Defamation, insults	In its issue No. 355 of 24 April 2001, <i>Aurore Plus</i> published an article stating that a network of counterfeiters was disbanded at GETMA, where thousands of vehicles disappear every day under the pretext of auction sale. This network was discovered with the help of a young Cameroon businessman.	Case adjourned to 21 March 2013 for service on the parties
3	The People and ABOYA ENDONG MONASSE v. -Michel MICHAUT MOUSSALA (Editor of <i>Aurore Plus</i>)	Editor of <i>Aurore Plus</i>	False news, insults, defamation	In its issue No.1083 of December 2008, <i>Aurore Plus</i> affirmed in an article entitled "Yves Michel FOTSO Cries for Help" that: the political scientist MANASSEH ABOYA ENDONG, lecturer at the University	Matter adjourned to 28 March 2013 for service and hearing.

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No.	Name	Rank	Charge	Statement of Facts	Level of Procedure
				of Douala should have other weapons to use than to play the nigger at the service of Yves Michel FOTSO who was dreaming of becoming a minister. Seeing his project fail as a buoy in the storm, he decided to cling to the group to achieve his ambitions. He is said to be the toxic advisor of the CBC boss who flirts with the media mob nursing the secret hope of imposing his ideas not before a scientific board, but his sponsor.	
4	The People and FEOKETCHANG KOUATCHOU Simone (Lawyer) v. -Michel MICHAUT MOUSSALA -André SOM The bi-weekly <i>Aurore Plus</i>	Editor of <i>Aurore Plus</i>	Defamation through a newspaper, complicity in publication of false news	In its issue No. 1254 of 17 September 2010 in an article entitled " <i>Real Estate Management: Lawyer Sued for Public Act</i> ". The newspaper states that since Mrs. FEOKETCHANG KOUATCHOU Simone (Lawyer) took up management of the TCHONANG family building, the lawyer has instituted many verbal and judicial procedures of eviction. The comments injured the character and reputation of the complainant.	Matter adjourned to 21 March 2013 for service on the parties
5	The People and Honourables -Hermine Patricia TOMAINO NDAM NJOYA, -MOUCHIKPOU YACOUBA, -PEYIPAHOUO RIRETOU -KROUPENJU Simon, CDU Parliamentarians v. -TCHOUNKEU Severin, -The newspaper <i>La Nouvelle Expression</i> .	Editor of <i>La Nouvelle Expression</i>	Defamation by media	In its issue No. 2701 of Thursday, 8 April 2010, the newspaper through its journalist MBOZO'A declares that Honourable Hermine Patricia TOMAINO NDAM NJOYA swindles CFA 300,000 from the salary of each CDU Parliamentarian which is denigrating to the concerned following a decision by the wife of the Chairperson of CDU. According to the	Matter adjourned to 21 March 2013 for continuation of the hearing.

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No.	Name	Rank	Charge	Statement of Facts	Level of Procedure
				complainants, the comments by Mrs. MBOZO'A Oscarine injured the honour and dignity of Honourable Hermine Patricia TOMAINO NDAM NJOYA and tarnished the image of the CDU on the eve of the presidential election.	
6	The People and African Pharmaceutical Development LTD "APHAD" v. -Charles NFORGAN -Jean Baptiste SIPA -Le Messenger	Editor of <i>Le Messenger</i>	Defamation, propagation of false information	In its issue No. 3411 of Thursday, 18 August 2011, <i>Le Messenger</i> published an article entitled "The Judiciary Unveils OLANGUENA OWONO's Lies". According to the article, APHAD was set up to sell products by STRIDES ARCOLAB originally withdrawn from the market by the Minister of Health. This implies that APHAD is an accomplice or even the partner of Minister OLANGUENA in its attempt to destabilize and fragment CC Pharma Company. The publication by way of press violates the honour and reputation of APHAD.	Matter adjourned to 18 April 2013 for service on the accused as applied for by the prosecution.
7	The People and NANA TCHOUA Jonathan Gervais, member of the Cameroon Bar Association vs. -Jean Baptiste SIPA, Editor of <i>Le Messenger</i> -Jacques DOO BELL of -Le Messenger	Editor of <i>Le Messenger</i>	Defamation	In its issue No. 3288 of 21 February 2011, in an article entitled "Confiscation of the Property of a Dead Priest", the newspaper accused MVONDO of forgery and presented Lawyer NANA TCHOUA Jonathan as his counsel although the lawyer has never held brief of the matter and never obtained a hereditary judgment on his behalf.	Matter adjourned to 2 May 2013 for continuation of hearing.
8	The People and DJEMBA FOUMAKOUNDI	General Manager of <i>Canal 2</i>	Defamation, refusal to publish or	<i>Canal 2 International</i> , in its evening news as well as other programmes	Matter adjourned to 18 April 2013 for

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No.	Name	Rank	Charge	Statement of Facts	Level of Procedure
	Sylvain v. -Eric FOTSO (General Manager of Canal 2 <i>International</i>) -Canal 2 <i>International</i>	<i>International</i> -Canal 2 <i>International</i>	disseminate	including " <i>Scratch your Eye</i> " said that Pastor NDJEMBA FOUMAKOUNDI Sylvain operates a clandestine adulterated winery at his place of worship, adjacent to his home, with water from a well in his compound; applicant sent a letter to the General Manager of <i>Canal 2 International</i> on 17 May 2010 requesting him to take the necessary measures to enable him to exercise his right of reply. Unfortunately, the letter was not taken into account. Rather surprisingly, on 12 June 2010, <i>CANAL 2 International</i> rebroadcasted the defamatory facts in its programme " <i>Scratch your Eye</i> ."	service on the accused as applied for by the prosecution.
9	The People and David MAYEBI v. NGONGANG Thierry - NYA Eric Christian - MACKONGO MAC Timothée - MOUASSO EYOUM Charlotte Pélagie - BOCALY Flora	Journalists of <i>STV2</i> Television Station	Complicity of defamation by audio visual media	In September 2010 in a programme entitled « <i>ce soir ou jamais</i> » over <i>STV2</i> television, MAYEBI DAVID was treated as an impostor for both Cameroon football and his family. It appeared from debates that he became rich with money meant for Cameroon footballers through corruption and that he embezzled the sum of 1,780,000 Euros granted as subsidies. In the said programme one MACKONGO MAC Timothée also claimed to be the Secretary General of AFC.	Matter adjourned to 7 March 2013 for service on the parties and hearing.

Source: MINJUSTICE

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167- As shown in the above data, journalists were sued by some individuals who were victims of violation of their rights.

§3: Court of Appeal, Far North Region

168- The lone pending case is: The People and WARDA PONTIEN v. HAMADOU BAYAM, correspondent of "L'Œil du Sahel" who was sued for defamation, false statements and insults³⁵.

169- In addition to these actions, the Communications Forum has been fundamental in the promotion of freedom of communication.

SECTION 4: COMMUNICATIONS FORUM

170- The Communications Forum was held on 5, 6 and 7 December 2012 in Yaounde on the theme "Communication as an instrument for consolidating peace, national unity and solidarity for a prosperous and emerging Cameroon by 2035." The objectives of the meeting were to:

- poser un diagnostic global du secteur de la communication sociale au Cameroun ;
- make a comprehensive diagnosis of the mass communication sector in Cameroon;
- find effective and relevant solutions aimed at rendering communication companies financially and economically viable in Cameroon;
- define a medium and long term strategic vision aimed at making mass communication a strategic lever in the consolidation of democracy in Cameroon and the values of peace, national unity and solidarity;
- restructure the liberalization of the communication sector and its ensuing pluralism, for quality orientation and economic and social performance; and
- lay the foundation for a consensus on responsible and citizen-based approach for all communication stakeholders, including national media, to achieve balance between their editorial independence and the duty to promote a positive image of Cameroon.

³⁵Case adjourned to 27/5/2013 for written submissions of the Prosecution and for service on the parties.

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171- Discussions in workshops were structured around the following 4 programmes: improving communications houses, renovating the legal and institutional base, clarifying and securing the status of communication professionals and communications innovate.

172- At the end of deliberations, the following resolutions were taken:

Programme 1: Improving Communication Houses

173- To improve communication houses, a short, medium and long-term project to finance or support them was proposed:

- open in the short-term, a special allocation account to improve communication houses;
- set up a Communications Guarantee Assistance Fund, in the medium term; and
- set up in the long-term, a bank for communication companies.

174- The following recommendations were made with specific regard to cable television:

- take necessary measures for the effective issuing of communication licenses to regular operators as from 2013;
- set up a Regulatory Board in the sector;
- establish a mediation and permanent dialogue framework for conflict resolution in the sector; and
- take attendant measures, considering economic and commercial benefits, for change over from the analogue to the digital system.

Programme 2: Legal and Institutional Renovation

175- The following recommendations were made to reform the legal and institutional framework:

- put an end to the administrative tolerance system;
- advertising agencies and companies that were governed for a long time by the annual approval system shall henceforth be governed by the approval system for a period of 5 years renewable;;
- fully pay the audiovisual tax to the Cameroon Radio and Television Board;
- review and update the draft bill to amend the 1990 Law on freedom of mass communication and draft enabling Instruments of the 2006 Law governing advertising;

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- prepare a charter on the civic responsibility of media and communication professionals as a moral agreement between the Government and the media to preserve the essential values of solidarity, unity, peace and stability which are the strength of any modern State;
- set up a strategic coordination and coherence structure that will centralise studies relating to the definition, construction and enhancement of the Cameroon label; it shall ensure strategic monitoring, and that information in official documents are translated into the 2 official languages of Cameroon, and if need be, into codified national languages;
- take into account icons which portray the prestige of Cameroon;
- strengthen the activities of the National Advertising Board to ensure regular monitoring of the profession, particularly false advertising and violation of ethics;
- set up Communication Units in all Cameroon embassies abroad;
- reflect profoundly on the decriminalization of press offences, in order to find a credible alternative sanction to imprisonment, especially for ordinary offences committed through a communication organ; and
- finalize the implementation of the digital information agency and its transformation into a conventional news agency.

Programme 3: Clarifying and Securing the Status of Communication Professionals

176- A journalist is defined as a graduate from a school of journalism or communications (at least G.C.E. "A" Levels + 3) or anyone working in a media house who is holder of at least the Bachelors Degree (G.C.E. "A" Level +3) or any other recognised equivalent diploma.

177- Proposals were made for the setting up of the National Association of Cameroon Journalists, national associations for other communication fields (business communication, publishing, documentation, public relations and advertising) and the drafting of special rules and regulations for each communications sector.

178- All media house managers were requested to apply the collective agreement and to increase public support for the private press.

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Programme 4: Communication Innovations and Digital Changeover

179- To promote and develop the audiovisual production industry, it was recommended that an audiovisual sector development fund be established, in line with that of the Special Telecommunications Fund (STF), or to ensure direct funding by the STF, provided procedures for access to such funding are remodelled.

180- In order to ensure the sustainability and accessibility of the abundant digital audiovisual production, it was recommended that a National Audiovisual Institute (NAI) be established to ensure, inter alia, the archiving of productions.

181- Besides, the suggestions below were made:

- instruct the authorities concerned to implement, jointly with the National Standards Agency, procedures and mechanisms to ensure the approval of related Digital Terrestrial Television (DTT) standards; and
- request the Minister of Telecommunications to strengthen the national optic fibre backbone with sufficient capacity to ensure DTT audiovisual transmission signals across the country.

182- Online media and advertising were requested to:

- define and categorize online media;
- establish an online edition charter;
- introduce into the law governing online communication the principle of labelling websites;
- set up an independent body to ensure the labelling of Cameroon information websites that apply for them; and
- review the 2006 Law on advertising by integrating online advertising.

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183- In conclusion, in addition to the traditional aspects related to the promotion of freedom of opinion and expression, it is hoped that the implementation of the recommendations of the Communications Forum and the deployment of the NCC will enable the communication sector to fulfil its monitoring role.

Chapter 4
HUMAN RIGHTS
DEFENDERS



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184- Cameroon endorsed the provisions of Article 5 of the Declaration on Social Progress and Development that places Human Rights Defenders at the centre of activities for Human Rights promotion and protection³⁶. Any restriction to their activities should be within the limits of the law. Conflicts concerning them and related to their duty should be investigated. UN mechanisms or other sources reported situations involving Human Rights Defenders in 2012. Moreover, the visit of representatives from Amnesty International to Cameroon in 2012 was an opportunity to discuss the rights of Human Rights Defenders, and Human Rights in general.

SECTION I: INQUIRIES BY UN MECHANISMS

185- In the wake of social unrest in February 2008 and resultant lawsuits, the case involving the musician Pierre Roger LAMBO SANDJO³⁷, alias Lapiro de MBANGA, was referred to UN mechanisms. Cases involving lawyers threatened in the exercise of their practice were also of concern to the Special Rapporteurs.

§ 1: The Case of Pierre Roger LAMBO SANDJO

186- This case was widely discussed in the 2008 Report.³⁸ Pierre Roger LAMBO SANDJO was released on 8 April 2011, after serving his sentence, but has not paid the fine. A Working Group of the Human Rights Council that was seized of the matter took the following decision:

"26 The Working Group refers to article 9 of the Universal Declaration of Human Rights and to article 9, paragraph 1, of the International Covenant on Civil and Political Rights. According to the latter: "No one shall be subjected to arbitrary arrest or detention" Also, "No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law." Furthermore, article 6 of the African Charter on Human and People's Rights states: "Every individual shall have the right to liberty and to

³⁶This article states as follows: "Social progress and development require the full utilization of human resources, including, in particular:

- (a) The encouragement of creative initiative under conditions of enlightened public opinion;
- (b) The dissemination of national and international information for the purpose of making individuals aware of changes occurring in society as a whole;
- (c) The active participation of all elements of society, individually or through associations, in defining and in achieving the common goals of development with full respect for the fundamental freedoms embodied in the Universal Declaration of Human Rights;
- (d) The assurance to disadvantaged or marginal sectors of the population of equal opportunities for social and economic advancement in order to achieve an effectively integrated society".

³⁷It is interesting to note in this vein the case against former Mayor of Ndjombé Penja, Paul Eric KINGUE, that was mentioned in the 2011 Report, § 179 et seq.

³⁸2008 Report, Chapter 4, § 10§ 101 to 117.

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the security of his person. No one may be deprived of his freedom except for reasons and conditions previously laid down by law. In particular, no one may be arbitrarily arrested or detained."

27. Mr. Lapiro de Mbanga's deprivation of liberty results directly from his exercise of his right to peacefully express his opinions, a right protected by article 19 of the Universal Declaration of Human Rights and article 19, paragraph 1, of the International Covenant on Civil and Political Rights, which Cameroon has ratified, and his exercise of his right to freedom of association (article 22 of the International Covenant on Civil and Political Rights and article 20, paragraph 1, of the Universal Declaration of Human Rights). The source also states that the deprivation of liberty results from his exercise of the right to have access to public service in his country, which is enshrined in article 21, paragraph 1, of the Universal Declaration of Human Rights and article 25, paragraph 1, of the International Covenant on Civil and Political Rights.

28. On the basis of the information in the preceding paragraphs, it can only be concluded that Mr. Lapiro de Mbanga was imprisoned for the legitimate exercise of his rights under articles 3, 9, 10, 11, 18, 19, 20 and 21 of the Universal Declaration of Human Rights and articles 9, 10 and 14 of the International Covenant on Civil and Political Rights. His detention is thus arbitrary and falls within category II of the categories applicable to the consideration of cases submitted to the Working Group.

29. Mr. Lapiro de Mbanga's trial was conducted largely with due respect for the principles of due process; for example, he was detained under an order issued by a competent authority after an investigation was conducted while he remained at liberty. However, the following circumstances indicate that there were serious violations:

(a) Absence of an effective remedy for challenging the legality of the deprivation of liberty stemming from his being found guilty: the Supreme Court indefinitely postponed the handling of his appeal;

(b) The Supreme Court also did not rule, in September 2009, on Mr. Lapiro de Mbanga's request to be released pending trial;

(c) In its submission of 14 July 2011, the Government stresses that Mr. Lapiro de Mbanga called the national food crops development authority (MIDEVIV) to ask for 500,000 CFA francs³⁹, which could constitute

³⁹About 769.23 Euros

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extortion. However, the court ruling does not use this act as a basis for finding Mr. Lapiro de Mbanga either guilty or innocent of extortion. The Working Group believes that if the act had in fact been committed, this could not be proved. Mr. Lapiro de Mbanga's deprivation of liberty was not motivated by this act.

30. *The information in the preceding paragraph indicates that Mr. Lapiro de Mbanga's deprivation of liberty is also arbitrary and falls within category III of the categories used by the Working Group. The absence of a remedy to challenge the legality of the detention constitutes a serious violation of international norms regarding the right to a fair trial. Mr. Lapiro de Mbanga's rights under articles 10 and 11 of the Universal Declaration of Human Rights and article 2, paragraph 3, article 9, paragraphs 3 and 4, and articles 10 and 14 of the International Covenant on Civil and Political Rights were ignored.*

Disposition

31. *Mr. Lapiro de Mbanga's deprivation of liberty is arbitrary and results from a violation of his rights under articles 3, 5, 7, 8, 9, 10, 11, 18, 19, 20 and 21 of the Universal Declaration of Human Rights and articles 2, paragraph 3, 9, 10 and 14 of the International Covenant on Civil and Political Rights, and falls within categories II and III of the categories used by the Working Group.*

32. *Having submitted this opinion, the Working Group calls on the Government of Cameroon to take a decision regarding:*

(a) Reparations for the damage caused by the arbitrary actions described in this opinion;

(b) An immediate amnesty, pardon or other means of preventing renewed detention for the same acts, given that the imposed fine has not been paid;

(c) Protective measures to safeguard Mr. Lapiro de Mbanga's right to security.

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187- Government is considering how to implement these recommendations without prejudice to the expected decision of the Supreme Court that was seised by Pierre Roger LAMBO.

§2: Harassment of Lawyers, Alice NKOM and Michel TOGUE

188- Government received interpellation from the UN Special Rapporteur on Human Rights Defenders on the situation of Lawyers Alice NKOM and Michel TOGUE. The worries of the Special Rapporteur shared by the US State Department concern the safety of these lawyers because of their commitment to the defence of people prosecuted before courts for homosexuality. Investigations are underway to identify and question the perpetrators of such acts condemned by Government.

189- Besides these cases, other cases have been brought to the attention of the Government.

SECTION 2: CASES REPORTED BY OTHER SOURCES

190- The assassination in Kousséri of GUIEME DJIME, a member of the association OS-Civil Droits de l'Homme (OS-Civil Human Rights) and certain legal proceedings were topical in 2012.

§ 1: Capital Murder of GUIEME DJIME

191- GUIEME DJIME, member of the Association *OS-Civil Droits de l'Homme* based in Kousséri, Far North Region was killed on the night of 10 June 2011. Four men suspected of the act were arrested and a judicial inquiry opened by the Military Tribunal, Maroua. Following reports of the involvement of the Mayor of Makary in the capital murder of GUIEME, the official was indicted by the Examining Magistrate in 2012.

192- Judicial proceedings against Human Rights Defenders have provoked disapproval understood as Government determination to restrict the action of Human Rights Defenders.

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§2: Lawsuits⁴⁰

193- Two cases in particular deserve mention: Vincent Sosthenes FOU DA, politician, Dieudonné ENOH MEYOMESSE, politician.

A: Vincent FOU DA Sosthenes, politician

194- Vincent Sosthenes FOU DA and several others were arrested on 9 February 2012 following a demonstration to support Vanessa TCHATCHOU whose baby had disappeared from the Obstetrics and Gynaecology Hospital, Yaounde. Legal proceedings were initiated against the said FOU DA before the CFI, Ekounou, Yaounde for organizing an illegal demonstration at the esplanade of the hospital, which had no connection with his political activities. The case was adjourned to 11 December 2012 for service on the accused.

B: Dieudonné ENOH MEYOMESSE

195- Dieudonné ENOH MEYOMESSE, writer and politician, and 3 others were tried by the Military Tribunal, Yaounde on 27 December 2012. On 11 November 2011, at Bétaré Oya, 2 men armed with Kalashnikovs and an automatic pistol stopped a vehicle belonging to Koreans and stole 650g of gold. One of the criminals, MANDA Bernard, was arrested and disclosed his accomplice SONG KANGA. They disclosed ENOH Dieudonné as the sponsor of the operation that allowed him to buy the gold. They said that he had travelled to Singapore to sell it illegally. NDI Benoit was identified as the facilitator of the transaction by transferring money to MANDA Bernard when he needed it.

196- The court accordingly:

- found MANDA Bernard and SONG KANGA Dieudonné guilty of complicity in armed robbery;
- found SONG KANGA Dieudonné guilty of disobedience of orders and illegal possession of arms;
- found ENOH Dieudonné and NDI Bernard guilty as co-offenders in complicity in theft bearing weapons;
- found ENOH guilty of illegal sale of gold;

⁴⁰The case against Fogué FOGUITO and Paul Guy HYOMENI presented in the 2011 Report, § 174 et seq was adjourned to 26 June 2013 for the same reasons.

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- sentenced MANDA Bernard to 2 years imprisonment and a fine of CFA 100,000⁴¹ ;
- sentenced NDI Benedict to 3 years imprisonment and a fine of CFA 200,000⁴² ;
- sentenced ENOH Dieudonné to 7 years imprisonment and a fine of CFA 200,000 ; and
- sentenced SONG KANGA Dieudonné to 9 years imprisonment and a fine of CFA 400,000⁴³ .

197- The convicts appealed against the decision on 28 December 2012.

198- ENOH was therefore convicted for ordinary law offences unrelated to his activities as politician or Human Rights Defender.

199- Apart from the above-mentioned cases, concerns were also expressed regarding the protection of Human Rights Defenders during the visit to Cameroon of 2 Amnesty International delegates.

SECTION 3: VISIT TO CAMEROON OF TWO REPRESENTATIVES OF AMNESTY INTERNATIONAL

200- Two representatives of Amnesty international were on mission to Cameroon from 11 to 20 December 2012. It was a follow-up mission of the 1st visit that the organization paid to Cameroon in August 2010. Indeed, the 1st visit resulted in a Memorandum that Amnesty International submitted to the Government for its observations. The 2nd enabled Amnesty International representatives to interact with Government officials and the NCHRF on the content of the Memorandum and other topical issues. Discussions focused on the fight against the impunity of law enforcement officials, homosexuality, freedom of association and expression, press offences, the death penalty, the jurisdiction of Military Tribunals, prosecutions against certain individuals in the fight against the misappropriation of public property, detention conditions and violence against women.

⁴¹ About 153.84 Euros

⁴² About 307.69 Euros

⁴³ About 615.38 Euros

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201- Both delegates also visited the Central Prisons in Yaounde and Douala and the Secondary Prison, Yaounde. On the occasion, they interacted with detainees of their choice and support staff.

202- Use of the information obtained during the visits resulted in the publication in January 2013 of the Amnesty International Report that sparked Government reaction⁴⁴.

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203- One of the obligations of the State is to guarantee the safety of people living under its jurisdiction. As such, it is accountable for horizontal or vertical Human Rights violation against Human Rights Defenders. It must, as a corrective measure, failing prevention, ensure that those responsible are identified and prosecuted, and that Human Rights violations do not go unpunished.

⁴⁴Both facts will be stated in the 2013 Report.



Chapter 5

PROTECTION OF REFUGEES



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204- Following the adoption of Decree No. 2011/239 of 28 November 2011 relating to the organization and functioning of refugee bodies⁴⁵, as set up by Law No. 2005/6 of 27 July 2005 relating to the Status of Refugees, the installation of these bodies continued in 2012.

205- The situation of Chadian refugees in Cameroon also progressed during the reference year, with the signing of a tripartite agreement establishing the terms of their voluntary repatriation to their country of origin.

SECTION I: INSTALLATION OF REFUGEE STATUS MANAGEMENT ORGANS

206- The installation of refugee management organs was effected by appointment and swearing-in as well as capacity building of its members.

§ 1: Appointment and Swearing-in of Members

207- The members were appointed by Order No. 13/DIPL/CAB of 6 August 2012 relating to composition of the Refugee Status Eligibility Commission and Order No. 14/DIPL/CAB of 6 August 2012 to lay down the composition of the Refugee Appeals Commission. The composition of these bodies was consistent with related instruments⁴⁶. The appointed members, who are representative government refugee management organs, are mostly international law practitioners or staff working in the field of refugees.

208- On 24 September 2012, members of the Commissions were sworn in before the High Court, Mfoundi in implementation of the Decree of 2011 mentioned above.

§ 2: Capacity Building of Members

209- To prepare members of the Commission to effectively exercise their functions, a training seminar on the determination of refugee status was organized for them from 18 to 20 December 2012 in Yaounde by Government in collaboration with the United Nations High Commissioner for Refugees (UNHCR).

⁴⁵ See 2011 Report § 182 et seq

⁴⁶ See 2011 Report § 185 et seq

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210- The aim of the seminar was to make participants:

- familiar with the concept of international protection;
- appropriate the national legal framework for the protection of refugees in Cameroon; and
- identify elements of refugee definition, criteria to grant or refuse refugee status and conditions for the termination, cancellation and revocation of that status.

211- Discussions also focused on the principles for the determination of refugee status by national systems as well as research and the use of information on the country of origin of the asylum seeker.

212- The situation of Chadian refugees living in camps in Langui, northern Cameroon also chang

SECTION 2: SIGNING OF THE VOLUNTARY REPATRIATION AGREEMENT OF CHADIAN REFUGEES LIVING IN CAMEROON

213- Following political unrests in their country in 2008, many Chadians fled to Cameroon . In 2012, an Agreement was signed between Cameroon, Chad and the UNHCR on their voluntary repatriation. The Agreement sets out the obligations of the parties and the institutional framework for their implementation.

§ 1: Obligations of the Parties

214- The obligations under the Agreement include common obligations on State Parties and those specific to each of the signatories.

A: Common Obligations on State Parties

215- The common obligations of the Governments of Cameroon and Chad are to:

- comply in good faith with their obligations under the Agreement;
- preserve the unity of the family during repatriation;
- ensure that particularly vulnerable refugee groups receive special protection, assistance and appropriate care throughout the repatriation and reintegration process;

⁴⁷ See 2008 Report (Part One, Chapter 4)

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- cooperate in the transfer of refugees to Chad who have committed serious non-political crimes in Cameroon, who have been tried and convicted, subject to their consent;
- grant exemption from the required emigration/immigration, customs and health formalities at border crossings, including essential goods and emergency equipment obtained by the UNHCR from the international community;
- facilitate the movement and security of UNHCR staff; and
- ensure UNHCR free and unhindered access to all refugees in Cameroon as well as returnees wherever they are in Chad.

B: Specific Obligations

216- The **Government of Cameroon** undertook to:

- ensure the safety of refugees to be repatriated while they are still on its territory, including camps, assembly points and during escorts towards crossing points; and
- issue civil status and judicial acts as well as any other academic or professional documents that refugees would be entitled to before their repatriation.

217- In the same vein, the **Government of Chad** undertook to: :

- ensure the safety of refugee representatives during information requests;
- make a statement to ensure the rights and safety of returnees to confirm that refugees can return voluntarily without fear of being harassed, intimidated, persecuted, discriminated against, prosecuted or suffer any other punitive measures whatsoever, for having left the country or resided outside of Chad as refugees;
- grant returnees amnesty or pardon;
- ensure the enjoyment of all rights attached to Chadian citizenship as enshrined in legal instruments relating to Human Rights to which Chad is party; and
- agree to recognize and regulate, in accordance with its national legislation, changes in returnees family composition or civil status, in particular regarding death, adoption or legal guardianship, marriage and divorce on the basis of administrative documents issued by Cameroon authorities and/or on the basis of documents prepared under UNHCR supervision.

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218- UNHCR is responsible for:

- monitoring the voluntary and individual repatriation decision in close collaboration with the Government of Cameroon;
- the provision to refugees, in collaboration with the Governments of Chad and Cameroon, of objective and accurate information on the conditions for returning to their country of origin, the conditions of organized repatriation and reintegration in Chad, so that they are able to decide on their return with full knowledge of the facts;
- the mobilization of the assistance of the international community; and
- the establishment, in close cooperation with the Government of Cameroon, of direct contact with the refugees to register, check their willingness to return for those who opt for repatriation, and to ensure that the forms on voluntary repatriation are filled.

§ 2: Institutional Framework

219- A Tripartite Commission (hereinafter referred to as “The Tripartite Commission”) was set up to monitor the implementation of the voluntary repatriation of refugees in Cameroon. Thus, the composition of the Tripartite Commission, conditions for convening its meetings, and functions were defined.

A: Composition of the Tripartite Commission

220- The Tripartite Commission is composed of 3 members; one member for each Government and a member for UNHCR. The names of members are mutually given, if possible, in the months following the signing of the Agreement. The process for appointing members is ongoing in each of the State Parties. Any member of the Commission may be accompanied at meetings thereof by advisers.

221- If a member is unable to take part in the Commission’s activities, the competent authority shall fill the vacancy.

B: Tripartite Commission Meetings

222- Under the terms of the Agreement, the Tripartite Commission shall hold its first meeting and adopt its rules of procedure, if possible, in the month following the date of appointment of its members. It will be chaired alternately by

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representatives of the Government of Cameroon and the Government of Chad. A rapporteur and co-rapporteur shall be appointed from among the advisers and shall rotate from State Parties to the Agreement. The Technical Secretariat will be managed by UNHCR.

223- The Tripartite Commission will meet as need be, at the request of either Party. The Commission's meetings shall be held in Cameroon and Chad. The Commission may invite any person or organization involved in the voluntary repatriation to attend its deliberations as an observer.

C: Functions of the Tripartite Commission

224- The role of the Tripartite Commission includes:

- supervising and coordinating the voluntary repatriation of refugees by ensuring that the various transactions relating thereto are made safely and with dignity in accordance with international standards;
- examining issues and measures to facilitate the implementation of the voluntary repatriation of refugees by providing and advising State Parties on such measures;
- adopting practical arrangements for the voluntary repatriation of refugees;
- monitoring implementation of measures to facilitate the voluntary repatriation of refugees;
- ensuring compliance with the terms of the Tripartite Agreement, particularly those relating to security, dignity, and assisting returnees to Chad, and their effective reintegration; and
- ensuring the settlement of any difficulties on border crossing points chosen for organized travel under repatriation.

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225- The management framework for refugees in Cameroon has made satisfactory progress. The appointment of members of refugee management organs is evidence of the determination of Government to exercise its sovereignty over the rights of refugees.

Chapter 6

RIGHT TO PARTICIPATE IN THE MANAGEMENT OF STATE AFFAIRS



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226- The most visible manifestations of the right to participate in the management of State affairs in 2012 were changes in the electoral system and the continuation of the decentralisation process.

SECTION 1: CHANGES IN THE ELECTORAL SYSTEM

227- The changes recorded in the electoral system involved the strengthening of the normative and institutional framework, operational framework with the biometric registration of voters on the electoral register, improvement of the political environment and the management of the electoral calendar.

§ 1: Normative and Institutional Framework

228- To render election laws transparent and coherent, an Electoral Code was adopted and the institutional framework for its implementation strengthened.

A: Adoption of the Electoral Code

229- Until 2011, Cameroon's electoral system was governed by disparate legal instruments as follows:

- Law No. 2006/5 of 14 July 2006 to lay down the conditions for the election of Senators;
- Law No. 2006/9 of 28 December 2006 to amend and supplement certain provisions of Law No. 91/20 of 16 December 1991 to lay down the conditions for the election of members of the National Assembly;
- Law No. 2006/10 of 29 December 2006 to amend and supplement certain provisions of Law No. 92/2 of 14 August 1992 to lay down the conditions for the election of municipal councillors;
- Decree No. 2007/118 of 25 April 2007 to fix the number of municipal councillors;
- Law No. 2010/3 of 13 April 2010 to lay down the referendum procedure; and
- Decree No. 2011/237 of 8 August 2011 to lay down conditions for the enforcement of Law No. 2011/13 of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad.

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230- Law No. 2012/1 of 19 April 2012 on the Electoral Code which was adopted by the National Assembly on 13 April 2012 and promulgated by the President of the Republic on 19 April 2012, sets up a unified legal framework for the management of elections.

231- At the political level, it is interesting to note that the drawing up of the Code was preceded by prior consultation with political parties and the civil society, under the leadership of the Prime Minister, Head of Government.

232- The purpose of this single instrument is to enhance transparent and fair elections. It was revised in December with the promulgation of Law No. 2012/17 of 21 December 2012 to amend and supplement some of its provisions.

233- Amendment of the Electoral Code strengthens security of votes through wider flexibility in eligibility conditions of candidates and better visibility of the election process. The amendment involves 4 articles of the Code.

234- The first amendment concerns Article 84 of the Law of 19 April 2012 to which a subsection 4 was added. Henceforth, the Directorate General of Elections can distribute voters' cards when they are updated or immediately after they are issued. It is no longer necessary to wait for 40 days before the holding of an election. The card is now secured because it is permanent.

235- The second amendment relates to Section 166(1) in particular which deals with the caution to be paid by candidates in the election of members of the National Assembly. The amount was increased from CFA 500,000⁴⁸ to CFA 3,000,000⁴⁹ then reduced to CFA 1,000,000⁵⁰

236- The other 2 adjustments relate to the election of Senators. The first relates to time limits for convening the electorate. Section 230 of the law confirms deletion of the reference in Section 86(2) which provides for an interval of 90 days between convening the electorate and the date fixed for the election. The time limit of 45 days to convene the electorate and hold elections remains in force.

⁴⁸About 763.35 Euros

⁴⁹About 4,548.15 Euros

⁵⁰About 1,538.46 Euros

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237- The other technical adjustment relates to Section 231 where reference is no longer made to Section 167 that was based on Section 126 dealing with the election of the President of the Republic. The amendment clarifies the competence of ELECAM and reduces the time limit for the publication of the list of candidates from 60 days to at least 15 days before the election date. It is therefore the responsibility of the Electoral Board to establish and publish a list of eligible candidates at least 15 days before the election date and to immediately notify the Constitutional Council.

238- The codification option is a step forward in reforms on the organisation and functioning of elections. However, due to the approximate nature of electoral data, ELECAM updated the electoral register through modern biometric registration.

B: Institutional Framework of Elections

239- The institutional framework was improved with the appointment of members of the Electoral Board of ELECAM and the reform of the Constitutional Council.

1) ELECAM's Electoral Board Members

240- Pursuant to Decree No. 2012/658 of 30 December 2012, the term of office of the 12 ELECAM members appointed by Decree No. 2008/463 of 30 December 2008, was renewed for 4 years. Similarly, the vacancy was filled by the appointment of a new member, Mr. Ahmadou GOUROUDJA, appointed by Decree No. 2012/659 of 30 December 2012 for a renewable term of 4 years.

241- ELECAM's credibility was further strengthened with its staff renewal, under the aegis of a neutral Constitutional Council, the "election judge".

2) Constitutional Council Reform

242- The gradual establishment of the Constitutional Council progressed with the adoption and promulgation of Laws No. 2012/15 and No. 2012/16 both of 21 December 2012 to amend Laws No. 2004/4 and No. 2004/5 both of 21 April 2004 to lay down the organization and functioning of the Constitutional Council and to establish the status of its members respectively.

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243- Pursuant to the provisions to amend the above-mentioned 2004 instruments, members of the Constitutional Council are appointed for a term of office of 6 years renewable instead of 9 years non renewable. The conditions of cessation of duties are extended to the case of inadaptability to this body. This means that emphasis was laid on efficiency and not on the duration in service of members of the Council.

244- Upon expiry of the term of office, a member may be appointed for another 6-year term if he served as replacement for less than 2 years.

245- Lastly, the instrument states that only resignation can be a cause for the disqualification of a member of the Constitutional Council within a period of 3 years. As such, non-membership in a trade has no impact on the political future of any Councillor wishing to discharge another duty in the management of State affairs.

246- The Constitutional Council is, and remains, the ultimate guarantor of the fairness and regularity of elections in Cameroon (presidential, senatorial, legislative and the referendum).

§ 2: Strengthening the Operational Framework: Biometric Voter Registration

247- The institutional framework of the electoral process was maintained⁵¹ and measures were taken for the smooth conduct of biometric registration. In that regard, ELECAM took technical and administrative measures to master the biometric technology for a more efficient and transparent management of voters' registration on the electoral register.

A: Securing Biometric Registration

248- ELECAM decided on 5 January 2012 to revise electoral registers by biometric registration throughout the country. Due to requests by opposition political parties and civil society organisations, it reversed the decision on 7 February 2012 after an extraordinary session of the Electoral Board. It revised electoral registers and continued with biometric registration as a sign of openness.

⁵¹See 2011 Report, § 229 to 231

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1) Importance of Biometric Technology

249- Biometrics is a means to combat fraud by curbing double registration. As such, the revision of the electoral register aims at producing voters' cards that contain the voters' personal information including their fingerprints, colour and shape of their eyes.

250- The advantage of this technology is the centralization of all information in a single server so as to quickly identify the real identity of each individual. Its security system is based on the principles governing the issuance of the computerized National Identity Card. The objective of the field visit conducted as from 2 May 2012 in the 10 Regions of Cameroon, by the 17 members of the Electoral Board was to meet the administrative, judicial and municipal authorities to ensure the success of the revision of electoral registers. Discussions focused on the updating instead of the revision of voters registers that was already launched, the choice of biometrics, reasons for the delay in updating registers, review of the communication strategy of the Electoral Board in councils to get many people to register, establishment of joint committees for the revision of electoral registers, monitoring compliance of election equipment and documents used during the presidential election of 9 October 2011 and available in councils; review of the suggestions and grievances of council officials, and collaboration with administrative and judicial authorities.

251- On 24 October 2012, Elections Cameroon received equipment consisting of 600 electoral kits, bringing the total to 1,200, 1,000 portable generators, 57,000 rolls of paper for printing registration receipts, printers for electoral lists, voter cards printing system, servers for central system database, for the Automated Fingerprint Identification System (AFIS) servers to remove duplicates, as well as consumables for all the machines.

252- The new election equipment was test-run in Yaounde. Using similar or different identification information of 2 electors, it was found that the machine could detect information that is similar or not. Where duplication is established, the most recent registration is chosen, in accordance with the law. The system can deploy automatically or be activated by a user who can do a manual search for duplicates. A giant printer capable of producing 6,000 voters' cards daily was installed. In less than 5 minutes, the experiment of 13 December 2012 produced 100 colour specimens. The new voter card, that is similar to the national identity card with its thin plastic film, is standardized. According to ELECAM, in case of error, the printer rejects defective cards and resumes the relevant process.

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2) Administrative Measures by ELECAM for Effective Biometric Technology

253- On 18 April 2012, the Director General of ELECAM signed an agreement with a German firm, "Giesecke und Devrient (G & D)", for the supply of equipment for biometric use and the provision of technical staff to ensure the training of trainers for a total of CFA 7.8 billion⁵².

254- By Decision No. 549/ELECAM/DGE of 27 September 2012, the period for updating electoral registers throughout the country was set from 3 October 2012 to 28 February 2013, with the possibility of extension for a maximum period of 30 days, in case of need. On 3 October 2012, the said registrations were launched.

255- The training of kit operators on biometric elections, that went through 31 October 2012, consisted in defining their role. They were drilled on the registration process, registration criteria, taking photographs, biometric data and how to capture fingerprints.

256- Pursuant to a Decision by ELECAM of 27 September 2012, the updating of voters' registers began in the Councils of Regional headquarters, and then gradually spread to other Councils. All citizens of voting age, eligible to vote, resident or not in Cameroon, holders of a National Identity Card or a valid receipt attesting application for the said card were involved.

B: Biometric Voters Registration

257- ELECAM mobile teams carried out biometric voters registration throughout the country with the contribution of administrative and traditional authorities, and political parties, with the aim of going to the electorate.

258- The Table below shows the state of registrations as at 31 December 2012.

⁵²About 11,908,397 Euros

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Table 1: Registration Trends as Part of the Biometric Updating of electoral Registers

Regions	Registered as at 15/12/12	Registered as at 29/12/12	Details on Voters registered as at 29/12/12 per sex		Gap between the two periods
			Male	Female	
Adamawa	176 481	188 643	110 296	78 347	12 162
Centre	330 933	351 812	215 020	136 792	20 879
East	133 284	145 747	82 377	63 370	12 463
Far North	427 069	474 215	255 325	218 890	47 146
Littoral	233 961	248 262	152 199	96 063	14 301
North	238 948	259 403	151 174	108 229	20 455
North West	235 525	247 656	115 357	132 299	12 131
West	250 624	268 590	126 058	142 532	17 966
South	104 869	111 213	62 431	48 782	6 344
South West	119 274	123 167	72 172	50 995	3 893
Total	2 250 968	2 418 708	1 342 409	1 076 299	167 740

Source: ELECAM

259-To facilitate the registration process, the President of the Republic, in his end of year address on 31 December 2012, declared the establishment of the National Identity Card free of charge as from 1 January 2013.

§ 3: Improvement of the Political Landscape

260- New political organisations were registered in 2012 and the Government reaffirmed its option to support political parties.

A: Legalized Political Parties in Cameroon

261- The number of political parties in Cameroon increased with the institution of multiparty system, and in particular of Law No. 90/56 of 19 December 1990. Cameroon had 282 legalised political parties as at 31 December 2012. During the reference year, Government authorised 8 new political parties which are listed in the Table below.

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Table 2: Authorized political parties in 2012

No.	Name	Reference Decision	Initials	Seat	Contacts	Principal Officials
1	Bloc Camerounais pour la Bonne Gouvernance	Decision No 00058/D/MINAT D/DAP/SDE/SPP of 05 March 2012	BCBG	Yaounde	Tel : 22 22 17 97 P.O.Box 535 Yaounde	National Chairperson : SONG Théodore Secretary General: NGAPOUT MOMBET Théodore Collins
2	Cameroon Redemption Democratic Front	Decision No 00090/D/MINAT D/DAP/SDE/SPP of 05 March 2012	CRDF	Bamenda	Tel. : 77 68 92 74 .P.O. Box 323 Bamenda	National Chairperson: NGANG George CHE Secretary General: GWEBA Francisca MUI
3	Mouvement des Hommes indépendants pour le changement au Cameroun	Decision No 000202/D/MINATD/DAP/SDE/SP P of 11 June 2012	MOHIC	Douala	Tel. : 76 62 05 85 / 33 08 69 41 .P.O.Box 7132 Douala	National Chairperson: NDJIB BAHOYA Secretary General : VOHOT Silace
4	Front Révolutionnaire pour le Redressement du Cameroun	Decision No 000203/D/MINATD/DAP/SDE/SP P of 11 June 2012	FRRC	Yaounde	Tél. : 76 52 84 83 .P.O. Box 1864 Yaounde	National Chairperson: WOKMENI Secretary General : PEM Jean Alain
5	National Democratic Party for Youth Development	Decision No 000269/D/MINATD/DAP/SDE/SP P of 24 July 2012	NDPYD	Buea	P.O. Box 10049 Buea	National Chairperson: MBANTANG SONG Stephen Secretary General: BALENGBA LIBAM Antoine de Padoue
6	Union pour la République, la Démocratie et la Solidarité	Decision No 000311/D/MINATD/DAP/SDE/SP P of 22 August 2012	URDS	Yaoundé	Tel. : 76 29 81 75 / 77 67 20 38 .P.O. Box 35418 Buea	National Chairperson: MOHAMAD OU OUMAROU Secretary General: NDJOH
7	Rassemblement des Forces Patriotiques du Cameroun	Decision No 000334/D/MINATD/DAP/SDE/SP P of 10 September 2012	RFPC	Yaounde	Tel. : 73 78 35 78 .P.O. Box 12796 Yaounde	National Chairperson: NGAME NGOMBA Charles Guy Secretary General : NSEGBE Bienvenu
8	Rassemblement Démocratique pour le Développement de la République du Cameroun	Decision No 000374/D/MINATD/DAP/SDE/SP P of 26 September 2012	RDR	Yaounde	Tel.: 96 12 06 00 / 96 50 98 75 .P.O.Box 14859 Yaounde	National Chairperson: FOULLA DAMBALDI Secretary General : M. HAMADOU

Source: MINATD

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262- In the same vein, the Mouvement Pour la Renaissance du Cameroun (MRC) of former Minister Maurice KAMTO, resulting from the merger of the Mouvement Républicain Populaire (MRP) of Mr Alain FOGUÉ TEDOM and the Mouvement Republicain (MOREP) of Mr. Fabien ASSIGANA, was launched on 13 August 2012 in Yaounde.

B: Management of Political Parties

263- To encourage the expression of political pluralism, subsidy to political parties remained unchanged⁵³. However, although Section 276 (3) of Law No. 2012/1 of 19 April 2012 states: "*Funds for financing political parties should not be a source of personal enrichment*", it is essential to establish control mechanisms for a better management of funds allocated to political parties by Law No. 2000/15 of 19 December 2000 on the financing of political parties.

§ 4: Management of Electoral Calendar

264- The expected electoral calendar was amended by Decision of the Head of State to postpone municipal and legislative elections, while some communities were deprived of their elected representatives due to interruption of term of office.

A: Postponement of Municipal and Legislative Elections

265- Referring to the date of the last and twin legislative and municipal elections of 22 July 2007, the deadline for convening the electorate was in principle on 25 April 2012, with regard to the statutory provisions which provide that there should be 90 days between convening the electorate and the voting day. It is therefore on 31 July 2012 that the term of office of Municipal Councillors should have ended.

266- Following the decision of the Electoral Board in February 2012 to stay the revision of electoral registers for their complete update, with the introduction of biometric technology, it was difficult for this body to organize elections. By Decree No. 2012/240 of 30 May 2012, the President of the Republic extended the term of office of Municipal Councillors for a period of 12 months with effect from 31 July 2012.

⁵³See 2011 Report, § 252.

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267- The presidential decision was based on the provisions of Section 170(2) of Law No. 2012/1 of 19 April 2012 relating to the Electoral Code, which states: *"However, if need be, the President of the Republic may, by decree, extend or abridge the term of office of municipal councillors for a period not exceeding 18 months, after consultation with the Government and the Bureau of the Senate"*. However, as stated in the Presidential Decree, this period may be abridged if municipal elections are held during this period under conditions provided by law.

268- Law No. 2012/7 of 19 April 2012 has extended the term of office of members of the National Assembly for a period of 6 months, renewable, as from 21 August 2012. By Law No. 2012/18 of 21 December 2012, their mandate was once more extended for a further period of 3 months, with effect from 22 February 2013⁵⁴.

B: Interrupted Term of Office

269- As at 31 December 2012, the terms of office of the following mayors charged with embezzlement of public property and remanded in custody, were discontinued. They include: Mr. Ntoh Daniel BELENGKA, CPDM Mayor of Ndop Council, Mr. TAWASUM Augustine, CPDM Mayor of Balikumbat, Mr Stephen TIKANJOH, SDF Mayor of Babessi all in the North West Region.

270- The terms of office of the CPDM Municipal Councillor for Nkolafamba and the CPDM Mayor of the Yaounde IV Council, Mr. ABEGA Theophile, in the Centre Region, were interrupted due to death on 5 and 15 November 2012 respectively.

SECTION 2: DECENTRALISATION IMPLEMENTATION

271- Decentralisation is implemented on a sector-based approach.

§ 1: Implementation of Decentralisation per Sector

272- Decentralisation is a factor for promoting development, democracy and good governance at the local level. The Cameroon Government chose to promote economic, social, health, educational, sports and cultural development through councils. The reference year 2012 was marked by the promotion of handicrafts and the development of decentralised cooperation.

⁵⁴The mandate was once more extended. See Law No2013/005 of 8 May 2013 to extend the mandate of members of the National Assembly for a period of 2 months with effect from 23 May 2013.

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A: Development of Handicrafts

273- Handicrafts include all activities relating to production, extraction, processing, repairs, all types of maintenance, essentially manual service provision.

274- By setting up MINPMEESA in December 2004, the Cameroon Government set up an institutional framework to raise handicrafts management to the level of governance. Decree No. 2010/2996/PM of 3 November 2010 to lay down conditions for the enforcement of Law No. 2007/4 of 3 July 2007 governing handicrafts in Cameroon was taken to consolidate this achievement by regulating this sub-sector of activities.

275- However, the emergence of the sector requires reorganisation, the acquisition of equipment necessary for the development of activities, access to training, the establishment of a social security device and a suitable local taxation system.

276-The 2012 fiscal year, the budget of MINPMEESA provided for the construction of handicraft villages. However, difficulties such as a modest budget, access to land, low financial capacity of contractors and land vagaries did not allow the achievement of this outcome. Therefore, though all of these projects were launched simultaneously as at 24 May 2012, only the construction works of 9 handicraft villages, located in the Regional headquarters were ongoing. As at 31 December 2012, only projects in Yaounde, Ebolowa, Bamenda, Garoua, Douala and Foumban were completed.

277- To celebrate the revival of handicrafts in Cameroon, the Government held from 23 January to 3 February 2012 in Yaounde, the International Handicrafts Fair of Cameroon.

B: Development of Decentralised Cooperation

278- Among the agreements concluded and signed at the end of the 7th session of the Cameroon-Congo Joint Commission within the framework of decentralised cooperation, the Governments of Cameroon and Congo approved on 21 December 2012, in Sangmelima the twinning agreement signed on 3 August 2011 between the cities of Owando in Congo and Sangmelima in Cameroon.

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279- The achievement is added to the existing university architecture which includes 8 classical State universities, 2 digital universities, a university free zone and about 150 private institutions of higher education. Moreover, a cooperation agreement covering various sectors was signed between the Marien NGOUABI University in Brazzaville and the University of Yaounde II Soa in Cameroon.⁵⁵.

280- Pending the start of works, the City Council, Sangmelima has already made available to the university, a land of 20 hectares for the construction of infrastructure for the project that began in 2009.

281- Under the Convention, the budget of the Interstates University is funded by the annual contributions of the Contracting Parties, the amount of which is still to be determined, and contributions from various other sources.

282- Such inter-municipal cooperation meets the expectations of the university community in Cameroon to enhance academic mobility, optimal heuristic follow-up and maximum academic offer to enable implementation of the threefold mission assigned by the Nation to State universities: education, research and local development support.

§ 2: Decentralisation Process

283- Local democracy is more entrenched and shows more solidarity with the gradual implementation of the decentralisation technique and the transfer of skills and resources to councils.

A: Decentralisation Progress Technique

284- In conformity with the 2004 laws on decentralisation, resources from various allocations are mainly embodied in the State/Council Contract Plans the overall regime of which was established by Decree No. 2012/0709/PM of 20 March 2012. The plans consist of a negotiated and signed agreement between the State and a City Council, a Union of Councils or an Urban Community. The agreements provide details of shared responsibility for the smooth implementation of pluri-annual or regional development activities in a local community for a specified period.

⁵⁵ See infra, Chapter on Right to Education, § 369 et seq

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B: Powers and State Resources transferred to Councils

285- Relevant resources correspond to the powers transferred.

1) Powers transferred to Councils

286- In 2012, the decentralisation process transferred powers to councils and city councils in the following areas:

- support for micro income and employment generating projects;
- promoting reforestation in urban areas and in allotted forest reserves;
- setting up and developing urban public spaces;
- organizing holiday activities;
- the environment;
- sport and physical education; and
- cleaning roads .

2) Resources Transferred to Councils

287- The first annual ordinary session of the National Decentralisation Board (NDB), held on 21 June 2012, highlighted the efforts made by Government for local development to become a reality for the people. From 2010 to 2012, 20 Ministries have transferred some of their powers and resources to councils. Overall, CFA 382,461,873,201⁵⁶ has been transferred. However, the NDB noted the delay in the provision of these resources.

288- As at 31 December 2012, the sum of CFA 119 billion⁵⁷ was paid to councils and to the Special Council Equipment Fund⁵⁸ (FEICOM) by the Ministry of Finance.

⁵⁶About 583,911,256.8 Euros

⁵⁷About 181,679,389.3 Euros

⁵⁸Reorganized by Decree No 2000/365 of 11 December 2011

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a) Decentralisation Allocation Transferred in 2012

289- By Decree No. 2012/2/PM of 20 January 2012 to fix the distribution of GAD for the Fiscal 2012, the Prime Minister, Head of Government, set the distribution of the Overall Decentralisation Allocation for Fiscal 2012 at CFA 7.5,000,000,000⁵⁹. The allocation dropped despite the needs expressed in previous years, namely CFA 23,155,813,000⁶⁰ in 2010 and CFA 22,065,721,500⁶¹ in 2011.

Table 3: Distribution of the General Recurrent Budget (2012 Fiscal year)

No	HEADINGS	AMOUNTS IN CFA
1	Salaries for Mayors	3, 000, 000, 000 (about 4, 580, 152.7 Euros)
2	Functioning of the National Decentralisation Board	175, 000, 000 (about 267, 175.6 Euros)
3	Functioning of the Inter-ministerial Committee for Local Services	350, 000, 000 (about 534, 351.1 Euros)
4	Functioning of the National Committee for Local Finances	75, 000, 000 (about 114, 503.8 Euros)
5	Functioning of the Inter-ministerial Commission for Decentralised Cooperation	80, 000, 000 (about 122, 137.4 Euros)
6	Functioning of the Decentralisation Stakeholders Training Committee	260, 000, 000 (about 396, 94.6 Euros)
7	Functioning of the Committee for the Addressing of Cities	75, 000, 000 (about 114, 503.8 Euros)
8	Support to Councils Trade-Unions for project monitoring	125, 000, 000 (about 190, 839.7 Euros)
9	Functioning of the State external services that provide contributions or support to Councils and City Councils	360, 000, 000 (about 549, 618.7 Euros)
10	Special emergency recurrent expenditures in favour of certain Councils or City Councils.	500, 000, 000 (about 763, 398.8 Euros)
TOTAL	5 000, 000, 000⁶²

Source : MINATD

⁵⁷About 181,679,389.3 Euros

⁵⁸Reorganized by Decree No 2000/365 of 11 December 2011

⁵⁹About 11, 450,381.7 Euros

⁶⁰About 3, 535,238 Euros

⁶¹About 33, 688,134.3 Euros

⁶²About 33, 688,134.3 Euros

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**Table 4: Distribution of Overall Investment Allocation
(2012 Fiscal Year)**

HEADINGS	AMOUNT IN CFA
Investment expenditures to Councils for financing some income generating projects in a Council of each Division, for about CFA 56, 818,181 x 44 Councils	2,500, 000, 000 ⁶³
Total	2, 500, 000, 000

Source : MINATD

b) Poor Mastery of Budgetary Resources Management Rules

290- As regards setting the fraction rate of State revenues for inclusion in the Finance Law under the GAD for the 2012 fiscal year, and assigned to the partial financing of decentralisation⁶⁴, the timely holding of NDB sessions which had, among other items on the agenda, this concern, would have introduced this rate in the Finance Law for the reference year and facilitate the mobilization of substantial resources for a better funding of decentralisation.

291- During the deliberations of the Inter-ministerial Committee for Local Services⁶⁵ of 8 May 2012, it was noted that the purpose of the system for the monitoring and evaluation of powers transferred was to enable Government to have the tools to build its capacities for monitoring and piloting the smooth running of the decentralisation process by identifying obstacles and finding solutions thereto. Obstacles identified by decentralisation stakeholders include:

- poor mastery of accounting procedures and credit management;
- insufficient collaboration between the decentralized services of the State and Councils;
- inadequate funds transferred which do not include expenses inherent in the functioning of municipal procurement commissions; and
- lack of technical capacities by Councils in project management.

292- Regarding the solutions, it was suggested that the results of a study on the financing of the transfer of third generation powers and actions be capitalised on.

⁶³About 3, 816,793.9 Euros

⁶⁴See Section 23(1) of the Law of 22 July 2004 to orient decentralisation.

⁶⁵Set up by Decree No. 2008/13 of 17 January 2008.

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293- Tax collection was centralized and balancing will be next in line. With regard to balancing, until the end of June 2012, councils had not yet received proceeds which the Taxation Department had to pay back to them. Similarly, the reduction of additional council dimes penalised the functioning of Councils.

294- Despite a strong legal framework, the decentralisation process is being implemented slowly by all administrative services. This explains why at the level of local development, the benefits of decentralisation are not very visible.

295- To overcome the shortcomings, the Support Programme to Decentralisation and Local Development undertook to evaluate the process at the municipal, divisional, regional and national levels.

296- Moreover, as part of the celebration of the 2nd edition of the DUC Open Days, whose theme was *"Social Action, Citizenship, Health, Arts and Culture, Solidarity, Quality of Life"*, the following themes were discussed in workshops:

- local development and citizen participation;
- resources mobilization techniques; and
- role of associations in the decentralisation process.

297- The people targeted by these works were local elected officials and development partners.

* *
*

298- The modernisation of the electoral system made considerable progress notably with the adoption of an Electoral Code and the use of biometric technology for the registration of prospective voters.

299- On another level, the low funding of municipal services was an obstacle to the functioning of Council Procurement Commissions. Ongoing studies will enable the municipal executives, upon completion, to receive remuneration dedicated to the payment of their salaries.

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CONCLUSION OF PART ONE

300- The capacity building of law enforcement officials, awareness raising of the people, especially by civil society organisations, have contributed to the promotion of the right to life and the prohibition of torture. With regard to the judicial system reform, although the effective holding of court sessions by the SCC is a real major achievement, the effective functioning of Administrative Courts is still considered a challenge. In addition, greater awareness of the people, in particular, the underprivileged and easy conditions for the provision of legal aid are imperatives for the fulfilment of the right to fair trial. The introduction of biometrics whose effectiveness will be assessed during future elections can be considered as a guarantee of the fulfilment of the right to participate in the transparent management of State affairs.



Part Two

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



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INTRODUCTION TO PART TWO

301- The fulfilment of economic, social and cultural rights is a fundamental pillar of the emergence policy geared towards sustainable development and a significant improvement in the living conditions of the people. In 2012 (the second year of implementation of GESPE), the Government and its various social partners, following initial evaluation, took steps to remove obstacles that impede the fulfilment of these rights. It also aims at promoting recreation and cultural diversity.

302- The actions analysed and assessed below relate to:

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



Chapter 1

GOOD GOVERNANCE AND FIGHT AGAINST CORRUPTION



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303- With a view to improving the quality of governance, in addition to consolidating the environment of the sector of public contracts, the State continued in 2012 to take steps aimed at improving the business climate in general and at fighting against corruption and embezzlement of public property in particular.

SECTION 1: IMPROVING THE BUSINESS CLIMATE

304- The business climate was improved by strengthening public-private sectors dialogue through the Cameroon Business Forum (CBF). In like manner, the training of stakeholders in the OHADA Law and the implementation of the Investment Charter continued.

§ 1: Strengthening dialogue with the private sector

305- As in the previous years, the CBF which is the framework for dialogue between Government and the private sector, held its 3rd session in Douala on 5 March 2012 under the theme "*Investing in an enabling environment*". At the close of its deliberations, 40 recommendations were made concerning the establishment of business, payment of taxes, settlement of disputes, border trade, access to property and to building permit, promoting investment, access to funding, access to loans, energy, and water. They also included strengthening dialogue between the various stakeholders, and inspection or communication on the reforms.

306- For the recommendations considered as priority, the May 2012 deadline was set for their implementation. These include:

- simplification of procedures for the establishment of enterprises in accordance with the OHADA Uniform Act, notably by cancelling some of the documents, among which a certified copy of the national identity card or a certificate of celibacy;
- drawing up a procedure booklet and a user's guide to harmonize procedures in the Business establishment formalities Centres (CFCFE);
- preparing specifications for streamlining and computerizing CFCFE procedures;
- making the pilot phase of the one-stop identifier project operational;
- finalizing the implementing instruments of the reinvestment scheme contained in the 2007 Finance Law, notably customs duties on industrial goods and equipment;

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- referral to local communities to obtain approval for the establishment of SME and agricultural banks;
- consolidating the mechanism to combat smuggling, fraud and counterfeiting by the compulsory affixing of the security seal on some manufactured products;
- appointing Judicial Officers to the commercial benches of trial courts;
- computerizing the Trade and Securities Credit Register in the registries of the courts in Douala and Yaounde;
- completing the supplementary enabling instruments on e- Commerce;
- extending the risk management Programme to the Customs (installing the blue channel) and Customs staff performance standards;
- implementing Decree No. 2008/739/PM of 23 April 2008 to lay down the regulations for land use and construction;
- speeding up the drafting of some sector codes, including the Tourism Code and finalizing the law on Economic Zones;
- reducing electricity and water connection periods in suburban areas.

307- Other recommendations included:

- designing a proactive investment promotion strategy focused on 2 or 3 priority sectors;
- operating a taxation remote procedure project platform;
- speeding up completion of the draft Civil Code and the Civil and Commercial Procedure Code; and
- raising awareness of businessmen on the amended OHADA instruments.

§ 2: Training stakeholders in the OHADA Law

308- In 2012, 187 legal professionals comprising Judicial and Legal Officers, Registrars, Lawyers, Notaries Public and Bailiffs were trained in the OHADA Law in 8 seminars organized both in Cameroon and abroad with the support of partners especially the European Union under the Judicial Sector Support Programme (PAJ) and ERSUMA.

309- Apart from the training of trainers, the seminars addressed themes related to procedures before Courts of Appeal and prospects to harmonize case law on the Uniform Acts relating to the collective procedure for the clearance of

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liabilities; application of the business criminal law in States Parties; procedures and disputes relating to OHADA Uniform Acts; and solutions to problems raised by disputes on simplified recovery and execution procedures.

§ 3: Implementing the Investment Charter

310- Implementing the Investment Charter includes improving the legal and institutional framework and promoting investments. In 2012, consultations on the drafting of sector codes continued⁶⁶. Meanwhile, draft instruments to establish the Trade and Industry Observatory (TIO) and the Institute of Entrepreneurship (IE) were prepared⁶⁷. Study missions were carried out in Singapore, Equatorial Guinea, Nigeria and South Africa.

SECTION 2: CONSOLIDATING THE INSTITUTIONAL ENVIRONMENT OF THE PUBLIC CONTRACTS SECTOR

311- In 2012, the Ministry of Public Contracts (MINMAP) set up on 9 December 2011 was provided a location and following the adoption of its Organizational Chart by Decree No. 2012/75 of 8 March 2012, its first officials were appointed and installed.

312- The Ministry of Public Contracts is attached to the Presidency of the Republic, and shall:

- launch tenders for public contracts in collaboration with the Ministries and public services concerned;
- award public contracts in collaboration with the Ministries and public services concerned; and
- participate, where need be, in preparing the financing package of public contracts in collaboration with the Ministries and public services concerned.

313- In addition to the organizational structure, procedural progress was made. In this respect, mention can be made of Circular No. 0001/CA /PR of 19 June 2012 on tenders and control of public contracts execution. The purpose of the Circular is to reduce delays in the award of public contracts, make controls more effective, and ensure that the works carried out by the State and its agencies are of good quality.

⁶⁶Such consultations led to the drafting in 2013 of a unique instrument, Law No. 2013 /4 of 18 April 2013 on private investments in Cameroon.

⁶⁷Other institutions expected have already been established since 2010. These are the Investments Promotion Board (IPB) and the Standards and Quality Board (ANOR).

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SECTION 3: COMBATING CORRUPTION AND EMBEZZLEMENT OF PUBLIC PROPERTY

314- The effective start of the Special Criminal Court (SCC) in October 2012 reflects the determination to consolidate the repressive tool which is one of the pillars of the fight against corruption and misappropriation of public property. Enhancement of the repressive drive has however, not overshadowed prevention, control and detection initiatives carried out by the various institutions whose consistent actions are necessary to ensure the effectiveness of the system.

§ 1: Amplifying Prevention

315- Many prevention activities were conducted. In this regard, the National Anti-Corruption Commission (NACC) continued broadcasting the radio-television micro-Programme "ESPACE CONAC" on public and private television channels. The Commission organized regional workshops for the appropriation of the National Anti-Corruption Strategy. Under the second phase of this strategy, 16 public services and institutions were subjected to Rapid Results Initiatives (RRI).

316- The National Integrity Education Programme was implemented through the dissemination of messages on ethics at the 14th edition of the FENASCO Games in Ebolowa, the publication, free distribution and inclusion on the NACC website of the Report on corruption in Cameroon in 2011, the launching in collaboration with Transparency International, of several initiatives to eradicate corruption in public competitive examinations, since the objective is to restore meritocracy and equity for access into some Professional Schools. Thus, an integrity protocol was signed with the National School of Public Works through the operation "Corruption Free Competitive Exams".

§2: Enhancing Control

317- The activities carried out by NACC, the Ministry of Supreme State Audit, and the Audit Bench of the Supreme Court show an intensification of control activities.

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A: Control by NACC

318- The NACC conducted audits, physical and financial controls in public services and of projects financed by public funds. It received 2,407 complaints of corruption and related offences (embezzlement of public property or funds, violation of provisions governing public contracts, interest in an action, bribery, favouritism, influence peddling, unjustified enrichment, abuse of office, conflict of interest ...) as against 1,247 in 2011. It examined 2,347 as against 1,060 in 2011. At the end of the year, 371 complaints were pending preliminary inquiry.

B: Ministry of Supreme State Audit (CONSUPE)

319- The Ministry of Supreme State Audit received denunciations and carried out control missions. Besides, the Permanent Secretariat of the Financial and Budgetary Disciplinary Council (BFDC) held several sessions during which sanctions were taken.

1) Denunciations

320- In 2012, the Ministry of Supreme State Audit received 73 denunciations against 37 Councils, 13 Public Institutions and Enterprises of the Public and Semi-Public sector, 6 School and University institutions, 3 hospitals and health centres, 8 projects, and 5 personalities.

2) Control Missions

321- In the 2012 financial year, the Ministry of Supreme State Audit carried out 13 control missions in the following institutions: LABOGENIE, former REGIFERCAM, National Investment Corporation (NIC), Cameroon National Ports Authority (CNPA), Higher Teacher Training College, Maroua, National Produce Marketing Board (NPMB), Forest Returns Security Programme (FRSP), Road Returns Security Programme (RRSP), Programme "Global Alliance for Vaccine and Immunization" (GAVI) /MINSANTE Programme and in the Sangmelima, Moloundou, Bertoua and Yokadouma Councils.

322- In the same year, 6 Reports were forwarded to the Presidency of the Republic on completion of controls carried out in structures such as SNI/CIMENCAM, Ports

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Authority, Douala (PAD) II, Programme "Global Alliance for Vaccine and Immunization" (GAVI)/MINSANTE Programme, Cameroon Postal Services (CAMPOST), Chamber of Agriculture, Fisheries, Animal Husbandry and Forestry of Cameroon (CAPEF), and the National Employment Fund (NEF).

3) Activities of the BFDC

323- The BFDC conducted intense activities in 2012, almost tripling the number of its sessions to 38 from 10 in 2011 and 14 in 2010. This drive had a positive impact on the number of decisions delivered, some of which were published or appealed against, and a relative impact on the number of files received and examined.

a) Files Received and Examined

324- The Permanent Secretariat of the BFDC received 13 files in 2012. After examination of pending files, 53 decisions to sue some vote holders and managers before the BFDC were taken. The Table below outlines progress in the number of files examined by that institution from 2009 to 2012.

Table 1: Number of case files examined by the BFDC from 2009 to 2012

Year	2009	2010	2011	2012	Total
Files examined					
Number of case files received	7	10	17	13	47
Number of adjournments	20	19	191	53	283
Number of sessions held	19	14	09	38	80

Source: BFDC

b) Decisions Delivered

325- At the end of the 38 hearings by the BFDC, several sanctions were taken including setting debit balance jointly with special fines against 20 accused, special fines against 4 accused, partial acquittal of one accused together with a special fine, and acquittal of 3 accused for non-established mismanagement.

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326- The sum of these pecuniary awards stands at CFA 793, 674, 329⁶⁸, that is CFA 29, 200, 000⁶⁹ as special fines and CFA764,474,329⁷⁰ as debit balance. This amount represents about 6 times the value of sanctions of the previous year which stood at CFA130,485,069⁷¹.

327- The decisions and the appeals taken against some of them are summarized in the Table below:

Table 2: Decisions delivered by the BFDC in 2012

No.	Accused	Function	Date of Hearing	Decision delivered	Appeal before the Administrative Bench of the Supreme Court
1	SAMATANA Marc	General Manager of SEMRY	2 nd March	Debit balance of CFA 31, 569, 035 ⁷² and special Fine of CFA 1, 000, 000 ⁷³	
2	AMOUGOU Marcel	Ex-Mayor of Mbangassina Rural Council	27 March	Debit balance of CFA1, 955, 300 ⁷⁴ and Special Fine of CFA1, 000, 000 ⁷⁵	
3	TSINYA ABANDA Jean	Mayor of Nguélémendouka Rural Council		Debit balance of CFA6, 787, 380 ⁷⁶ and Special Fine of CFA2, 000, 000 ⁷⁷	Appeal for annulment
4	Charles METOUCK	General Manager of SONARA	4 April	Case adjourned	
5	Evelyne MARTIN	Director of Human Resources of SONARA		Special Fine of CFA300, 000 ⁷⁸	
6	LEFET DJINGOER	Divisional Delegate of Mines, Water and Energy for Mayo Tsanaga		Debit balance of CFA105, 000 ⁷⁹ and special fine of de CFA200 000 ⁸⁰	
7	BIZVEDE Jean	Principal of the Zouvoul Secondary School		Acquitted	
8	EKOBO Jean Fernand	Former Director of the Regional Hospital, Ebolowa		Debit balance of CFA12, 098, 407 ⁸¹ and Special Fine of CFA1, 000, 000 ⁸²	Application for stay of execution
9	TABI MANGA Jean	Vice-Chancellor, University of Yaounde II-SOA	11 June	Debit balance of CFA66, 661, 187 ⁸³	Application for stay of execution

⁶⁸About 1,211,716.53 Euros

⁶⁹About 44,580.15 Euros

⁷⁰About 1,167,136.38 Euros

⁷¹About 199,213.85 Euros

⁷²About 48,197Euros

⁷³About 1,526.71 Euros

⁷⁴About 2,985.19 Euros

⁷⁵ About 1,526.71 Euros

⁷⁶About 10,362.42 Euros

⁷⁷About 3,053. 43 Euros

⁷⁸About 458.01 Euros

⁷⁹About 160.30 Euros

⁸⁰About 305.34 Euros

⁸¹About 18,470.85 Euros

⁸²About 1,526.71 Euros

⁸³About 10,177.27Euros

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No.	Accused	Function	Date Hearing	Decision delivered	Appeal before the Administrative Bench of the Supreme Court
		of Yaounde II-SOA			
12	NDOUDOU MOU Jean Jacques	General Manager of the Public Contracts Regulatory Board		Debit balance : CFA62, 674, 378 ⁸⁸ , Obligation to recover CFA358, 734, 440 ⁸⁹ Special Fine: CFA2, 000, 000 ⁹⁰	Application for stay of execution
13	LIFANDA Samuel EBIAMA	Former Government Delegate to the Limbe Urban Council		Debit balance: CFA 162, 395, 764 ⁹¹ Special Fine: CFA2, 000, 000 ⁹²	Application for stay of execution
14	PRISO MOKOSSA Simon	Former Head of the Planning Service at the Limbe Urban Council		Debit balance : CFA2, 812, 801 ⁹³ Special Fine: CFA500, 000 ⁹⁴	
15	Edward KWASE DUSE Athony	Former President of the Limbe Tenders Board		Special Fine: CFA1, 000, 000 ⁹⁵	
16	NYIME LYONGA Casimir	Director of the Technical Services, Limbe Urban Council		Debit balance: CFA20, 026, 957 ⁹⁶ Special Fine: CFA1, 000, 000 ⁹⁷	
17	DJEME GREDAK	Head of Accounting and Computer Service at SEMRY		Debit balance: CFA2, 752, 385 ⁹⁸ Special Fine: CFA200, 000 ⁹⁹	
18	YADJI KAMI	Head of the Hydrocarbons Section at SEMRY		Acquitted	
19	TCHINDJI Regina	Former Specialised Finance Controller at the PCRB		Debit balance: CFA 49, 901, 245 ¹⁰⁰ Special Fine: CFA1, 000, 000 ¹⁰¹	

⁸⁴About 248,352.82 Euros

⁸⁵About 3,053.44 Euros

⁸⁶About 156,664.11 Euros2

⁸⁷About 3,053.44 Euros

⁸⁸About 95,686.071euros

⁸⁹About 547, 686.16 Euros

⁹⁰About 3,053.44 Euros

⁹¹About 1,247,932.46 Euros

⁹²About 3,053.44 Euros

⁹³About 4,294.35 Euros

⁹⁴About 763.35 Euros

⁹⁵About 1,526.71 Euros

⁹⁶About 30,575.50 Euros

⁹⁷About 1,526.71 Euros

⁹⁸About 4,202.11 Euros

⁹⁹About 3,05, 34 Euros

¹⁰⁰About 76,185.10 Euros

¹⁰¹About 1,526.71 Euros

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No.	Accused	Function	Date of Hearing	Decision delivered	Appeal before the Administrative Bench of the Supreme Court
20	NGAKOU Maurice	Specialised Finance Controller at the ARMP		Debit balance: CFA13, 463, 000 ¹⁰² Special Fine: CFA1, 000, 000 ¹⁰³	
21	MBIWAN CHAFFU	Senior Divisional Officer of Faro and Déo Division	5 September	Acquitted	
22	NDAME MOUDOUR OU	Senior Divisional Officer of Mayo Louti Division		Special Fine: CFA1, 000, 000 ¹⁰⁴	
23	NTA BITANG Carole	Former Regional Service Head of Heritage		Debit balance: CFA4, 164, 426 ¹⁰⁵ Special Fine: CFA 500, 000 ¹⁰⁶	
24	NKOLO TSALA	Former Divisional Delegate of Public Works for Mfoundi Division		Debit balance: CFA2, 451, 572 ¹⁰⁷ Special Fine: CFA500, 000 ¹⁰⁸	
25	NGOLO NGAMA	Government Delegate to the Nkongsamba Special Council	2 October	Partial Acquittal Special Fine: CFA2, 000, 000 ¹⁰⁹	
26	NIWA LONG OTHON	General Manager of the National Civil Engineering Equipment Board (MATGENIE)	3 October	Debit balance: CFA4, 358, 605 ¹¹⁰ Special Fine: CFA1, 500, 000 ¹¹¹	
27	NDZANA Firmin	Regional Head of MATGENIE Branch for the Centre Region		Special Fine: CFA500, 000 ¹¹²	

¹⁰²About 20,554.19 Euros.

¹⁰³About 1,526.71 Euros

¹⁰⁴About 1,526.71 Euros

¹⁰⁵About 6,357.90 Euros

¹⁰⁶About 763.35 Euros

¹⁰⁷About 3,742.85 Euros

¹⁰⁸About 763.35 Euros

¹⁰⁹About 3,053.44 Euros

¹¹⁰About 1,526.71 Euros

¹¹¹About 6,654.35 Euros

¹¹²About 763.35 Euros.

¹¹³24,598.47

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No.	Accused	Function	Date of Hearing	Decision delivered	Appeal before the Administ
28	NOUMSI Benjamin	Regional Head of the MATGENIE Branch for the Littoral Region		Debit balance: CFA16,112, 000 ¹¹³ Special Fine: CFA1, 000, 000 ¹¹⁴	
29	TAKAM Jean Marie	Former General Manager of MATGENIE		Debit balance: CFA43, 898, 793 ¹¹⁵ Special Fine: CFA1, 000, 000 ¹¹⁶	

Source: MINCONSUPE

328- In accordance with the provisions of Section 10 of Law No. 74/18 of 5 December 1974 as amended by Law No. 76/4 of 8 July 1976, fair procedure is respected in the examination of cases including the obligation for the prosecuting party to produce evidence, the adversarial principle which has repeatedly justified adjournments for the appearance of suspects and the right of defence with the possibility of being assisted by counsel. Moreover, this body deliberates only in the presence of all its members and at the majority of the vote cast.

329- Apart from these decisions, case files were referred to other institutions: 19 to MINJUSTICE as complaint on behalf of the State and 9 to the Audit Bench of the Supreme Court owing to the status of public accountants of the persons concerned.

C: Audit Bench of the Supreme Court

330- In 2012, the Audit Bench of the Supreme Court audited public accounts through judicial and administrative controls and continued to assist and advise Government in order to improve book-keeping and discipline among accountants.

¹¹³About 24,598.47 Euros

¹¹⁴About 1,526.71 Euros

¹¹⁵About 67,021.05 Euros

¹¹⁶About 1,526.71 Euros

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1) Judicial Control

331- Judicial control is to check not only the regularity of financial transactions, but also to ensure that the public accountant has carried out all controls and other tasks which they are legally required to perform in the exercise of their duties. Such control that is focused on figures, documents and incidentally carried out on the spot is however conditioned by the production for review of accounts by certified or de facto public accountants within the prescribed time.

332- In 2012, 504 public accountants among whom 13 Senior Treasury Accountants, 97 Accounting Officers from public administrative institutions, and 394 Council Revenue Collectors rendered account for their management to the Audit Bench of the Supreme Court.

333- On the basis of the accounts produced before that Court as at 31 December 2012, including those from previous years not controlled as at that date, the Audit Bench delivered 268 judgments of which 93 were final.

334- The major irregularities recorded in the judgments that had become enforceable and which generally resulted in the conviction to debit balance of the public accountants concerned from EPAs or Regional and Local Authorities include among others:

- failure to comply with the regulations in budget management;
- payment of expenses without approved supporting documents;
- payment of undue benefits or without legal basis;
- cash advances not settled; and
- failure to comply with the Code of contracts...

335- The financial loss resulting from such irregularities and corresponding to the total amount of debit balances was estimated at CFA 870,668,535¹¹⁷ in 2012.

336- In the same year, accountants who failed to produce timely management accounts were ordered to pay CFA 26, 620, 000¹¹⁸. This justified the need for continuous education on the relevance of auditing public accounts through seminars organised for this purpose in the 10 Regions for Judicial and Legal Officers and Council Revenue Collectors.

¹¹⁷About 1 327 339.32 Euros

¹¹⁸About 40,641.22 Euros

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2) Administrative Control

337- In 2012, the Audit Bench entertained jurisdiction to control the accounts of 67 public and semi-public enterprises which resulted in 10 preliminary observation reports and 4 final observation reports. The final observation reports were on the accounts of the following enterprises: *Compagnie Industrielle du Bois du Cameroun* (ECAM PLACAGES SA) and *Unité des Traitements Agricoles par Voie Aérienne* (UTAVA) for the 2004 to 2007 financial years on the one hand, and Cameroon Mineral Water Company (SEMC) and the *Société Hôtelière de l'Est* (MANSA HOTEL) for the 2004-2005 financial years on the other hand. This represented a market capital of nearly CFA 2,653,030,000¹¹⁹.

338- The observations made in these last 4 reports reflect various types of irregularities deriving for the most part from the non-conformity of the statutes of these companies with the legal provisions governing them, notably the lack of social organs to ensure company governance (general assembly, auditors). Other irregularities relate to non compliance with the Public Contracts Code, payment of expenses without approved supporting documents or doubtful documents, unreliable financial statements leading to the payment of unearned dividends or which may lead to avoiding the alarm procedure and finally granting undeserved benefits to leaders.

3) Assistance and Counsel

339- The Audit Bench provided assistance and counsel to both the Executive and Parliament.

a) Assistance to the Executive

340- Assistance to the Executive was essentially through the participation of the Audit Bench in deliberations of the permanent Consultative Framework MINFI-Audit Bench. Deliberations focused on the following thrusts:

- drawing up of a list of supporting documents on revenues and expenditures;
- reviewing of the 1987 Decree on benefits granted leaders of EPA;
- organization at the Ministry of Finance of a special tax claim collection campaign which brought the sum of CFA 5,336,481,226 ¹²⁰into the State coffers and a mission for auditing deposit accounts in the centralizing accounting offices; and
- cleaning of the balance of Treasury accounts.

¹¹⁹ About 4,050,427.48 Euros

¹²⁰ About 8,147,229.58 Euros.

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341- In addition, the Audit Bench produced its 2010 Annual Report, which gives the President of the Republic, the Speaker of the National Assembly and the President of the Senate, an account of “... *the general outcome of its deliberations and comments on the necessary reforms to be made and how to improve book-keeping and discipline among Accounting officers*”.

b) Assistance and Counsel to the National Assembly

342- In addition to giving an opinion on the settlement Bill of the State budget, the Audit Bench worked in collaboration with the National Assembly within the framework of forums of exchanges.

i) Opinion on the Settlement Bill of the 2011 Financial Year

343- On 13 November 2012, the Audit Bench gave its opinion on the settlement Bill of the 2011 financial year. Thus, the financial court had the occasion to make a number of observations during the review of the execution of the State budget concerned.

344- The Audit Bench noted that although obstacles still exist in the effective implementation of the financial system of the State enshrined in Law No. 2007/6 of 26 December 2007 with regard to form, the content of the settlement Bill has improved as compared to previous years. However, the Court underlined that the absence of “*statements of balances to be recovered*” undermines the reliability of the said Bill.

345- As to the merits, besides the satisfactory rate of execution of the budget in income and expenditure, the Audit Bench noted that the non-application of some regulations has led to the establishment of unreliable budget and accounting statements.

346- This concerns the following aspects: abnormal balances of some accounts, poor balance carryover to the 2011 financial year, closing balances for the financial year 2010 of financial statements of some property of classes 3 to 5 which undermine the sincerity of the settlement Bill.

347- This is particularly so with the budget balance which showed an excess of CFA77,503,303,331¹²¹ as recorded in the settlement Bill. But after having been examined and verified by the Audit Bench, it was reduced to CFA 28,553,739,658¹²² for non regularization of the transactions charged in the provisional accounts, before the end of the 2011 financial year.

¹²¹About 118 154 285.12 Euros

¹²²About 43 530 360.02 Euros

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ii) Exchange Forums

348- In June and November 2012, the Audit Bench held 2 exchange forums with the Finance and Budget Committee of the National Assembly.

349- In June, the Audit Bench made two presentations before the said Committee. First, it presented its 2010 Annual Report. In its second paper titled *"The Audit Bench and the prospect of the entry into force of Law No. 2007/6 of 26 December 2007 to lay down the Financial System of the State,"* the Audit Bench pointed out the financial implications of this law on the change over from an audit of regularity or compliance to an audit of performance, and built Parliament's information capacity in financial and budgetary matters.

350- In November, the 2 institutions discussed the legal and financial aspects of decentralization before assessing the implementation of the recommendations of forums held in previous years.

§ 3: Detection

351- The capacity of persons responsible for detection was enhanced in order to increase the effectiveness of operations which could be facilitated through information exchange. In this regard, cooperation among institutions was strengthened throughout the year.

A: Capacity Building

352- The Ministry of Justice and the Bâle Institute on Governance organized from 9 to 13 January 2012 in Kribi, under cooperation between Switzerland and Cameroon, a seminar on *"Judicial Cooperation, the fight against misappropriation of public funds, money laundering and corruption"*. The seminar brought together 27 professionals representing the Judiciary (Chancellery, Supreme Court through the Audit Bench, Courts of Appeal and trial courts), the Presidency of the Republic through MINCONSUPE, ANIF, NACC, DGSN, SED, and DGRE.

353- Besides, ANIF organized from 1 to 2 November in Douala, a seminar to sensitize Bureaux de change and money changers on the fight against money laundering and the financing of terrorism. It further coordinated the training seminar for officials from the Ministry of Justice, Gendarmerie, Police, Customs and ANIF, on *"techniques of financial investigation with regard to money laundering related to the illegal trafficking of migrants"*, organized from 8 to 10 May 2012 by the United Nations Office against Drugs and Crime (UNODC).

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354- Moreover, some CONAC and Government officials were trained in techniques of research, investigation, fight against corruption and money laundering in two sessions by the Central Service for the Prevention of Corruption in France (SCPC), from 11 to 15 June 2012 in Yaounde under the aegis of the CONAC. Another seminar bringing together stakeholders from Government and the civil society was held from 4 to 7 December 2012 on the prevention and punishment of corruption.

B: Operational Activities

355- ANIF received 153 declarations of suspicion and referred 44 case files to the competent Legal Departments.

356- For its part, CONAC through its Rapid Intervention Office (RIO), conducted 31 field visits that revealed cases of flagrante delicto of false pretences and corruption committed by State employees against some users.

C: Strengthening of Cooperation between Institutions

357- On 28 June 2012, ANIF and MINCONSUPE signed a cooperation agreement on the exchange of information, expertise and sharing of experiences in the domain of fighting against corruption, embezzlement of funds, misappropriation of public property, money laundering and financing of terrorism.

358- ANIF also helped to upgrade similar bodies involved in the fight against corruption in Gabon and Chad.

§ 4: Drive to intensify Repression

359- The drive to intensify repression against corruption and embezzlement of public funds was reflected in particular by strengthening the system of repression through the effective establishment of the SCC which has reinforced the momentum already undertaken by other criminal courts.

A: Special Criminal Court (SCC)

360- The first solemn session of the SCC was held on 15 October 2012. This court, with 2 modern court rooms with a capacity of 150 seats each held its first ordinary session on Monday 12 November 2012 with the Case "The People and Cameroon Civil Aviation Authority vs. NTONGO ONGUENE Roger and Yves Michel FOTSO, both accused of complicity in embezzlement of public funds"¹²³.

¹²³In this case which was determined on 31 January 2013 by Judgment No. 002/CRIM/TCS, the Prosecution withdrew counts of indictment against Yves Michel Fotso as the latter paid into the Public Treasury the sum of CFA 230,000,000. The co-defendant, NTONGO ONGUENE, was found guilty of misappropriation of public funds. He was convicted and sentenced to 12 years imprisonment and to pay damages in the sum of CFA 570 708, and CFA 30,000,000. The period of imprisonment for default of payment was fixed at 5 years. The forfeitures under Section 30 of the Penal Code were passed against him for a period of 10 years.

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361- As part of capacity building of staff of the SCC, 4 Examining Magistrates attended a seminar on economic and financial investigation at the National School of Magistracy, Paris from 12 to 23 November 2012. In the same vein, the President, the Procureur General, 1 Vice-President and 2 Advocates General at the said Court attended a Seminar on detection and the prosecution of acts of corruption from 10 to 15 December 2012 in the same School.

362- In conformity with the legal provisions,¹²⁴ the courts which adjudicated on proceedings now under the jurisdiction of the SCC were asked to transfer same to the latter. In total, 52 case files were as at 31 December 2012 transmitted to the said Court, consisting of 5 complaints with civil claims, 15 cases for preliminary inquiry and 32 cases for hearing.

363- An analysis of the quality of profile of litigants brought before the said court reveals a diversity of same among whom former members of Government, General Managers of State Corporations, top Government Officials, top banking officials, the poor and petty thieves like those who stole communication cables belonging to the *Cameroon Telecommunications Company (CAMTEL)*. The matter *The People and CAMTEL vs. Djibril TRAORE* was the first to be heard and determined by the SCC. As a matter of fact, pursuant to Judgment No. 001/CRIM/TCS of 21 November 2012, Djibril TRAORE was convicted and sentenced to 12 years imprisonment, ordered to pay general damages to the sum of CFA 76,751,568¹²⁵ and special damages in the sum of CFA 2,000,000¹²⁶. The period for imprisonment in default of payment was fixed at 18 months.

364- One of the main reasons of the reform that led to the creation of the SCC is the refund of misappropriated funds, and statistical returns available as at 31 December 2012 showed that the total sum of CFA 253,900,000¹²⁷ were repaid by 2 defendants namely, Yves Michel FOTSO who refunded CFA 230,000,000¹²⁸ and MVONDO NYINA Barthelemy¹²⁹ who refunded CFA 23,900,000.¹³⁰

¹²⁴See Law No. 2011/27 of 14 December 2011 to lay down Judicial Organization and Law No. 2011/28 of 14 December 2011 to set up a Special Criminal Court as amended by the Law of 16 July 2012.

¹²⁵About 17,177.96 Euros

¹²⁶About 3,053.43 Euros

¹²⁷About 387,633.50 Euros

¹²⁸About 351,145.03 Euros

¹²⁹As at 1 April 2013, there has been a significant increase in the rate of reimbursement of misappropriated funds with the total amount standing at CFA 2,247,156,013.

¹³⁰About 36,488.54 Euros

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B: Other Repressive Courts

365- The punishment of misappropriation of public property and other connected offences continued both before ordinary law courts and military tribunals.

1)- Ordinary Law Courts

366- The Tables hereunder indicate repression before ordinary law courts.

Table 3: Corruption

	Number of proceedings	of Number convictions	of Number of Release/ acquittal
CFI ¹³¹	13	05	01
CA ¹³²	13	02	02

Source: MINJUSTICE

Table 4: Misappropriation of Public Property

	Number of proceedings	of Number of convictions	of Number of Release/ acquittal /no case ruling
CFI			
HC ¹³³	242	40	20
CA ¹³⁴	246	43	23

Source: MINJUSTICE

2) Military Tribunals

367- The activity of military tribunals in matters of repression of misappropriation of public funds and other connected offences is reflected in the Table hereunder:

¹³¹ Data from 9 CFIs of the South, Littoral, West, Centre, Far North Regions

¹³² Data from 9 Courts of Appeal excluding that of the South West Region

¹³³ Data from HCs of the South, North, Far North East, North West, Littoral, West, and Centre Regions

¹³⁴ Data from 9 Courts of Appeal excluding that of the South West Region

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Table 5: Proceedings before Military Tribunals

Offence	Number of cases under preliminary inquiry	Number of cases ready for trial	Number of convictions	Number of Release/acquittal/no case ruling
Corruption	4 ¹³⁵	2 ¹³⁶		
Misappropriation of public Property	1 ¹³⁷	5 ¹³⁸		
Concussion	4 ¹³⁹	10 ¹⁴⁰	2 ¹⁴¹	
Favouritism	1	1 ¹⁴²		
Ultra vires	12 ¹⁴³	12 ¹⁴⁴	2 ¹⁴⁵	1 ¹⁴⁶

Source: MINDEF

* *

*

368- Considering the above, Government continued to take actions to eradicate misappropriation of public funds. However, much remains to be done as long as the fight against corruption, misappropriation of public funds and other kindred offences that have become real scourges, requiring efforts and vigilance from everyone.

¹³⁵ Data from MT, Garoua (2), MT, Bafoussam (2)

¹³⁶ Data from MT, Buea (1), MT, Bafoussam (1)

¹³⁷ Data from MT, Garoua (1)

¹³⁸ Data from MT, Yaounde (4 cases with 12 accused persons), MT, Garoua (1)

¹³⁹ Data from MT, Yaounde (3 cases with 5 accused persons), MT, Garoua (1 case with 2 accused persons)

¹⁴⁰ Data from MT, Yaounde (4), MT, Bafoussam (3 cases with 4 accused, MT, Buea (3)

¹⁴¹ 1 judgment from MT, Bafoussam

¹⁴² Data from MT, Garoua (1)

¹⁴³ Data from MT, Yaounde (6 cases with 9 accused), MT, Bafoussam (5), MT, Garoua (2 with 3 accused)

¹⁴⁴ Data from MT, Yaounde (4 cases with 5 accused), MT, Bafoussam (5 cases with 10 accused, MT, Buea (1 case with 5 accused).

¹⁴⁵ Data from MT, Bafoussam

¹⁴⁶ Data from MT, Bafoussam

Chapter 2

RIGHT TO EDUCATION



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369- As in previous years, the right to education was implemented in 2012 through actions at the level of Basic, Secondary and Higher Education.

SECTION 1: BASIC EDUCATION

370- Actions taken in 2012 to guarantee basic education for all consisted in increasing the offer of education, improving the quality of education, implementing specific measures in favour of girls and children from indigenous and underprivileged families, and strengthening management and governance of the sector.

§1: Increase in the Offer of Education

371- The offer of education increased with the construction and equipment of several schools with funding from the public investment budget. Similarly, several other institutions were supplied with various facilities through the involvement of NGOs and other development partners. Besides, human resources in this sector were strengthened.

A: Building and Equipping of Schools

372- This involved:

- construction of 30 nurseries, 683 classrooms, 10 fences in public schools, 4 Regional Delegations, 8 District Inspectorates for Basic Education, 10 reception houses for teachers with 8 of them in the areas of Lake Chad and Bakassi;
- equipment of 30 nursery units with 1,200 small tables, 3,600 small chairs, 180 blackboards with easels and 30 tables for teachers;
- equipment of 10 classrooms with 200 small tables, 800 small chairs, 60 blackboards with easels, 10 tables for teachers; 683 classrooms with the same number of tables for teachers, 22,220 benches and 300 micro science kits;
- acquisition of 2 canoes with life jackets for the Bakassi and Makombe District Inspectorates for Basic Education;
- refurbishing of 10 kindergartens;
- construction of 100 latrines; and
- connection of 15 public schools to the AES-Sonel and CAMWATER networks.

373- Although the major part of these investments was made under the Public Investment Budget (PIB), the support of development partners cannot be undermined.

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B: Support by Development Partners

374- In 2012, the Ministry of Basic Education (MINEDUB) received various and multifaceted support within the framework of bilateral and multilateral cooperation, particularly with the Governments of Japan, France, China, Turkey, the Islamist Development Bank, the World Bank, UNICEF and the World Food Programme (WFP). Partnership actions were conducted internally with the Chantal BIYA Foundation and the "*Chantal BIYA*" *International Referral Centre* abbreviated (CIRCB).

375- Despite numerous efforts, a deficit in infrastructure was noted throughout the nation at the last school re-openi.

C: Human Resources

376- During the 2011/2012 academic year, 3,916,435 pupils enrolled in primary and nursery education in 20,183 public and private schools, under the supervision of 94,258 teachers.

§2: Quality of Education

377- Effective education quality improvement continued through syllabus enhancement and the consolidation of school evaluation achievements.

A: Syllabus Enhancement

378- Significant progress has been made in teaching Programmes. This can be observed with the introduction of national languages courses in the syllabus, the teaching of Human Rights, the consolidation of the school health Programme and the organization of the National Forum on Textbooks and teaching Aids.

1) National Languages

379- The introduction of national language courses in primary education is an irreversible option by Government. To strengthen this policy, a Memorandum of Understanding between Cameroon and the International Organization of the Francophonie (OIF) was signed on 24 January 2012 in Bamako, Mali, on the funding of the "*School Initiative and National Languages in Africa*" (ELAN-AFRIQUE) *Project which is experimenting the teaching of 4 Cameroonian languages in primary schools namely: Foufouldé, Ewondo, Duala and Mendumba. This option was given consideration on 21 February 2012, during the celebration of the World Day of the Mother Tongue, under the theme "Mother tongue instruction and inclusive education".*

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380- Besides, to support this policy, several training workshops were organized with the involvement of development partners.

381- Under the aegis of the OIF and MINEDUB, a sub-regional workshop organized from 27 February to 2 March 2012 in Yaounde brought together the focal points of the above-mentioned project from Benin, Burkina Faso, Burundi, Mali, Niger, Senegal, the Democratic Republic of Congo, and Cameroon, to build the capacity of stakeholders with a view to enabling the establishment of the foundations needed to develop a national language policy for these countries.

382- In the same vein, it is worth noting that Yaounde hosted on 29 November 2012 a Validation Workshop of the Action Plan of the (ELAN- AFRIQUE) Project which aims, in accordance with the guidelines of UNESCO, OIF, the AU and the Association for the Development of Education in Africa, at developing partnership between international languages and African languages with a view to ensuring a better integration of African cultures into African education systems. Such courses are envisaged on an experimental basis in 150 pilot primary schools¹⁴⁷.

2) Teaching of Human Rights

383- With regard to the teaching of Human Rights, two activities could be noted:

- organization on 23 and 24 February 2012 in Yaounde, of a national workshop for capacity building of supervisors and teachers on the use of educational tools introducing education on Human Rights in the primary schools of Cameroon; and
- launching in December 2012 of the impact evaluation of the pilot phase of integrating courses on human rights in primary schools in the 7 Southern Regions¹⁴⁸ of the country, with the support of the UNDP, and NCHRF.

3) School Health Programme

384- In 2012, a review was made of the activities carried out annually and jointly since 2007 by the Ministry of Basic Education and the Ministry of Health. About 6.5 million school-age children were de-wormed, of which 3.4 million were by the Ministry of Basic Education.

¹⁴⁷The experiment shall become effective from the 2013/2014 academic year.

¹⁴⁸The assessment of this Programme in the 3 Northern Regions is envisaged during the first quarter of 2013. The results of the first phase are under scrutiny with regard to the 7 Southern Regions. This marks the end of the pilot phase of the course with the prospect of its introduction in all the primary schools of the country.

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385- It is worthy of note that 29 workshops for the training of teachers on the EVF/EMP/HIV-AIDS Curriculum was organized with the support of the National Aids Control Committee (NACC).

386- In order to promote a better management policy of diseases affecting children of school age, units for HIV/AIDS prevention and control, monitoring of the *Helminthiasis* Project in schools, cholera prevention and control in schools, and monitoring the "Hand washing with Soap" project, continued to carry out their activities in order to preserve the health of young pupils. Bucco-dental hygiene campaigns were added to such initiatives.

4) National Forum on Textbooks and Teaching Aids

387- Government was concerned about the shortage of textbooks noted at the beginning of the 2011/2012 academic year.

388- In this connection, MINEDUB, in collaboration with MINESEC, MINEFOP and MINESUP held, the National Forum on School Textbooks and other Teaching Materials in Yaounde from 27 to 28 December 2012.

389- Deliberations of the Forum focused on how to make textbooks accessible and available. Challenges related to cost, distribution and marketing of textbooks and other teaching materials were the main issues discussed at the said Meeting.

B: Achievements in Educational Evaluation

390- Consolidating the achievements in educational evaluation could be noticed at several levels. These are performances recorded at the 2012 examination sessions, resumption of issuance of certificates, improving indicators on the coverage and output in the primary education cycle respective.

1) 2012 Examinations

391- The results obtained in the primary education exams show a significant improvement in the performance of learners for the 2011/2012 academic year, as compared to the 2010/2011 academic year and as indicated in the Table below.

¹⁴⁸The assessment of this Programme in the 3 Northern Regions is envisaged during the first quarter of 2013. The results of the first phase are under scrutiny with regard to the 7 Southern Regions. This marks the end of the pilot phase of the course with the prospect of its introduction in all the primary schools of the country.

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392- As an illustration therefore, the results recorded at the “Certificat d’Etudes Primaires” have evolved by 4.55%; those of the First School Leaving Certificate increased by 3.11%, while the Common Entrance recorded an increase of 5.15%.

Table 1: Statistics of Results of Official Exams: 2011 and 2012

Sessions		Official Exams and Competitive Exams		
		CEP	FSLC	Common Entrance
2011	Registered	266,730	88,835	59,132
	SAT	260,529	87,835	58,634
	Passed	202,754	74,541	50,634
	percentage pass	77.83 %	85.50%	86.37%
2012	Registered	279,091	89,719	66,202
	SAT	274,262	88,816	65,497
	Passed	212,430	76,941	53,397
	percentage pass	78.54%	87.17%	78.51%
Evolution	Registered	+ 12,361	+ 884	-22,633
	Passed	+ 9,676	+2,400	+2,753
	Percentage pass	+ 4.55%	+3.11%	+5.15

Source: MINEDUB

2) Resumption of Issuance of Certificates

393- The issuance of certificates resumed in 2012 with 773,993 secured certificates of CEP, FSLC, and CAPIEMP for the 2009 sessions issued.

Table 2: Distribution of Certificates per type of Examination

Examination	Certificates issued
CEP	604,394
FSLC	141,389
CAPIEMP	28,210
TOTAL	774,002

Source: MINEDUB

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3) Improving Indicators of Coverage and Output for the Pre-school and Primary Education Cycle

394- The Table below presents indicator trends showing efforts made by Government to meet required thresholds set for universal primary school education till 2015.

Table 3: General Prominent Indicators

Indicators	Situation in 2012	Projected situation in 2015
Completion rate in the PEZ	59%	66%
National completion rate in Primary schools	72%	78%
Literacy rate	71.9%	75%
Pre-School attendance rate	28.8%	31.4%
Rate of uncertainty	43%	40%

Source : MINEDUB

395- School attendance indicators were improved in 2012 both at the preschool and at the primary education levels. However, it would be wise to collect information on:

- the number of pupils in pre-schools and primary schools in 2012;
- the number of teachers in both public and private schools in 2012; and
- the teacher /pupil ratio in 2012.

§3: Specific Measures for Girls and Children from Indigenous and Underprivileged Families

396- Specific measures were taken to facilitate access to primary education for girls, for children from indigenous and underprivileged families and for Children from Priority Education Areas.

A: Specific Measures for Girls

397- As part of assistance to students from underprivileged Regions of the Adamawa, North and Far North Regions, specific actions were taken in favour of girls through food rations that were distributed to them with WFP support. This special support was given to 3,778 girls.

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398- In addition to meals in the canteen, girls from class 4 to class 6 received take away rations, that is, 50 kgs of grain at the end of each quarter, in order to encourage parents to let them complete primary school education

B: Measures for Children from Indigenous and Underprivileged Families

399- These include:

- issuing 1,800 birth certificates to vulnerable children;
- reintegrating 1,832 school drop-outs among whom were 1,100 girls, that is, 60% of the total figure; and
- strengthening awareness campaigns in pockets of low school attendance so as to arouse the interest of communities in the education of all children, especially girls.

C: Measures for Children from Priority Education Zones

400- Several actions are carried out in favour of the populations from under-educated areas also known as Priority Education Zones (PEZ). Such measures relate to granting of scholarships and opening of school canteens in the PEZ.

1) Granting Scholarships

401- The granting of scholarships to students from PEZ, which started in 2009, continued in 2012 with an increase over the years. Therefore, over the last three school years 13,500 scholarships were awarded to students from such areas, that is CFA10,000 for each child, amounting to CFA 135,000,000¹⁴⁹ for the "Certificat d'Etudes Primaires" (CEP), examination and the Competitive Entrance Examination into Form One of General and Technical Education.

The Table below illustrates progress in this respect.

Table 4: Statistics relating to scholarships granted

Indicators	2009-2010	2010-2011	2011-2012
Number of scholarships granted	2000	2500	9000
Gender Percentage	80% of girls, 20% of boys	60% of girls, 40% of boys	60% of girls, 40% of boys
Number of beneficiary Schools	300	40	320

Source : MINEDUB

¹⁴⁹ About 206,106.87 Euros

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402- It should also be noted that Government, in partnership with development partners, distributed school packs to students from under-scholarised areas like the Adamawa, East, North and Far North Regions during the same period. The distribution was uneven. In total, 8,500 packages of which 6,500 school packages and 2,000 attractive packages were distributed in 660 schools over 3 academic years as indicated in the table below:

Table 5: Statistics on Books granted

Indicators	School years		
	2009-2010	2010-2011	2011-2012
Number of school packages	2,000	2,500	2,000
Number of attractive packages	00	00	00
Number of beneficiary schools	300	40	320

Source: MINEDUB

2) School Canteens

403- School canteens were instituted in schools by MINEDUB in collaboration with the WFP. The relevant statistical data over the last three years are as follows:

Table 6: Number of schools assisted by the WFP

Regions	2009	2010	2011	2012
Adamawa	62	62	27	28
Far North	81	81	36	36
North	103	103	45	45
Total	246	246	108	109

Source: MINEDUB

404- The above Table shows that since 2010, the implementation of this Programme has been facing several challenges such as the underfunding of projects by the WFP, the latter having decided to reduce the number of aided schools from 246 in 2010 to 108 in 2011 and then to 109 in 2012.

Table 7: Number of students who received meals

Regions	2009	2010	2011	2012
Adamawa	11,757	12,670	6,000	6,104
North	18,825	20,775	8,641	8,988
Far North	27,056	29,241	10,783	10,783
Total	57,638	62,686	25,424	25,875

Source: MINEDUB

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405- It appears from the above Table that the number of pupils who were beneficiaries of school feeding increased from 57,638 in 2009 to 62,686 in 2010, 25,424 in 2011 and 25,875 in 2012.

§ 4: Management and Governance of the Basic Education Sector

406- The following actions concerning the fight against corruption and illegal schools were undertaken to strengthen management and governance of the basic education sector.

A: Fight against Corruption

407- MINEDUB installed control brigades in the 10 Regions of the country for purposes of preventing, identifying and punishing all acts of corruption likely to be committed, and which undermine the principle of free education in public primary schools. Following some control missions, officials suspected of various acts of corruption were punished.

408- In the Centre Region, 9 school officials were removed from office for collecting PTA (Parents Teachers Association) fees and refusing to observe the principle of free registration. In the North Region, 5 school officials were dismissed from office for the same reasons and 1 received a warning.

B: Fighting illegal schools

409- In 2012, 829 schools in 5 Regions were identified as illegal for failing to show the required documents. Consequently, they were forbidden from operating. They appear as indicated in the Table below:

Table 8: Statistics on illegal schools

No	Regions	Absence of establishment and opening declaration	Absence of opening declaration	Total
1	Centre	114	32	146
2	Littoral	114	21	135
3	North West	361	0	361
4	West	59	0	59
5	South West	128	0	128
Total		776	53	829

Source: MINEDUB

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SECTION 2: SECONDARY EDUCATION

410- 2012 was the last year in the 2008 to 2012 period that conferred on the education system the objectives of improving the performance of structures for the training of youths and for ensuring better balance between training and employment. Decree No. 2012/267 of 12 June 2012 to organize the Ministry of Secondary Education brought an innovation with the advent of an Inspectorate of Pedagogy responsible for School Orientation and Life on the one hand, and a Department of School Orientation, Life, and Assistance on the other hand.

411- Actions taken at the level of secondary education were related to improving access to education, the quality of educational services and governance.

§ 1: Access to Education

412- The School Map which was drawn up on the basis of indicators on the public and private offer of education was improved in 2012. The extension of the school map continued to be characterized, among others, by the need to ensure balance between training and employment that significantly increased the offer of education in the field of technical education. The Table hereunder showing the division of public and private schools per region and per type of education reflects the improvement referred to above. The number of Schools rose from 2,879 in 2010/2011 academic year to 3,147 in 2011/2012 academic year all types of education included.

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Table 9: Distribution of public and private schools per region and type of education

Regions	ESG	ETP	Mixed	ENIEG	ENIET	Jointly
Adamawa	83	12	1	6	0	102
Centre	518	131	61	33	3	746
East	91	33	5	3	0	132
Far North	211	31	0	6	0	248
Littoral	259	47	108	8	1	423
North	100	21	1	4	0	126
North West	310	84	15	11	3	423
West	281	88	39	11	0	419
South	136	43	9	5	0	193
South West	268	52	5	10	0	335
Total	2,257	542	244	97	7	3,147

Source: MINESEC

413- During the 2011/2012 academic year, the number of classrooms also increased to 21,296 in the public sector and 14,989 in the private sector, as against 19,817 and 12,153 in 2011 respectively.

Table 10: Number of students per region and per gender

Regions	Public			Private			Public + Private		
	Girls	Boys	Total	Girls	Boys	Total	Girls	Boys	Total
Adamawa	14,966	28,238	43,204	2,962	3,698	6,660	17,928	31,936	49,864
Centre	113,667	128,078	241,745	61,169	57,621	118,790	174,836	185,699	360,535
East	19,876	28,925	48,801	4,134	4,432	8,566	24,010	33,357	57,367
Far North	38,040	95,768	133,808	2,511	3,747	6,258	40,551	99,515	140,066
Littoral	73,275	78,765	152,040	75,833	74,829	150,662	149,108	153,594	302,702
North	30,009	60,286	90,295	3,046	3,869	6,915	33,055	64,155	97,210
North West	72,136	75,475	147,611	26,215	21,997	48,212	98,351	97,472	195,823
West	109,727	112,083	221,810	27,562	29,079	56,641	137,289	141,162	278,451
South	32,549	39,832	72,381	4,708	5,619	10,327	37,257	45,451	82,708
South West	50,522	57,790	108,312	22,203	18,211	40,414	72,725	76,001	148,726
Nation-wide	554 767	705 240	1 260 007	230 343	223,102	453,445	785,110	928,342	1, 713, 452

Source: MINESEC

414- It is important to note that the numbers have generally evolved as they went from 1,574,452 in 2010/2011, with 716,605 girls and 857,847 boys to 1,713,452 in 2011/2012, with 785,110 girls and 928,342 boys. An increase in the reception capacity encouraged students to choose technical education.

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415- To ensure that education is financially affordable, measures were taken to achieve greater accountability of School Boards and educational communities in the sector of public education. In this wise, a circular was issued to instruct that all costs other than the prescribed fees payable should be subject to the approval of School Boards.

§ 2: Quality of Educational Services

416- The quality of educational services may be appreciated through human and financial resources and the results of various examinations.

A: Human and Financial Resources

417- The number of secondary school teachers continued to grow with a substantial batch of graduates from various training schools who were put at the disposal of the regional delegations as shown in the Table below:

Table 11: Posting of Teachers to the Regional Delegations

Region	Graduates from ENS Bambili, Maroua and Yaounde					Graduates from ENSET Bambili and Douala		Graduates from INJS and CENAJES		TOTAL
	PCEG	PLEG	COO	PENIA	PENI	PCET	PLET	PEPS PAEPS MPEP S	Youth and Animation Officers	
Adamawa	238	109	14	5	13	67	49	27	1	523
Centre	422	335	38	7	30	86	75	83	5	1 081
East	383	201	12	4	12	56	28	25	1	722
Far North	550	245	14	8	12	59	31	30	1	950
Littoral	173	129	07	4	16	111	81	55	2	578
North	246	119	12	4	12	60	39	28	1	521
North West	356	225	04	1	16	138	59	45	1	845
West	398	295	14	8	15	70	48	51	1	900
South	369	233	22	10	13	61	28	34	1	771
South West	159	98	13	1	11	111	46	31	1	471
TOTAL	3294	1989	150	52	150	819	484	409	15	7 362

Source: MINESEC

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418- However, this number of teachers did not help curb the deficit so as to reach the national teacher/student ratio of one teacher for 60 students in the first cycle, and one teacher for 50 students in the 2nd cycle. In practice, it is sometimes observed that there are still ratios of one teacher for 120 students and 17,729 part-time teachers were still employed in public education.

419- Continuing education for teachers is provided through the organization of educational days by the General Inspectorate of Education and the organization of various courses or seminars.

420- With regard to the improvement of the living conditions of teachers, those of the Sports and Physical Education sector also receive the same allowances (teaching, evaluation and documentation bonuses) as their colleagues of other sectors since 2012.

421- With regard to financial resources, the budgetary allocation evolved between 2011 and 2012. It thus increased from CFA142,078,000,000¹⁵⁰ to CFA160,830,000,000¹⁵¹. The running budget increased from CFA129,878,000,000¹⁵² to CFA 141,730,000,000¹⁵³. As for investment, it stood for the 2 years at CFA 12,200,000,000¹⁵⁴ and CFA 19 100,000,000¹⁵⁵ respectively. Approximately 11.11% of students received additional support from the State.

B: Examination Results

422- For the 2012 examinations session, MINESEC recorded an increase of 88,980 candidates in absolute value and 10.06% in relative value. This session was particularly marked by two major events, namely:

- transfer to MINESEC of the organization of examinations and competitive examinations into teachers training colleges, notably CAPIEMP and the competitive entrance examination into ENIEG; and
- expeditious holding of a special session of BEPC for 2,411 candidates from 12 sub-examination centres whose examination papers were burnt following the fire that destroyed the administrative block of the Government High School Mora, Far North Region.

¹⁵⁰About 260,083.9 Euros

¹⁵¹About 302,436 Euros

¹⁵²About 198 287 022 90 Euros

¹⁵³About 216 381 679, 38 Euros

¹⁵⁴About 15,267.15 Euros

¹⁵⁵About 19,241.06 Euros

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423- Compliance with the examinations and competitive entrance examinations schedule further confirmed that effective services were done in the prescribed time. Almost all the results were published within the deadline of 31 July 2012.

424- The results recorded are globally presented in the Table below:

Table 12: Summary of examination results

Institution	Registered	SAT	Absent	Passed	% 2012	% 2011	Gap
DECC	489,127	478,503	10,621	251,259	46.77	58.21	- 11.44
GCE Board	142,813	131,065	11,748	60,741	43.29	52.41	-9.12
OBC	306,092	300,066	5,739	129,555	35.59	39.11	-3.52
Total	938,032	909,634	28,108	441,555	41.88	47.36	-5.48

Source: MINESEC

425- Despite efforts by Government, all 3 bodies responsible for the management of examinations noticed a drop in performance. Nonetheless, each retained its previous ranking. Overall performance dropped from 47.36% in 2011 to 41.88 % in 2012.

§ 3: Governance and the fight against Corruption

426- Within the framework of corruption control, habits and attitudes contrary to governance were first identified. Recurrent variables identified were: scamming, extortion, buying of students enrolment or recruitment vacancies, trafficking of marks, undue payment of some fees or materials the most recent of which is the institution of "building fees", embezzlement of funds, subcontracting or the retention of registration files for official examinations, the unlawful collection of pay vouchers, and tampering with ages at the FENASSCO games.

427- Some remedial strategies are implemented such as awareness raising, educational support, inspections, investigations subsequent to reports of certain facts, capacity building of managers and staff, and sanctions. They cover the following areas: administration, finance, official and competitive examinations, post and extracurricular activities.

428- Many actions are taken to eradicate this multifaceted scourge. The balance-sheet of the 2011 and 2012 financial years indicates, *inter alia*:

- 5 sensitization campaigns;
- 3 audits on the progress of services;
- 23 cases of various malpractices punished;
- 18 officials dismissed from office; and
- 12 staff or third parties under prosecution.

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429- In addition, it should be noted that 507 teachers and other staff were under unauthorized absence in 2012. The Ministry of Finance has been called upon to suspend their salaries.

SECTION 3: HIGHER EDUCATION

430- Improvement of the offer in training and quality, and the living conditions of members of the university community were the major concerns of MINESUP in 2012.

§1: Improving the Offer in training and providing Quality Education

431- The offer in training improved drastically thanks to:

- 1- the development of vocational courses in universities in consideration of labour market demand;
- 2- the creation of Cameroon-Congo Inter-State University with head office in Ouessou (Congo) and Sangmelima (Cameroon). This new cross-border higher education institution will provide training in courses based on the local realities of the settlement areas ¹⁵⁶;
- 3- the setting up of a Distance Education Centre attached to the Ministry of Higher Education to ensure the further training of administrative staff ¹⁵⁷;
- 4- the establishment within the Ministry of Higher Education of the following structures:

Department of Accreditation and Quality responsible for defining and drawing up the standards for quality insurance and for ensuring their implementation in Higher Education;

Department of Coordination of Academic Activities and Compared Systems; Department of Studies, Statistics and Planning for the development of a better vision of the quality of expenditure in the sub-sector of Higher Education ¹⁵⁸ ;

5- continuation of construction and rehabilitation of university infrastructure, especially within the framework of the Support Programme for the Technological and Vocational Component of Higher Education;

6- equipment of several laboratories of robotics, mechatronics, mechanical-engineering and electronics of *High-Tech Center* at the National Higher Polytechnic School as the University Free Zone (UFZ) will go operational in April 2012 ¹⁵⁹;

7- exponential increase of Private Higher Education Institutions (IPES), raising the number to about 136 in 2012 ¹⁶⁰.

¹⁵⁶ Convention signed on 12 December 2012 in Yaounde (Source: DCRU/DAJ-MINESUP.

¹⁵⁷Source: CT1-MINESUP.

¹⁵⁸See Decree No. 2012/433 of 1 October 2012 to organize the Ministry of Higher Education.

¹⁵⁹Source: CT1- MINESUP

¹⁶⁰Source: DDES-MINESUP-The Action Newspaper of March 2013.

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§2: Improving the Living Conditions of Members of the University Community

432- The operation involved students, lecturers, and support staff.

A: Students

433- Students benefitted from the facilities listed below:

- Bonuses for academic excellence:

- approximately 72,000 best students from State Universities and Private Institutions of Higher Education (PIHE) received in 2012 the excellence bonus for the 2011 academic year.

- Cooperation Scholarships and supplement awards:

- approximately 78 students received cooperation scholarships, taking the number to approximately 506 among which 428 already received cooperation scholarships from friendly countries.

- Grants, special assistance, holiday training jobs from the Work Study Programme:

- MINESUP continued the policy of granting support to students in genuine need: 22 cases of Cameroonians at home and 780 cases of Cameroonians living abroad. 700 students benefitted from holiday jobs and 150 from the Work Study Programme.

- Socio cultural and sporting activities

These involve the organization of days of academic and professional guidance which recorded about 17,073 visitors, and the 15th edition of the Buea University Games from 5 to 12 May 2012 to promote *Peace and Fair Play* in the Students of State Universities and Private Institutions of Higher Education (PIHE).

B: Lecturers

434- Mention can be made of the fact that:

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- the card-index for the teaching staff who received the allowance for updating research as well as other specific supports for research was strengthened; lecturers recruited as part of the Special Public Service Recruitment Exercise of 25,000 and who met the Higher Education requirements were attended to; and
- 2 annual sessions of CCIU to promote higher education lecturers were organized.

C: Support Staff

435- Pursuant to Decree No. 2012/031 of 13 January 2012 fixing the amount and terms of payment of allowances and bonuses to the support staff of public universities, the arrears of such allowances and bonuses due the said staff were cleared.

436- Furthermore, various and specific support were allocated to female staff of MINESUP and State Universities on 8 March 2012 and capacity building of staff continued.

437- However, considering the complex and diverse social pressures, many challenges are still to be taken up for the effective implementation of Human Rights in the Higher Education Sector.

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438- Several instruments were published in 2012 by Government in order to ensure that the right to education is effective, considering its permanent determination to lay emphasis on quality education and the need to extend the school map.

439- However, taking into account the imbalance noted in the distribution of infrastructure, malfunctioning in posting of staff and resumption of corruption in schools, efforts are still to be made to improve good governance in this sector.



Chapter 3

RIGHT TO HEALTH



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440- The Ministry of Public Health (MOH) with a budget of CFA151,420,000,000¹⁶¹ in 2012 and supported by many partners, consolidated and improved performance in its 4 priority programmes including mother, child and adolescent health, disease control and health promotion, servicing of health districts as well as governance and improved working conditions.

SECTION I: MOTHER, CHILD AND ADOLESCENT HEALTH

441- As part of the programme, the Government took several measures in accordance with the spirit of the Accelerated Maternal Mortality Reduction Campaign in Africa, initiated by the African Union. Similarly, the objectives of the GESP in this sector are particularly significant and seek to reduce:

- disease infections among the poor and most vulnerable populations by 1/3;
- mortality of children under 5 years by 2/3; and
- maternal mortality by 3/4.

§1: Maternal Health

442- The programme aims at reducing maternal mortality based on the indicators mentioned above.

443- capacity building of 1,538 health workers in different reproductive health areas; such as Mother-child transmission prevention, Emergency neonatal and obstetrics care and integrated management of child diseases;

- increased attendance in 60 health facilities in the 3 Northern Regions through obstetric kits pre-positioning, the costs of which have been harmonized to CFA 6,000¹⁶² for childbirth and CFA 40,000¹⁶³ for caesarean section, as well as, the extension of this pre-positioning strategy in the South Region in the third quarter of 2012;
- construction and equipment of 8 "mother and child" wards;
- opening of 2 midwifery schools in Maroua and Douala;
- rate of births attended by skilled health personnel increased from 40 % to 49.90 %; that is, 228,876 out of 458,703 targeted deliveries;
- organization of free obstetric fistula care campaigns for 96 patients with 40 at CHUY and 56 in Maroua; and
- enhancing mother to child HIV transmission prevention resulting in a screening rate of 67% of the 407,736 targeted pregnant women.

¹⁶¹About 231,175,572 Euros

¹⁶²About 9.16 Euros

¹⁶³About 61.06 Euros

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§2: Child Health

444- The programme aims at reducing infant and child mortality given the indications of GESP. The following results were recorded as at 31 December 2012 and reflect the effectiveness of the means used to achieve the goal:

- strengthening routine immunization with 532,586 children vaccinated out of the expected 645,583 given a penta 3 national immunization coverage rate (which is the antigen tracer) of 82.5% slightly higher than the rate recorded during the same period in 2011;
- organization of a mass vaccination campaign against measles with 3,597,752 children of 9 to 59 months immunized representing an immunization coverage (IC) of 102.7% in the whole country. However, there was a resurgence of measles epidemic in the Far North resulting in 2,257 patients in April 2012 and 7 deaths;
- organization of a vaccination campaign against yellow fever for 1,132,472 children aged 9 months and adults, excluding pregnant women and seriously sick people targeted in 8 health districts in the North Region, 1,170,258 people were vaccinated, representing an IC of 103%;
- organization of 4 rounds of local immunization days against polio in the Northern Regions, particularly high-risk areas, systematically exceeding the target of 1,742,868 children under the age of 5 years; and
- of a total of 774,669 children expected, 646,677 children aged 0 to 11 months have received their third dose of anti-Diphtheria, Tetanus, Pertussis, Haemophilus and Hepatitis B vaccine giving an immunization coverage of 83.47% The annual target of 88% set at the beginning of the year has not been attained because of the lack of immunization activities.

445- These routine immunization rounds associated with mass campaigns against measles, meningococcal meningitis A and polio, have helped reduce the morbidity and mortality associated with these diseases.

446- As regards food, 1/3 of children aged 0 to 5 years continued to suffer from chronic malnutrition and 60% of them were anaemic despite efforts by the MOH to continue to promote breastfeeding. Almost all children are certainly breastfed 97 %. However, only 20 % of them are exclusively breastfed until the age of 6 months.

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447- The following actions have been taken to improve this situation:

- continuation of the food fortification programme launched in September 2011; and
- administration of vitamin A to children 6 to 59 months old and women in immediate postpartum during the Maternal and Child Nutrition Health Actions Weeks organized every year.

448- Other Government actions comprise medical care of street children including adolescents.

§3: Adolescent Health

449- This specific area is of concern to the MOH under which an adolescent health service has been opened at the Sub-Department of Reproductive Health.

450- In 2012, the Department continued to reduce the number of unwanted pregnancies and young people exposed to sexually transmitted infections and HIV. Premature fertility still remains high with a rate of 127% among 15 to 19 year olds and 1 adolescent in 4 has already started her reproductive life. 21% had at least 1 child and 4% were pregnant with a first child.

451- Several programmes and services target the prevention and treatment of youth health problems. 6 ministries implement programmes for this group: MOH, MINJEC, MINPROFF, MINESUP, MINEDUB, and MINESSEC.

452- Some NGOs also support Government action such as African Action on Aids which has established a programme to promote academic success for vulnerable adolescents exposed to HIV¹⁶⁴.

453- The mental health of adolescents is also a crucial issue often linked to drug and alcohol consumption. The combination of Government and civil society action aims at preventing and combating these factors. Thus, information, education and communication activities in areas such as drug and alcohol consumption control especially among young people are organized regularly on the media for public awareness on health issues.

454- Besides these actions targeting some categories of persons, progress has been made in disease control and health promotion.

SECTION 2: DISEASE CONTROL AND HEALTH PROMOTION

455- The objective in this area is to reduce disease infection among the poor and the most vulnerable populations. Efforts to control disease are distinguished from health promotion achievements.

¹⁶⁴See chapter on vulnerable persons §778 et seq.

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A: Disease Control

456- Transmissible diseases declined significantly in 2012. Disease control against neglected tropical diseases and mental health guarantee also continued.

1) Transmissible Diseases

457- Government and its civil society partners focused their actions on AIDS, malaria, and tuberculosis control

a) AIDS Control

458- The aims of GESP include reducing HIV/AIDS prevalence by 50%. In 2012, focus was on educating people on HIV infection prevention especially with the help of 20 community radio stations.

459- The MOH continued free care for people living with HIV (PLWHA). Of the 120,000 targeted PLWHA, 117,541 were treated free of charge with anti-retroviral (ARV) as at 31 October 2012 including 4.1% of children under 15 years.

460- Out of 180,009 pregnant women, 12,386 were screened for HIV and some tested positive giving a seropositive rate of 6.9%. This is an improvement compared to the average rate of 7.8 % in 2011. Their prophylactic ARV treatment corresponds to a coverage rate of 52.5%, representing 6,508 pregnant women screened for HIV. During the same period, 2,656 HIV- positive eligible pregnant women received free ARVs.

461- At the institutional level, Decree No. 2012/249 of 31 May 2012 to set up and lay down the organization and functioning of the Chantal BIYA International Referral Centre for Research on the Prevention and Management of HIV/AIDS established the legal framework of the institution.

b) Malaria Control

462- The objective of GESP is to reduce malaria-related death rate to less than 10% by 2035.

463- The disease still accounts for 50% of admissions in health facilities. However, with the free distribution of insecticidal nets (MILDA) as universal coverage with support from the Global Fund for Malaria Control, a general reduction in the number of malaria cases was recorded throughout 2012 as compared to the same period in 2011.

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464- The following can be noted:

- reduction from 29% in malaria-related morbidity in the overall population between January and August 2011 to 27.1% from January to August 2012;
- drop in malaria-related morbidity in children under 5 years from 44.7% from January to August 2011 to 41.1% from January to August 2012;
- fall in malaria-related morbidity in pregnant women from 13.1% between January and August 2011 to 11.8% between January and August 2012; and
- decrease in the total number of malaria-related deaths during the period January to August 2011 (2,569 cases) and January to August 2012 (2,124 cases).

465- In addition, the MOH provided:

- free treatment of uncomplicated malaria for 276,488 children under 5 years out of 220,000 expected;
- distribution of 262,775 MILDA throughout the country and to pregnant women in particular at antenatal consultation clinics; and
- supply of health facilities with 2,052,525 Rapid Diagnostic Tests (RDTs), 395,475 doses of ACT and 985,000 tablets of sulfadoxine-pyrimethamine.

c) Tuberculosis

466- In 2012, 25 000 TB diagnosed cases were treated free of charge with a healing rate of 80% against 78% in 2011.

467- The following results were recorded during the reference year:

- screening cost remained heavily subsidized and maintained at CFA1,000¹⁶⁵;
- free biological diagnosis of cases of multi-resistant TB and alternative TB treatment were effective with the support of the Global Fund and GIZ;
- the diagnostic capabilities of 3 referral laboratories in Yaounde (Centre Pasteur), Douala (Regional Delegation of Public Health) and Bamenda (Regional Hospital) have been improved with the acquisition of molecular technologies for TB diagnosis;
- intensifying tuberculosis prevention and treatment in prisons by organizing screening campaigns and systematic examination of new prisoners¹⁶⁶;

¹⁶⁵About 1.52 Euros

¹⁶⁶For prisoners' right to health see Part Three, § 740 et seq.

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- constructing a ward for the management of cases of multi-resistant tuberculosis at the Regional Hospital, Bamenda; and
- acquisition through the HIPC Fund of 135 ordinary microscopes for Tuberculosis Diagnosis and Treatment Centres (CDT).

468- Alongside control of these diseases, efforts have been undertaken by MOH to control non-endemic diseases. A strategic plan to control non-communicable diseases like diabetes and hypertension was adopted. Awareness and free screening as well as treatment campaigns were organized in 2012.

d) Cholera Control

469- It should be noted that the 5 Cholera Control and Coordination Centres set up in 2010 were upgraded to Regional Centres for Prevention and Control of Epidemics. The centres include Bafoussam, Buea, Douala, Maroua and Yaounde for greater response. In January 2012, a multi-sectoral team comprising the MOH, MINNEE and MINCOM with financial support from UNICEF visited Maga in Mayo-Danay Division to raise awareness.

470- The cholera epidemic has been controlled with only 125 suspect cases registered on 31 December 2012. These included 4 deaths for a mortality rate of 3.2% compared to 23,152 cases reported in 2011 with a fatality rate of 3.6%

471- Ultimately, the outcome of the combined efforts of Government and civil society in cholera control has been satisfactory in 2012.

2) Control of Neglected Tropical Diseases

472- It was marked in 2012 by the launching of the new Master Plan to Control Neglected Tropical Diseases for the period 2012 to 2016. The new strategy implemented is the integration of mass drug distribution and intensification of support cases.

473- Regarding preventive chemoprophylaxis, onchocerciasis and lymphatic filariasis, 4,188,000 people were treated representing 90 % of the cases envisaged.

474- Pertaining to blindness, non-subsidized cataract surgery was performed on 14,000 patients. Conversely, 915 were free of charge, and 2,100 trachoma patients were treated free of charge in the 8 endemic Health Districts in the Far North Region.

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475- As at 31 October 2012, 259 cases of Buruli Ulcer were treated free of charge. 493 leprosy cases that were equally recorded are being treated free of charge. 14,118 persons were screened for Human African Trypanosomiasis out of which 7 reported cases were treated free of charge.

3) Mental Health

476- Mental health is no exception and it is integrated into primary health care especially in the East Region. It is worth noting that mental health services exist in Jamot Hospital, Yaounde, Laquintinie Hospital, Douala and in some private hospitals.

B: Health Promotion

477- Government continued to improve hygiene, waste management in hospitals and the deployment of the "Essential Nutrition Actions" method.

478- Thus, in 2012:

- 51 additional incinerators were acquired;
- 120 staff were trained in hospital hygiene and waste management;
- 9 of 23 targeted health facilities acquired a modern incinerator of which 5 are operational while 4 are awaiting the construction of shelters. The acquisitions were added to the 42 already operating electric modern incinerators and 40 gas incinerators pending customs clearance;
- operational hospital sanitary committees were set up in 20 of the 23 targeted health facilities (all regional hospitals and district hospitals in Yaounde and Douala) to maximize the use of incinerators and avoid trafficking in hospital waste .4 hospital waste treatment pools, 2 in Yaounde and 2 in Douala, are being set up;
- 16,000 latrines were built in 2,520 villages in the Adamawa, East, Far North and North Regions; and
- 2,000 sanitary kits were distributed and simple home water purification techniques disseminated. Water scarcity is nevertheless a vector for diseases and epidemics and Government's response is needed to remedy this situation as soon as possible.

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479- The capacity of staff was enhanced in 34 health districts of the 65 targeted districts in “Essential Nutrition Action¹⁶⁷” particularly in the Adamawa, East, Far North and North Regions.

480- In 2012, MOH obtained many achievements for health district services in the health sector.

SECTION 3: HEALTH DISTRICT DEVELOPMENT

481- The aim of this third programme is to upgrade 80% of health districts to the consolidation phase since it is observed that all health districts in the country are still at the development phase. To this end, Government has focused on enhancing human resources, healthcare, health facilities, drug policy and cooperation.

A: Enhancing Human Resources

482- In 2012:

- public sub-sector staff increased from 13,224 identified in 2011 to 16,224 as at 31 December 2012;
- 218 health workers, doctors, pharmacists and nurses were trained in HIV management through the Interuniversity Diploma ; and
- 2 surgeons, 2 anaesthetists and 2 nurses were trained in specialised centres in Europe (cardiac surgery).

483- The availability of human resources to provide quality and health care is a critical component for health district development.

B: Strengthening Healthcare Provision

484- Under the project to strengthen the provision of care and to develop local structures in 2012, Government accomplished the following:

- upgrading of 2 Regional Hospitals in Ayos and Kousseri following Order No.3040/A/MINSANTE of 13 August 2012 to upgrade a District Hospital to a Regional Hospital;
- setting up of 13 District Hospitals and 10 Health Districts in accordance with Order No. 3039/A/MINSANTE of 13 August 2012 to establish Health Districts; and

¹⁶⁷High quality packages for children and pregnant women for the promotion of breast feeding, feeding and nutrition for children, feeding and nutrition for young children, feeding of sick children, Vitamin A, iron and iodine supplement, nutrition for pregnant women and breast feeding and care for malnourished children.

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- upgrading of 23 Integrated Health Centres to Medical Centres pursuant to Order No. 3038/A/MINSANTE of 13 August 2012 to upgrade Integrated Health Centres to Medical Centres.

485- In addition, support for road accident victims improved with the supply of equipment to 4 new health centres along accident-prone areas and the training of local populations.

C: Health Infrastructure Development

486- On the whole, health infrastructure was enhanced.

487- Overall, achievements in 2012 include:

- construction of 60 new Integrated Health Centres (CSI) out of the 91 planned;
- effective equipment of 47 CSI;
- rehabilitation of 20 former CSI;
- construction of two mother and child wards nearing completion;
- construction of 10 boreholes in already completed CSIs and Sub-divisional Medical Centres (CMAs);
- completion of the rehabilitation of 2 CMAs out of the 3 envisioned; and
- setting up of 7 new Tuberculosis Treatment Centres, bringing their number to 230 in 180 health districts.

488- The construction of health referral facilities continued with the building of the Referral Hospital, Sangmelima, Obstetrics and Gynaecology Paediatrics Hospital, Douala and the National Emergency Centre, Yaounde. The main work is completed and equipment are being bought.

489- Technical and administrative work prior to the launching of construction works for the Referral Hospitals in Garoua and Bamenda are well advanced. For the first project, financing is being negotiated with the Korean Cooperation. For the second, the Declaration of the use of the site for public purpose was signed on 25 May 2012 and Government is negotiating financing with the Chinese Cooperation.

D: Medication Policy

490- The drug policy phase led to the signing of the MOH-Partners, GIZ, AFD Agreement and implementation of Regional Funds for Health Promotion (FRPS), operating as Public Interest Groups (GIP), to improve drug availability in health

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facilities. In addition, 25 licenses were granted to private local drug manufacturing, distribution and medical supplies pharmaceutical companies. This resulted in a real drive in local drugs production which significantly improved the drug supply system.

491- To ensure the population's access to drugs, Government in recent years took many measures to partially or fully grant certain therapeutic classes including ARVs, anti-TB and anti malarial paediatrics. MOH signed 2 agreements to supply, at a reduced cost of nearly 40%, drugs for the treatment of hepatitis C (Hoffman La Roche Laboratory) and the free care of diabetes in young children under 18 years (Laboratory Novo Nordisk).

492- In addition, ongoing negotiations are conducted with laboratories to reduce the cost of drugs sold in the country. Between 2011 and 2012, prices of more than 700 drugs dropped.

493- Steps were also taken to ensure better quality drug supply to people. Besides Government initiatives to seize and destroy street drugs worth CFA 3, 933, 205, 365¹⁶⁸ between 2010 and 2012 through conventional operations, the civil society supported MOH efforts to intensify control in this domain.

494- The organization, "*Nouveaux Droits de l'Homme-Cameroun*", in particular was very involved in 2012 in partnership with "*Association Solutions Cameroun*", in raising awareness of the dangers of counterfeit drugs. Thus, an information campaign, television and radio programmes and seminars with 21 women organizations in the Centre Region made it possible to reach more than 10,000 people. Similarly, public awareness through national and international fairs contributed to the fight against the phenomenon and an appeal was made to public authorities in this regard. The Embassy of the United States of America in Cameroon, the Ministry of Commerce, the Pharmacists Council of Cameroon, the National Medical Ethics Committee and the Consumers' Association were involved in all these activities.

E: Cooperation

495- Cooperation was carried out at the national and international levels.

1) National Level

496- At the national level, the MOH developed a strategic and technical partnership with other ministries such as MINDEF, the DGSN (through their

¹⁶⁸About 5,996,196.91 Euros

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health service), MINJUSTICE (through Penitentiary Administration), MINPROFF, MINEDUB, MINESEC, MINAS, MINJEC and MINTSS. The multi-sectoral nature of health requires cohesive Government action.

497- Besides, an effective partnership network comprising non-profit-making national networks run at the community level by civil society organizations (NGOs and Associations) has been set up. Thus, to improve mother and child health, the private Islamic Hospital, Bamare and the private Nurses School, Garoua respectively received financial support worth CFA 100,000,000¹⁶⁹ and CFA 200,000,000¹⁷⁰.

2) International Level

498- During the period 2009-2012, Government's efforts were enhanced by the development of health partnerships resulting in the:

- intensification and diversification of areas of intervention with key bilateral partners (Germany, France, China, USA, Turkey, and others);
- consolidation of relations with key global initiatives (Global Fund, GAVI, IHP + UNITAID and others) ensuing from the renewed interest of the international community in health issues and culminating in the large effective mobilization of international funding to support its key public health programmes; and
- structuring of a real partnership network consisting of private national non-profit-making networks run at the community level by many civil society organizations (NGOs and associations).

499- The deployment has enabled Cameroon to receive substantial funding for HIV, malaria, tuberculosis control, and for the Expanded Immunization Programme.

500- Government received financial support worth CFA 324,000,000¹⁷¹ for malaria care.

501- However, the State budget remains the main source of health financing, covering about 73% of total expenditures.

502- Technical cooperation with these partners led to substantial progress at all levels of the health pyramid. Apart from the technical assistance for the training of medical personnel, cooperation took place in various fields.

¹⁶⁹About 152,671.75 Euros

¹⁷⁰About 30,543.51 Euros

¹⁷¹About 4,984 61 Euros

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The health information system which, for example, is the mainstay of health sector management, benefited from the collaboration with development partners, through which the MOH started production of the first ever National Health Accounts. Harmonized data collection tools were developed, produced and made available to categories 1, 2 and 3 health facilities in all the Regions, and staff trained in their use.

503- A solution has been found regarding the availability of a regularly updated health map with the development of a health map managing tool in collaboration with the National Institute of Statistics.

SECTION 4 : GOVERNANCE AND IMPROVEMENT OF WORKING CONDITIONS

504- The programme focuses on governance in hospital and is interested in setting up an attractive health system to health workers and users.

505- To strengthen control and internal audit, the fight against corruption, and to clean up the sector, Government conducted several actions and obtained the following results in 2012:

- identification of 518 health centres and 7 clandestine training schools for health professionals. The procedure for closing them is in progress;
- carrying out 41 inspection and control of public hospitals, central services, programmes and health projects as well as 13 investigation missions following denunciations;
- intensification of the fight against corruption in the public health facilities with the development of remedies for patients in cases of abuse and conduct Rapid Initiatives Result;
- registration of 591 queries, complaints and denunciations at the Anti-corruption Unit in MOH, and adoption of 514 positive and negative disciplinary measures;
- provision of categories 1, 2, 3 and 4 hospital¹⁷² tariffs; and
- display of prices of essential drugs on the front of pharmacies and hospitals.

¹⁷²Hospital categories: Category 1: General or 4th referral hospitals; Category 2: Central or 3rd referral hospitals; Category 3: Regional or 2nd referral hospitals; Category 4: District or 1st referral hospitals.

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506- The package helped to improve the health sector in 2012 and thus ensured better care for the population even though many challenges remain in this area.

507- In addition, with growing insecurity in hospitals (theft of babies, rape of staff on duty, physical attacks and threats by users, vandalism and trafficking), Government adopted the following measures:

- control of entry and exit in maternities;
- gradual construction of fences around health facilities;
- drawing up of procedures for bringing in and taking out bodies from the mortuary; and
- drawing up of a draft order to regulate corpse management.

508- The combination of all these provisions and an increased budget strengthened the action of MOH and its partners.

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509- In 2012, the budget of MOH stood at CFA 151,420 billion¹⁷³ of which CFA84.5¹⁷⁴ billion was recurrent budget and CFA 66.9 billion¹⁷⁵ investment budget. Implementation of the recurrent budget is estimated at 96% and the investment budget at 60%. These figures reflect Government's drive to reverse disease indicator trends in Cameroon by deploying its efforts and achievement.

¹⁷³About 231175572Euros

¹⁷⁴About 129,007,633.58 Euros

¹⁷⁵About 102,404.58 Euros



Chapter 4

RIGHT TO ADEQUATE
STANDARD OF LIVING



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510- The right to adequate standard of living is one of the fundamental objectives of the Government aimed at ensuring the well-being of Cameroonians. Thus, in 2012, Government took concrete actions to ensure the promotion and protection of the right to adequate food, drinking water, energy, and housing.

SECTION 1: RIGHT TO ADEQUATE FOOD

511- Guaranteeing the right to adequate food can be assessed by the availability, accessibility and acceptability of foodstuffs. To improve these indicators, Government and social stakeholders took measures that had different outcomes.

§1: Availability of Foodstuffs

512- In order to ensure availability of foodstuffs, overall initiatives focused on improving factors of production and special attention was given to specific sectors.

A: Actions to Improve Factors of Production

513- In 2012, there was an increase in resources allocated to the agricultural sector and the determination to ensure greater access to land, the leading agricultural resource. The human factor was not overlooked as training was stepped up. Efforts were also made to guarantee production of quality seeds, essential for mass production.

1) Increased Resources

514- The public investment budget (PIB) of the 2 ministries that are mainly responsible for the implementation of agriculture policy was increased in 2012. Thus, the PIB of MINADER increased from CFA 39,033 billion¹⁷⁶ in 2011 to CFA 40,431 billion¹⁷⁷ in 2012 while MINEPIA's increased from CFA 9,768 billion¹⁷⁸ in 2011 to CFA 10,550 billion¹⁷⁹ in 2012.

515- Besides, development partners also contributed to step up these resources. MINEPAT, for example, signed 4 loan and grant allocation agreements with the French Development Agency (AFD) for the second phase of the Debt Reduction and Development Contract (C2D) for a total of some 325,000,000 Euros, about CFA 213.2 billion. The agreements include a project for the agriculture sector namely: Programme for the Enhancement of Smallholders Competitiveness (ACEFA). This project received both an AFD loan of some 27 million Euros (about CFA 17.7 billion) and a C2D grant of 58 million Euros (about CFA 38 billion). The beneficiaries of these projects are family farms, producer groups and professional organizations.

¹⁷⁶About 61,726,717 Euros

¹⁷⁷About 231, 175,572 Euros

¹⁷⁸About 59,592,366.41 Euros

¹⁷⁹About 14,912,977.09 Euros

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2) Access to Arable Land

516- Government adopted a national policy on large-scale sale of land as per Law No. 2011/8 of 6 March 2011 relating to guidance for the management and sustainable development of Cameroon's territory, whose implementation began in 2012. In this connection, Government led a reflection on the constitution of land reserves to respond adequately to an increasingly high, diverse and multifaceted demand. Mechanisms to strengthen protection of public land and preservation of national property were introduced.

517- Emphasis was laid on building surveys infrastructure and designing planning, development, and land use instruments. Experts and civil society representatives proposed a single survey for all natural resources exploitation permits and established an independent implementation monitoring mechanism for land concession contracts.

3) Agricultural Training

518- At the launch of the 2012 agriculture season, MINADER presented Government's programme that consisted in ensuring food security by intensifying youth training in agriculture. To this end, Government completed the construction and equipment of the Pilot Centre for the Application of Agricultural Technology, Nanga Eboko, fruit of Chinese cooperation. The centre hosts some 20 youths who learn rice and maize farming irrigation techniques.

519- Other Government efforts consisted in developing a Young Farmers Support Programme to facilitate their integration into the production circuit, by practising real sustainable agriculture. To this end, about CFA 40,000,000¹⁸⁰ were provided by Government to support 357 group projects by young farmers. In addition, 50 business projects for graduates of MINADER training schools were approved and financed.

520- A Support Programme for the Renovation and Development of Vocational Training in the agriculture, livestock and fishery sector was effectively established. The programme aims at meeting development challenges and vocational qualification of rural stakeholders so as to increase productivity in agriculture and livestock and develop agricultural activities. It provided training to future young farmers in 42 centres including 12 under MINADER, 7 under MINEPIA, 22 private centres and 1 denominational centre.

521- Government also trained 900 young primary school graduates and 150 supervisory staff to guide 18,200 producer organizations and monitor 23,700 production projects.

¹⁸⁰About 61,068.70 Euros

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522- The training programme for schools under MINADER and MINEPIA was expanded with the setting up, for the 2011/2012 academic year, of a Higher National Diploma for Development Consultants, Agricultural Entrepreneurs, Senior Infrastructure Technicians, Rural Equipment and Water Management Technicians. The first batch was comprised of 1,229 high school graduates.

523- The State allocated CFA 2.5 billion¹⁸¹ for the rehabilitation of the Agriculture Practising School, Binguela. Two cattle complete feed production units with a capacity of 2 tonnes per hour each were put into service. Stock production buildings consisting of 70 barns with a capacity of 3,000 birds and a pigsty with some 50 lodges were built. In view of the development of the "White Belt around Yaounde" project that rears chicken and pork, 600 young people are undergoing training in the school.

524- There are plans to construct an agriculture high school in Yabassi. The financing agreement worth some CFA 6,500,000,000¹⁸² was signed in 2012.

4) Quality Seed Availability

525- Government equally inspected 2,000 seed farms and 1,400 ha of nurseries for guaranteed quality seed and plant production of 3,030 tonnes of maize, 7,830,000 cassava cuttings, 497 tonnes of Irish potatoes, 2,546,673 cocoa seedlings, 390,652 coffee seedlings, 435,000 palm tree seedlings and 1,757,180 plantain suckers.

B: Development of Specific Sectors

526- Specific sectors like plant, animal or fishery production received incentives to increase production.

1) Plant Production Sectors

527- Some plant production sectors received incentives that increased their production level.

a) Sector Incentives

528- The following sectors were targeted:

- Rice Sector

529- Rice, maize and cassava production improvement is based on mechanized agriculture¹⁸³. It is thus expected that, under the "Rice-Cassava Programme Implementation Agreement", and the "Cassava" Agreement (PERIZ), the fallouts

¹⁸¹About 3,816,793.83 Euros

¹⁸²About 3,816,793.83 Euros

¹⁸³To this effect, on 20 April 2009, Government signed an Agreement with EXIM Bank India worth USD 37.67 million for the supply of mechanized equipment for rice, maize and cassava production.

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of Cameroon-India cooperation¹⁸⁴, at least 10,000 tractors and other accessories will be assembled. Further outcomes are the supply of civil engineering equipment, the subject of an agreement signed on 14 September 2012, cultivation of 5,000 hectares of rice and the construction of 5 agricultural mechanization pools. In 2012, 100 of the 704 assembled tractors were distributed. Some 3,800 spares were equally assembled.

530- Besides, in January 2012, South Korea offered agricultural equipment for the integrated irrigated rice pilot farm of Avangan in the Centre Region.

531- Efforts have equally been made in the sector to reduce import gap through the implementation of projects such as PRODERIP, which is the outcome of cooperation with Japan. The South Korean Government equally supported the Cameroon Government to produce rice in the Centre Region by supplying 14 mechanical appliances.

532- To increase the availability of this commodity, Government froze rice import taxes in 2012 to supplement local production estimated at about 160,000 tonnes.

- **Maize Sector**

533- In the maize sector, 1,440 tonnes of basic seeds were distributed to 453 multipliers, 137 tonnes of fertilizers distributed to farmers organizations and 180 seed growers were trained.

- **Irish Potato Sector**

534- In the potato sector, 170 producer groups received 173 tonnes of seeds, 289 tonnes of fertilizer and 222 phytosanitary treatment devices. In addition, 2 tractors were acquired for training.

- **Roots and Tubers Sector**

535- In this sector, producers received assistance through local support organizations in particular, that led to the development of 50 hectares of timber yard, distribution of 200,000 cassava cuttings from 15 improved varieties including 5 for the manufacture of starch, training 79 relay agents and 224 village committees, legalization of 134 simplified cooperative village committees, supply of 100 dipping equipment and 40 cassava processing equipment.

¹⁸⁴PERIZ was set up by Order No. 112/PM of 11 July 2012.

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- Plantain Sector

536- In the plantain sector, 2,230,500 suckers were produced for 1,859 ha, 12 tonnes of fertilizer distributed to nurseries, 1 seed farm was set up at the International Institute for Tropical Agriculture and 12 training sessions organized for producers.

- Mushroom Sector

537- In this sector, the training and installation of 9 young people enhanced promotion of this food stuff. Also, 7 mushroom nurseries were built and a fixed high pressure steriliser with a capacity of 100 litres acquired.

b) Production Increase

538- The Table below shows production increase in some agricultural products between 2011 and 2012.

Table 1: Production levels in 2011 and 2012

Crops	2011 Production (in tonnes)	2012 Production (in tonnes)	Growth Rate
Cacao	243,320	250,000	+2.7%
Arabica coffee	9,563	11,000	+15.1%
Robusta coffee	38,722	50,000	+29%
Cotton	185,000	230,000	+24.3%
Rubber (village plantations)	8,640	9,400	+8.7%
Millet/Sorghum	1,240,970	14,259,000	+14.9%
Paddy rice	174,089	181,800	+4.4%
Maize	1,572,067	1,810,300	+15.1%
Cassava	4,082,903	4,287,200	+5%
Palm oil	354,076	390,500	+10.3%
Plantain	3,425,757	3,569,300	+4.2%
Potato	196,687	210,000	+6.7%
Beans/groundnuts/bambara groundnut	1,060,000	1,170,000	+10.3%

Source: MINADER

2) Animal and Fisheries Sectors

a) Animal Sectors

- Cattle Sector

539- In 2012, beef production increased significantly from 102,964.46 tonnes in 2011 to 185,129.2 tonnes in 2012; that is, an increase of 82,164.74 tonnes in relative value. The sector, however, suffered significant losses because of floods in parts of the Far North and North Regions. Some 142 livestock were decimated resulting in the loss of 27.69 tonnes of meat.

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- Dairy Sector

540- In the dairy industry, domestic production in 2012 stood at 60,585 tonnes of milk, with 54,246 tonnes of cow milk and 6,339 tonnes of sheep milk. The production was achieved through:

- improving milk collection by equipping 2 milk collection points and making available 2 refrigeration tanks with a capacity of 500 litres each;
- equipping village butter churns with butter manufacturing equipment consisting of 4 electrical churns, 4 electrical separators, a manual churn and a manual separator;
- equipping with quality milk testing material such as acidimeters, lactodensimeters and thermometers; and
- capital grants for setting up 95 acres of feed-grade fields, 3 dairy barns and construction of 3 insemination corridors for genetic enhancement through the acquisition of exotic seeds and artificial insemination kits .

- Pig Sector

541- Production in the pig industry experienced significant increase from 2,919.18 tonnes in 2011 to 16,108 tonnes in 2012. This is due to several reform initiatives such as:

- production support through acquisition of 3,550 purebred piglets for 21 producer organizations specialized in fattening pig propagation;
- support for 58 fattening micro-projects;
- supporting the implementation of 2 brood stock farm projects; and
- strengthening the technical capacity of stakeholders, members of producer organizations.

542- However, the sector experienced disasters due to African swine fever which led to the culling of 6,668 pigs and flooding that led to the loss of 58 pigs in the newly restocked farms in the Far North Region. This translates into a loss of 538.08 tonnes of pork. Preventive measures have not yet allowed for restocking of devastated farms. Apart from the plague, red epidemic diseases strongly threaten this sector that equally faces other challenges such as difficult access to finance, high input costs, low productivity of local pig breeds, the lack of operating infrastructure and inflation due to the plague.

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- Poultry Sector

543- In 2012, 144,004 tonnes of poultry meat were produced, exceeding the initial target of 125,000 tonnes. This is the result of development activities in the sector that focused mainly on the following:

- vaccination of a large number (260,000-300,000 subjects) of local chicken;
- organization and capacity building of 5,211 new producers in 24 Divisions; and
- direct support to 40 producer groups, of which 16 women groups that received prefabricated barns in the Adamawa, North and Far North Regions, to improve habitat, brood stock and manufacture of home-made incubators.

544- However, the sector suffered significant losses due to heavy floods. Thus, 7,007 chickens were drowned, which corresponds to 12,610 tonnes of poultry meat lost.

545- Regarding the production of eggs for consumption, the goal was to produce about 20,400 tonnes in 2012. To this end, 27,221 tonnes of table eggs were produced, exceeding the limits of the proposed objectives.

- Small Ruminants Sector

546- The Small Ruminants Support Development Project received a grant of CFA 200 million¹⁸⁵ in 2012. Its activities focused on the consolidation of regional producers umbrella organizations implemented by the project since 2009. This is in order to facilitate production action notably, inputs acquisition, management of health intervention or marketing operations, organization of sector stakeholders into Common Initiative Groups (CIG), CIG Unions and Federation of CIGs at the Regional level. Thus, the project supported some 7,000 producers comprising 4,700 men and 2,300 women constituting 600 CIGs, 51 CIG unions and nine regional federations.

547- The project provided capital to producer organizations to facilitate the implementation of their project. Also, 25 producer organizations received support in capital worth CFA 50 million for the construction of barns. Some 110 producer organisations received support for the purchase of breeding stock for CFA 60 million¹⁸⁶. Some 79 organizations received support to develop feed-grade fields for a total of CFA 50 million.

¹⁸⁵About 305,343 Euros

¹⁸⁶About 91,609.05 Euros

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548- These actions increased the production of mutton and goat meat from 4,334,133 tonnes in 2011 to 24,083,862 tonnes with 17,371,812 tonnes of mutton and 6,712.05 tonnes of goat meat; that is, an increase of 19,749,729 tonnes in relative value.

549- However, the sector experienced significant losses due to floods in the northern part of the country that decimated 5,798 small ruminants, resulting in 231,920 tonnes of lost meat.

- Unconventional Livestock Production

550- Small-scale and sometimes experimental animal production are grouped under the “*unconventional livestock production*” sector. However, their animal protein intake should not be overlooked, especially since some species are the staple diet or a delicacy for some people. In 2012, the sector produced 104,306 tonnes, of which 40.05 tonnes of horse meat, 49.44 tonnes of donkey meat, 10.436 tonnes of dog meat, 0.678 tonnes of snail, 3.667 tonnes of guinea pig meat, 0.0294 tonnes of rabbit meat and 0.00647 tonnes of cane rats.

551- About 150 farmers were trained in the Adamawa, North and Far North Regions in modern rabbit breeding.

- Beekeeping

552- Honey production rose to 276,274 tonnes taking the 2012 annual production to 1,252,327 tonnes. In addition, Government intervention helped to consolidate Cameroon’s position as honey products exporter. It exported 53,952 tonnes of honey, 8.5 tonnes of wax, 0.268 tonnes of propolis and 5.8 kg of royal jelly to the EU.

b) Fisheries and Aquaculture Sectors

553- The supply of fishery products was intensified with the commissioning of 3 closed circuit fish production units in Foumban, Lagdo and Maroua in addition to the already operational unit in the Littoral Region with a capacity of 24 tonnes of fish per year.

- Aquaculture Sector

554- Initiatives for commercial aquaculture improved seed and fish production. In 2012, 1,001,098 fry were produced with 189,916 catfish and 811,182 tilapia; that is, an increase of 92,873 fry. The improvement is due to the commissioning of aquaculture stations in Kumba and Kombone. Fry Heterotis, “kanga” pre-magnification experiment was successfully carried out at the

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aquaculture station, Ebolowa. Activities on innovations ownership, occupational structural activities and stakeholder capacity building were also carried out. This has resulted in an annual fish production increase of 108,831 tonnes by 1,612 fish farmers that is, an increase of 62,436 tonnes in relative terms.

- Fishing

555- Fisheries production received special support for the development of maritime and inland fisheries with the establishment of an effective monitoring, control and surveillance fisheries system and more approvals for national fishermen to better exploit the enormous fisheries potential of the Bakassi area and fight against the resurgence of illegal fishing and irresponsible fishing practices. As a result, some 19,088,471 tonnes of fish was produced among which 3,851 tonnes of small-scale maritime fishing, 5,863,071 tonnes of mainland local fishing, and 9,374.4 tonnes of industrial fishing. The increase of 1,033,817 tonnes recorded compared to the previous year was due to small-scale continental fishing. A large proportion of the catch is exported to Nigeria through the smoked fish industry.

556- The sector is heavily dependent on imports. In 2012, Cameroon imported 162,402 tonnes of fish products.

§2: Foodstuff Accessibility

557- The functioning of consumer protection bodies, the organization and regulation of distribution channels, and price stabilization reflect the changes recorded in ensuring food accessibility.

A: Functioning of Consumer Protection Bodies

558- On 10 August 2012, the Prime Minister, Head of Government, signed Decree No. 119/PM to set up and lay down the organization and functioning of the Appeal Committees for the arbitration of disputes relating to consumer protection.

B: Structure and Regulation of Distribution Channels

559- The structure of distribution channels resulted, among other things, in the construction of markets and the organization of trade fairs and other promotional events. Thus, through the transfer of funds to councils, markets were built in Banwa, Upper Nkam Division, Nkolmelen in the Mefou and Afamba Division, Mandama in Mayo Louti Division, Taagnieup in the Hauts Plateaux Division, in Lom Pangar, Lom and Djerem Division, Biwong Bulu and Loum Melane, Mvila

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Division, Emini in the Nyong and Mfoumou Division, Mbangassina, Mbam and Kim Division, Itoh, Oku in Bui Division, and Bakebe, Manyu Division. In addition, the Ekok border market was built and is already operational.

560- Fairs and other promotional events comprising the plantain fair held on 10 August 2012 at Mvangan, cassava feast which took place on 31 August 2012 at Ngoulemakong, the 1st edition of the Gourmet Fair of Nde, *NDE'LICE* 2012 held from 15 to 31 December 2012 at Bangangte and the Kanga or FESTIKANGA Feast on 21 December 2012, at Ayos.

561- The regulation of distribution channels was manifested in import and export management. Thus, the fight against massive grain export ensured greater availability in local markets of the northern regions. In addition, pending an increase in domestic palm oil production, the *Ad Hoc* Committee in charge of regulating this sector, sort to ensure the health of processing industries by requesting and obtaining an import authorization of 80,000 tonnes of unprocessed palm oil free of taxes and duties. This led to the stability of prices of finished products such as laundry soap, refined oils, margarine etc.

C: Price Stabilization

562- Consultations conducted with traders ensured price stability.

1) Consultations

563- MINCOMMERCE negotiated several agreements with economic operators. This is the case of the agreement with the Company QUEEN FISH and South African fishermen who helped to ensure the presence of mackerel on the Cameroonian market during the end-of-year celebrations. Moreover, a memorandum of understanding was signed on 17 August between the Ministry and traders to import and sell canned sardine to consumers at CFA 350¹⁸⁷ per can.

In addition, consultations were held with traders on 17 and 18 November 2012, under which a protocol was signed on the price of rice.

564- MIRAP signed 2,420 partnership protocols with producers and traders in the organization of periodic test markets in the main towns of the 10 Regions and secondary cities of the country.

¹⁸⁷About 0.53 Euros

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2) Outcomes

565- Through the concerted action of MIRAP and external services of MINCOMMERCE, agricultural products (tubers, vegetables, grains), postural products (chicken, pork and beef) and manufactured products were offered by traders at prices lower than 15% of local market prices.

566- Records of consumer goods prices in regional markets show that they essentially remained stable, with only some rarely crossing the critical 3% mark. The Table below shows price trends over the period 2008-2012.

Table 2: Consumer Goods Price Performance

Name	Average Price 2007/2008 (in CFA)	Average Price first quarter 2012 (in CFA)	Gap between 2008 and 2012 (in CFA)
Pakistani Rice 25%(50kg bag)	16 000	14 160	-1840
Bar Corvina GM (Kg)	1 200	1 200	
Mackerel 25 + (kg)	1 100	1 100	
Mackerel u 20+	900	850	-50
Wheat flour (50 kg bag)	23 000	17 085	-5915
Baguette	150	125	-25
Local kitchen salt (18 kg bag)	2 600	2 375	-225
Refined oil (1 litre)	1 200	1 200	
Powder sugar (1kg)	600	550	-50
Sosucam sugar cubes (1kg)	650	650	
Domestic gas (12.5 kg)	6 000	6 000	
Imported cement (50 kg bag)	6 800	4 800	-2000
Aluminium corrugated iron sheets (3m)	7 000	6 000	-1000
12 metres concrete rods (6 mm)	1 650	1230	-420
Beef with bones (1kg)	2 300	2300	
Beef without bones (1 kg)	2 700	2700	
CCC laundry soap (400 g)	325	315	-10
Unprocessed palm oil (1 litre)	1 000	600	-400

Source: MINCOMMERCE

§§ 3: Guarantee of Foodstuff Acceptability Performance

567- To ensure the quality of foodstuff offered to the population, a laboratory for animal and fish-based food analysis and expertise was set up in Douala.

568- More so, 2 containerised slaughter houses, 1 for pigs and 1 for small ruminants, as well as, an insulated vehicle for transporting carcasses from slaughter houses to sale points in Yaounde were acquired to improve slaughtering conditions for pigs and small ruminants in the capital city.

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SECTION 2: RIGHT TO WATER AND ENERGY

569- Energy supply and coverage of drinking water requirements with acceptable quality are among the major concerns of Government. In 2012, Government made considerable efforts to develop programmes to increase water and energy supply.

§1 : Increasing the supply of water

570- Government has undertaken to improve drinking water exploitation and distribution programmes as well as adopt urgent measures to reduce increasing alarming scarcity in the sector. Authorizations were granted for mineral water exploitation.

A: Water Exploitation and Supply

571- To improve water exploitation and supply, Government continued with the following major development projects whose implementation will take several years:

- drinking water supply project to 52 centres distributed in the 10 Regions of the country with funding from the Belgian Bank Dexia of which the 2nd installment is completed and the start of the 3rd installment is imminent;
- ongoing water supply to the cities of Douala and Maroua;
- ongoing second phase of the Emergency Water Programme for Yaounde with the construction of 27 equipped boreholes, 22 tide pools, rehabilitation of the SCANWATER FEBE station at Febe village, and rehabilitation of the Drinking Water Supply Stations (SAEP) at Mvog BETSI, EBA and Saint Martin PORRES Catholic Hospital neighbourhoods;
- supply and sanitation project of 16 equipped centres with AfDB funding;
- ongoing water supply project in Yaounde and 3 other cities (Ngaoundere, Edea and Bertoua), with joint financing from the French Development Agency and the European Investment Bank (EIB);
- ongoing project to increase drinking water supply to Yaounde and its vicinity with water from the River Sanaga at Nachtigal, with funding from the People's Republic of China; and

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- a grant agreement for the financing of the 5th phase of the rural water supply project (2012-2016) signed between Cameroon and Japan's Ambassador to Cameroon for the daily provision of about 24,000 m³ of additional drinking water to about 400,000 people living in rural areas in the Far North and North Regions. In this phase, 189 wells equipped with hand pumps will be built in the North and Far North Regions.

B: Implementation of Urgent Measures

572- Besides the above-mentioned projects, Government found stopgap measures to the problem in 2010. In 2012, 1 solution was the increase of water production at the Akomyada Station for a capacity of approximately 35,000 m³ per day to contribute to the supply of approximately 200,000 m³ of water per day in Yaounde.

573- Thus, MINEE launched an emergency water supply programme that aims at bringing water to the suburbs outside the network of the Cameroon Water Corporation (CDE) in Yaounde, through the construction of boreholes and mini autonomous water supply systems (AEP) and the implementation of tide pools regularly supplied with water by large CAMWATER tankers.

574- Through Japanese rural water cooperation, about 700 wells, 10 water supply systems and drinking water supply equipment were provided for a total of about CFA 14 billion¹⁸⁸.

C: Mineral Water Exploitation

575- Authorizations for mineral water exploitation and packaging were granted to the following 6 companies: NABCO, NATURA, IMIPHARMI, First Royal, *Sources du Pays* and NGONSI WATER.

§ 2: Energy Sector

576- Efforts were made in the energy sector to boost energy supply and service quality control.

A: Energy Supply Improvement

577- Improving energy supply is linked to development programmes which are supported by temporary emergency thermal programmes.

¹⁸⁸About 21,374,045.80 Euros

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1) Energy Supply Improvement through Development Programmes

578- In 2012, actions in the electric power domain aimed at the quantitative and qualitative improvement of supply, focused, as in the past, on increased production investment and diversification of sources through renewable energy.

a) Production Investments

579- With the view to providing adequate quantitative and qualitative electricity supply, Government strived particularly to strengthen the production mechanism.

580- The level of development of the major projects is as follows:

- **the Lom Pangar reservoir Dam** : it has a capacity of 6 billion m³. It will increase the Songloulou and Edea production capacity by 170 MW. More than 80% of the evicted people have been resettled. The foundation stone was laid on 3 August 2012 by the President of the Republic;
- **the Mekin Project** : upgraded to a company, the State is the sole shareholder of the Mekin Hydro-electric Development Corporation (HYDROMEKIN). In 2012, over 80% of the project had been executed;
- **the Kribi Gas Plant Project**: it supplies 286MW. A transmission line of 225 KV over 100 km is envisioned for power transportation from Kribi to Edea. The work is fully completed¹⁸⁹.
- **the Memve'ele Hydroelectric Power Plant on the River Ntem** : it supplies 201MW. An HV transmission line of 225 KV is envisioned for connection to the Yaounde plant through Ebolowa. The President of the Republic laid the foundation stone on 15 June 2012; and
- **the Natchigal Project** : the project is expected to allow for the extension of the aluminium plant (ALUCAM)¹⁹⁰ in Edea. The plant's production will increase from 90,000 tonnes to 300,000 tonnes. Work is being finalized.

b) Diversification of Sources through Renewable Energy

581- On this point, Government's flagship action focused on the exploration of the solar PV potential for the production of electrical energy. On this score, on 3 July 2012, Cameroon signed a contract with the *FIDES GESTION SARL* Company to provide services relating to the implementation of a project for the construction of photovoltaic parks and associated works which are ongoing, for the production of 500 MW of electric power throughout the country. Similar contracts are being finalized. D'autres contrats de ces types sont en voie de finalisation.

¹⁸⁹The plant has been functional since March 2013.

¹⁹⁰ALUCAM is the highest consumer of electric energy in Cameroon.

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2) Insufficient Energy Supply and ad hoc Programmes

582- To meet the increasingly pressing demand for qualitative and quantitative electrical energy, and given the time required for the construction and commissioning of major development projects, Government initiated an Emergency Thermal Programme, which is a relay measure to provide the country with a further 100MW of installed capacity.

583- The programme that has been in place since January 2012 involves the construction of 4 power plants in Bamenda (20MW), Mbalmayo (10MW), Ebolowa (10MW), and Ahala, Yaounde (60MW). The latter plant is already functional.

584- Energy security involves not only solving existing problems but especially anticipating the appropriate actions to deal with future demand, which means relying on forecasting and planning. Ongoing work in Lom-Pangar contributes to the development of the enormous potential of the watershed of the river in terms of development of upstream reservoirs. For now, the 2 Hydroelectric Power Plants constructed on the Sanaga river provide about 90% of energy production in Cameroon.

B: Quality Service Control

585- Electricity service quality provided by AES-SONEL was assessed through conflict resolution with clients and more generally the client satisfaction survey carried out by Electricity Sector Regulatory Agency (ARSEL).

1) Conflict Resolution

586- The Conciliation Commission set up by ARSEL Decision No. 4D/ARSEL/DG of 9 May 2011 held 17 conciliation meetings in 2012 during which 437 of 455 petitions recorded¹⁹¹ were shortlisted and examined. Some 407 conflicts (93%) were resolved.

587- The resolution rate of examined conciliation petitions is quite high which is indicative of the justification of conciliation from the perspective of the parties concerned. However, AES-SONEL has not implemented all resolutions by the Commission because it lacks an appropriate unit devoted to such task. Nonetheless, improvement is expected in 2013 since AES-SONEL has approved the setting up of such unit.

¹⁹¹Statistics on petition by Region are as follows: Littoral (74, i.e., 16.26%), Centre (363, i.e., 0.66%), Adamawa (2, i.e., 0.44%), Far North (2, i.e., 0.44%), North (1, i.e., 0.22%), North West (3, i.e., 0.66%), West (2, i.e., 0.44%), South West (0), East (3, i.e., 0.66%) South (5, i.e., 1.1%).

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2) Quality Service Survey

588- A client satisfaction survey on technical and commercial services was carried out from 4 to 10 June 2012 by ARSEL, with the technical assistance of the National Institute of Statistics (NIS), involving 10,000 out of 700,000 AES-SONEL clients. The overall objective was to verify the technical and commercial relationship between AES-SONEL and its clients.

589- The survey popularised the service regulation governing clients/AES-SONEL relations and the Call Center propagation. Overall for clients, AES-SONEL services are very unsatisfactory especially with frequent extensive power outages. The intervention timeframe in case of an incident is equally long while those for consumption recording and bills deposit are not respected. More than half of the clients wish to control their consumption.

590- In the vein, AES-SONEL was requested to enhance its commercial relations with its clients and review its new *Customer Management System* bill management software because the current version has not solved bill-related problems. The implementation of the prepaid system should also involve an extensive communications campaign. Similarly, pending the implementation of smart meters, AES-SONEL was requested to rapidly resort to the installation of master meters. AES-SONEL should also reimburse excesses collected from clients for 2010 bills.

SECTION 3: RIGHT TO ADEQUATE HOUSING

591- Improvement of the living conditions of the people requires guaranteeing the right to adequate housing. Although significant changes were recorded in the legal security of occupation in 2012, apathy persisted with regard to real estate promotion requiring adjustment measures. Programmes geared toward improving the living conditions of the people were continued and the right of State employees to housing assessed.

§1: Positive Changes in Legal Security of Occupation

592- In order to ensure the legal security of tenure, the unified national geodetic reference network materialised on the ground was intensified with the construction and establishment of 600 terminals in Bamenda (160 points), Bafoussam (160 points), Ebolowa (140 points) and Bertoua (140 points). Besides this fundamental action, facilitating access to land and the compensation of people evicted in the context of development projects were positive steps in guaranteeing legal security of tenure.

A: Facilitating Land Ownership

593- The results of a study conducted from 2005 to 2012 by the competent services of MINDCAF reveal that during the period, 78,396 land titles were issued throughout the country as indicated in the Table below:

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Table 3: Land titles issued between 2005 and 2012

Year	2005	2006	2007	2008	2009	2010	2011	2012	TOTAL
Men	4168	8325	9490	8183	10457	10888	3008	8773	63292
Women	869	1786	2001	1999	2355	2790	920	2070	14790
Religious communities	58	117	100	103	225	247	218	142	1210
State	25	35	223	33	37	75	18	13	459
Total	5120	10263	11814	10318	13074	14000	4164	10998	79751

Source: MINDCAF

594- To prevent shortages of land titles, 11,300 copies were made available to Land Conservations. This situation justifies the performance in real estate certification in 2012 that doubled that of the previous year.

B: Compensation for Development Projects

595- As part of the implementation of the following major development projects, people dispossessed of their property were compensated:

- construction of the Lom Pangar Hydroelectric Dam, CFA 1,255,162,120¹⁹²;
- Mbwang, Douala land reserves, CFA 252, 294,894¹⁹³;
- LOGBABA Gas Project, CFA 1 311, 707,045¹⁹⁴ ;
- Mefou zoological Park , CFA 170, 238,984¹⁹⁵;
- Mekin Mini Electric Plant Project, 3 146 852 434 FCFA¹⁹⁶; and
- project for the construction of an intellectual property training centre, CFA 16 074 000¹⁹⁷.

¹⁹²See Decree No. 2012/34/PM of 24 January 2012 to compensate victims of destruction of property within the framework of the construction of the Lom Pangar hydroelectricity dam in the East Region.

¹⁹³See Decree No. 2012/160/PM of 6 February 2012 relating to the incorporation into the private domain of the State of a piece of land, with a surface area of 1007 ha 69a 73ca at Mbwang Douala III Subdivision, Wouri Division, and to compensate victims of destruction of property.

¹⁹⁴See Decree No. 2012/723/PM of 20 March 2012 relating to the expropriation from land required for project works for hydrocarbons development at Logbaba, Douala, and to compensate victims of destruction of property.

¹⁹⁵See Decree No. 2012/824/PM of 26 March 2012 to compensate victims of destruction of property during works to set up the Mefou Zoological Park, Mefou and Afamba Division.

¹⁹⁶For references to related texts, see Decree No. 2012/1631/PM of 11 June 2012 to compensate victims of destruction of property during construction works of a mini hydroelectric plant on a public property, at Mekin (CFA 2,400,396,380);

¹⁹⁶For references to related texts, see Decree No. 2012/1631/PM of 11 June 2012 to compensate victims of destruction of property during construction works of a mini hydroelectric plant on a public property, at Mekin (CFA 2,400,396,380);

Decree No. 2012/1871/PM of 4 July 2012 to compensate victims of destruction of property during rehabilitation of the access road to the mini hydroelectric plant, Mekin, Meyomessala Subdivision, Dja and Lobo Division (CFA 486,618,032);

Decree No. 2012/1872/PM of 4 July 2012 relating to the expropriation and compensation of victims of loss of tenure, and destruction of property within the context of construction works of the electric energy supply line and two transformation stations at Mekin, Meyomessala Subdivision, Dja and Lobo Division (CFA 259,838,022).

¹⁹⁷Decree No. 2012 /1635/PM of 13 June 2012 relating to the expropriation of the land subject of land title No. 1809 of Nyong and Sanaga Division required for construction works of the Intellectual Property Training Centre and to grant compensation to victims of loss of land tenure and destruction of property.

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§2: Redress of Real Estate Promotion Apathy

596- To redress real estate promotion apathy, measures were taken to reinvigorate public sector programmes and private promoters were supported.

A: Public Real Estate Promotion

597- The measures were taken especially with regard to the re-launching of the development of building plots and various housing programmes such as the emergency programme to build 10,000 low-cost houses, develop 50,000 building plots and the Chinese cooperation programme for the construction of 1,500 low-cost houses.

1) Development of Building Plots

598- In order to implement development programmes, a programme to constitute land reserves in Regional headquarters was re-launched. Contracts for the implementation of the reserve constitution works on about 850,000 hectares were signed. Related survey work was equally started. Part of the land is reserved for the construction of low-cost houses.

599- Development programmes included:

- re-launching of the programme for the setting up of State-owned estates in the main cities of Cameroon. For the first phase, 24 subdivisions were selected for a total surface area of 24,000 hectares. Works on securing the chosen sites have already started; and
- preparation of the development programme of 50,000 transferable plots, whose support document was approved on 1 November 2012.

2) Social Housing and Building Plots

600- The programme launched in 2009 that had to enable the delivery of the 1st completed houses in 2011, did not go on smoothly. It encountered several difficulties such as lack of feasibility studies leading to project cost underestimation, poor managerial, operational and technical ability of SMEs winner bidders, insolvency of SMEs with respect to banks, lack of a reliable financing plan and the inadequate coordination of stakeholders.

601- Given these deficiencies, corrective measures were taken to improve the implementation pace of these works. These include the review of procurements to adjust the unit price of services to reality or the use of foreign expertise

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including international companies such SISCON (Argentina)¹⁹⁸, GAROZ (Spain)¹⁹⁹, and COFFOR (Franco-Swiss)²⁰⁰. Financial adjustments were equally made. A syndicate of 3 banks operating in Cameroon granted a loan of CFA 6 billion²⁰¹ to the State for the construction of 560 houses. The agreement was signed by the MINFI, the General Manager of Cameroon Housing Fund (CFC), operations facilitator and the other 3 banks: Ecobank syndication agent, Afriland First Bank and BGFI Bank in the presence of MINH DU. Ecobank contributed CFA 2.5 billion²⁰², Afriland First Bank CFA 2 billion²⁰³ and BGFI CFA 1.5 billion²⁰⁴.

3) Chinese Cooperation Construction Programme

602- The Chinese cooperation financed the initial 1,500 housing units in Douala, Yaounde, Bafoussam, Bamenda, Limbe and Sangmelima. At the signing on 23 December 2010 of the design and execution contract, the Programme aimed at constructing 1,500 low-cost houses worth CFA 33.5 billion²⁰⁵ financed at 85% by *EXIM BANK CHINA*, CFA 28,475,000,000²⁰⁶ and at 15% by the State of Cameroon, CFA 5,025,000,000²⁰⁷. The objective was reviewed to 1,800 houses split as follows: 660 in Yaounde, 660 in Douala, 120 in Bafoussam, 120 in Bamenda, 120 in Limbe and 120 in Sangmelima²⁰⁸. In 2012, Chinese Cooperation disbursed the initial financing based on a loan agreement signed on 12 January 2011 between the State of Cameroon and *EXIM BANK CHINA*. Architectural and technical studies are ongoing.

B: Support for the promotion of private housing

603- By the end of 2012, 54 authorised real estate promoters were inactive because of low financing capacity. It was also noted that the promoters' investment level was not regularly controlled.

¹⁹⁸Contract signed on 10 May 2011 with SIC, Delegate Project Owner, for the construction of 4,250 low-cost houses.

¹⁹⁹Contract signed on 11 November 2011 with SIC, Delegate Project Owner, for the construction of 3,000 low-cost houses.

²⁰⁰Contract signed on 6 January 2012 with SIC, Delegate Project Owner, for the construction of 3,000 low-cost houses. Financing for the construction of 640 houses has already been disbursed.

²⁰¹About 91,603.05 Euros

²⁰²About 3,053,435 Euros

²⁰³About 2,290,076.33 Euros

²⁰⁴About 51,145,038.16 Euros

²⁰⁵About 51,145,038.16 Euros

²⁰⁶About 7,671.72 Euros

²⁰⁷About 3,053,435.11 Euros

²⁰⁸Communal facilities attached to the Programme are distributed as follows: 6 commercial facilities, 1 in each town, 6 play grounds, 1 each town, 2 health centres in Yaounde and Douala, 2 primary schools in Yaounde and Douala.

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604- To encourage them, Government established an incentive framework by providing financial support, land, and tax reduction. The State equally lends a helping hand by opening up roads, supplying water, electricity and telephone.

605- Government signed 16 agreements with private domestic and foreign developers to strengthen housing supply opportunities. On 16 March 2012, MINH DU signed an agreement with 3 of the 4 Cameroonian promoters eligible for real estate promotion²⁰⁹ to construct 3,000 low cost houses. Government signed 8 memoranda of understanding with foreign partners that will provide at least 20,000 homes in 3 years.

§3: Improving the Living Conditions of the People

606- Programmes to enhance living environment of the people comprise the Urban Sector Development and Water Supply Projects (PDUE), the Participatory Programme for the Enhancement of Slumps in Yaounde (Nkolbikok), and the Strategic Development Housing Programme.

A: Urban Sector Development and Water Supply Project

607- PDUE intervenes in 5 towns: Yaounde, Douala, Mbalmayo, Bamenda and Maroua. It aims at improving core urban services (mobility, water) in precarious neighbourhoods in the said towns, strengthen the urban development institutional framework, governance and support for urban water supply. From 2009 to 2012, the Project constructed 28 km of urban roads, 50 km of drains, extension of tertiary networks to 16 urban centres, creation, animation and building the capacity of development committees of precarious neighbourhoods, the signing of 20 partnership protocols and 2 township contracts as well as preparation of the urban strategy that is pending.

B: Participatory Slum Enhancement Programme (PSEP)

608- PSEP intervention zones cover Yaounde (Nkolbikok), Kribi II and Bamenda III. The aim of the programme is to improve housing quality in precarious neighbourhoods. In Nkolbikok, the programme is based on the following 3 pillars: site preparation and parcelling, selling plots and housing more than 450 families in high-rise buildings close to the site. Implementation of phase 3 of the strategy prepared worth 1 million Euros, about CFA 650,000,000, started in 2012. Actions to be taken in Kribi II and Bamenda III shall be defined with the population.

²⁰⁹They are MUPROF (Mutuelle pour la Propriété Foncière), ABM (Aurora Building Materials Company Ltd) and ADC (Authentic Developers Corporation). The file of La Société d'Aménagement de Douala (SAD) that was equally eligible, was incomplete.

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C: Strategic Housing Programme Development (PDH)

609- The programme aims at uplifting housing quality in these precarious neighbourhoods on a surface area of 1,000 ha in Yaounde worth CFA 249,000,000²¹⁰ and in Douala for an amount of CFA 80,000,000²¹¹. By the end of 2012, feasibility studies and programme formulation were over for 2 neighbourhoods in Yaounde and 1 in Douala. Tenders for expression of interest are pending.

§4: Assessment of Right of State Employees to Housing

610- In 2012, inventories of developed and undeveloped real estate and State Automobile Pool conducted under the supervision of the Minister of Lands, Surveys and Land Tenure, revealed that 1,759 public officials are beneficiaries of administrative property. In addition, the State leases 179 homes to some of its employees.

611- Achievement of the right to an adequate standard of living of Cameroonians remains jeopardised by numerous failures in electricity and drinking water supply. Recurring supply deficit in housing shortages and organised artificial scarcity of some consumer goods have exacerbated this jeopardy.

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612- However, the start of work on water and energy major development projects, organizing MIRAP caravans whose means of action should be more efficient in supplying the population, give hope that over the years, Cameroonians will find solutions to the effective and efficient implementation of this right.

²¹⁰About 380,152.67 Euros

²¹¹About 122,137.40 Euros



Chapter 5

RIGHT TO WORK AND SOCIAL SECURITY



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613- Measures were taken in 2012 to ensure the promotion and protection of the right to work and to guarantee the right to social security.

SECTION 1: PROMOTION AND PROTECTION OF THE RIGHT TO WORK

614- Actions to promote and protect the right to work focused on facilitating access to decent employment, improving working conditions, and settling disputes identified in the labour sector.

§1: Access to Decent Employment

615- Access to decent work was facilitated by the promotion of Programmes to ease professional integration and continued recruitment into the Public Service.

A: Professional Integration Programme

616- In 2012, the National Employment Fund (FNE) received, recorded, counselled, oriented and followed up 38,652 job seekers of all gender as against 31,328 in 2011, which gives an increase of 23, 37%. The institution also enabled 39,476 people to be inserted into the job market as against 34,144 in 2011, which means an increase of 15. 61%.

617- The following Programmes facilitated access by some young people to employment:

- **the Self-Employment and Micro-Enterprises Programme (PAME)** which aims at promoting both individual and group projects, helped fund 3,411 projects, thus generating 7,035 jobs;
- **the Support Programme for the Development of Jobs in Rural Areas (PADER)** provided funding to 3,206 projects;
- **professional training** enabled 4,848 young people to get jobs in different areas, as against 3,900 in 2011;
- **the Employment Programme for Graduates (DEP)** enabled 497 inexperienced young people to have access to salaried employment through an internship pre-employment training in a company;
- **125 sessions were held** under the Job Search Techniques (ERR) for the benefit of 2,237 job seekers;
- **the Integrated Support Project for Informal Sector Actors (PIAASI)** which funded 800 micro projects;
- **the Support Programme for Rural and Urban Youths (PAJER-U)** enabled job provision for 538 young people for an amount of CFA343,956,000²¹², taking into account the gender approach and specific groups such as persons with disabilities. The various fields

²¹²About 5, 251. 23 Euros

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that were opened included: fish farming, agriculture, clothing industry, secretarial duties, carpentry, catering and fattening pigs; and

- **information upstream Programmes** that prepare young people for employment and enable them to become familiar with their jobs and working requirements were implemented as follows:

- the 13th edition of the Youth Employment Week which enabled 29,631 young people to be sensitized, that is, 4,631 more than in 2011;
- 50 sessions held within the framework of the Training for Initiation into Corporate Life;
- 48 sessions organized for young students as part of Vocational Orientation in Schools; and
- 34 sessions organized for young university graduates within the framework of the Vocational Orientation in Universities

618- The recruitment and training throughout the national territory of the first batch of 6,000 volunteers of the National Civic Service for Participation in Development Agency for a total amount of CFA770 million²¹³. The sectors most chosen by groups and associations of volunteers were agriculture, stockbreeding and fish farming.

619- Recruitment into the Public Service also continued.

B: Recruitment into the Public Service

620- The traditional and special operations of recruitment have facilitated vocational integration into the Public Service.

621- The Public Service recruited, in its traditional operations, 681 candidates into professional technical training schools, consisting of 20 Senior Statistics Technicians into the Sub-Regional Statistics Training School (ISSEA), 20 into IFORD, 60 Senior Translators, and 581 students in ENAM including 7 from the vulnerable sections of the population.

622- Measures were also taken to ensure decent working conditions.

§2: Improving the Capacity of the Citizens to Get a Job

623- The Cameroon Government has taken steps to increase and diversify the supply of vocational training including:

²¹³About 1,175 572.51 Euros

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- financing of the construction and equipment of three Vocational Training Centres of Excellence in Douala, Limbe and Sangmelima (in the fields of agricultural machinery repairs, motor mechanics, carpentry, welding, plumbing, office automation, sewing, fashion design, hotel management, tourism, refrigeration, air conditioning, electrical and mechanical engineering); and
- establishment with financial support from the French Development Agency (AFD) of Sector Vocational Training Centres in non-agricultural occupations, under the 2nd generation C2D.

624- In addition, the State of Cameroon provides funds every year for the vocational training of the underprivileged in areas of skill deficit. To this end, MINEFOP awarded 840 scholarships in 63 specialties for the training year 2012/2013 in Cameroon. Algeria granted 16 scholarships in various disciplines to young Cameroonians.

§ 3: Working Conditions

625- Working conditions were improved by continuing to ensure social dialogue, strengthening health care and safety at work as well as preserving freedom of association in trade unions.

A: Pursuing Social Dialogue

626- The concept of “decent work” is gradually taking shape with aspects aimed at ensuring the full protection of workers' rights. Therefore, a Programme developed in partnership with the ILO, has been set up and is called “Country Programme for Decent Work”.

627- As the promotion of social dialogue is a permanent quest especially in the context of the defense of workers' rights, relationship between Government and social partners have continued to grow. The notion of tripartite constituents has become a reality in Cameroon where trade unions, employers and Government constantly hold talks to resolve issues related to workers' rights.

628- With the establishment of a mechanism acting as barometer of the social climate underpinned by a supervision unit and permanent contacts with the most representative trade union organizations, 800 vocational trade unions were identified and nearly 20 strikes and work suspensions were settled.

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B: Health and Safety at Work

629-As part of the process for the establishment and setting up of Committees for Hygiene and Safety at work in enterprises, 128 Hygiene and Safety Committees were installed, of which 69 were for group A (low risk), 43 for group B (medium risk) and 16 for Group C (high risk).

630- From 5 to 7 September 2012, the Ministry of Justice, in collaboration with UNAIDS and ILO, organized a seminar to build the capacities of Judicial and Legal Officers and Lawyers on Human Rights related to HIV/AIDS. The seminar was aimed at sensitizing the targeted judicial personnel among others, on the specific standards for the protection of the rights of PLWHIV/AIDS at job sites, in particular Recommendation No. 200 of the ILO on HIV/AIDS and the labour Sector (2010).

631- Recommendation 200 is the first international labour standard on HIV and AIDS. It includes the labour sector and involves actors in workplaces as key stakeholders in the HIV response. It calls for the development, adoption, implementation and monitoring of national policies and Programmes on HIV/AIDS and the labour sector. Finally, it is a tool to intensify international cooperation within the framework of UNAIDS.

632- Its scope of implementation covers all workers, their families and dependents, including:

- persons in any employment or exercising any profession, in all economic sectors;
- persons in training (trainees, apprentices and volunteers);
- job seekers, workers laid off or whose employment relationship is suspended;
- workers in the informal sector of the economy; and
- the armed forces and services wearing uniforms.

633- The main objective is the elimination of stigma and discrimination against PLWHIV/AIDS in employment.

C: Preserving freedom of association in trade unions

634- In the context of the preservation of freedom of association, the Ministry of Labour and Social Security (MINTSS) took actions to improve the working conditions, freedom of trade union and the institutional framework.

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1) Working Conditions

635- The MINTSS took the following measures to improve working conditions:

▷ The signing of 9 collective conventions and agreements of establishment in the following sectors:

- Collective Conventions:

- Collective conventions for Manufacturing Industries;
- Collective conventions for Trade;
- Collective convention for the National Order of technical experts;
- Collective convention for stevedoring; and
- Collective convention for first class hospitals and other health facilities.

- Agreements of Establishment:

- CAM IRON Company (in the mining sector);
- Guinness Company (Breweries);
- SITRAFER Company (railways); and
- FEICOM (tertiary 2).

2) Freedom of Association

636- With regard to the preservation of freedom of association, the activities of the MINTSS consisted in:

- strengthening transparent partnerships between MINTSS and professional unions of workers and employers, through the organization from the beginning of the year, of a series of 14 meetings with the said partners. The objective was to identify the problems that undermine the proper functioning of trade unions (bicephalism, constitution of trade unions, etc.) and to find sustainable solutions in compliance with standards. The following confederations of trade unions attended these meetings: CGSTC, CGT-Liberté, CAT, CTUC the UGTC CSIC, ENTENTE, MECAM, OPSTAC, USPAC, CSAC, CSTC, CSIC, GICAM, etc.;
- training of confederations of trade unions from 5 to 9 November 2012 in Yaounde on:
 - the organization of trade unions;
 - industrial relations; and
 - health and safety at work.
- quelling 14 strike actions in public and private organizations whose main claims focused on working conditions, salaries and benefits due, corporate rules and regulations, etc. The institutions concerned include:

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NSIF, CCO, TRANS AFRIQUE, the Teachers' Collective Union, HEVECAM, AYABA Hotel, the Yaounde Central and General Hospitals, CTE, Brasseries du Cameroon, the National Institute of Cartography, Cameroon Waters Company, CAMRAIL, CWE and SITRAFER).

3) Institutional Framework

637- At the institutional level, the actions of the MINTSS were structured as follows:

▷the holding of the National Advisory Committee on Labour from 20 to 22 June 2012 in order to consider the following points:

- modification of the Annexure to Decree No. 93/574/PM of 15 July 1993 on the form of professional trade unions admitted to the registration procedure;
- Bill to establish a general framework for the provision of minimum service during strikes;
- the revision of the Law on the Labour Code (with new provisions on the legal status of trade unions);

▷the creation of ad hoc working committees to discuss and find solutions to the claims of professional organizations. This involves the following decisions by the MINTSS:

- Decision No. 0165/MINTSS/SG/DRP/SDRT of 12 July 2012 to establish the ad hoc committee to examine the social demands made by the Trade Union Confederation of the public sector (CSP). The claims by this Confederation were focused on salary increase of civil servants, harmonization of the age of retirement at 60 years for all State employees, revaluation of family allowances, redefinition of the minimum wage, implementation of a social security system for all, adoption of a specific law on trade unions. The deliberations of this committee are still going on.
- Decision No. 041/MINTSS/SG of 16 February 2012 to establish the ad hoc committee to examine the claims of Cameroon Teachers Collective Union. Their complaints were focused on the recovery and payment of a documentation and research bonus (CFA50,000²¹⁴ and CFA35,000²¹⁵), absorption of Physical Education Teachers in the special Rules and Regulations governing Teachers, rescheduling

²¹⁴About 76.33 Euros

²¹⁵About 53.43 Euros

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the salary index, conferring of Academic Awards, absorption of contract teachers as civil servants, signing of the collective convention for private education, and convening of a national forum on education 50 years after Independence. Some of these claims have been solved in part, notably those relating to a research and documentation bonus with the signing of Decrees No. 2012/051 and No. 2012/052 of 2 March 2012 by the Head of State granting teachers bonuses of CFA15,000²¹⁶ and CFA10,000²¹⁷ depending on their categories. Similarly, an Order by MINTSS of 17 February 2012 forms a joint Commission with equal representation on both sides for the negotiation of the national collective convention for private education. Other claims continue to be addressed by Government through the relevant Ministries.

- Decision of 5 March 2012 to form an ad hoc tripartite committee, to consider items 7 and 9 of the previous ad hoc Committee of August 2006 on the conversion bonus claimed by CTE workers. The deliberations of the Committee are monitored by the Governor of the South West Region.

§ 4: Settlement of Labour Disputes

638- As a result of labour claims filed in court, some judgments were delivered.

639- The Table below shows the trends of proceedings for wrongful dismissal brought before the courts.

Table 1: Proceedings for wrongful dismissal brought

Courts	Number of cases entered on the cause-list from the Employers complaints			Number of cases entered on the cause-list from the Workers complaints			Number of cases heard and determined						Comments	
	CFI	HC	CA	CFI	HC	CA	In favour of worker			In favour of Employer				
							CFI	HC	CA	CFI	HC	CA		
wrongful dismissals	499	31	195	1277	239	172		116	88	147	0	55	33	0

Source: Legal Departments of Courts of Appeal for the South, East, Centre, West, Far North, North, Littoral, North West and Adamawa.

²¹⁶About 22.90 Euros

²¹⁷About 15.26 Euros

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640- Actions for the promotion and protection of decent employment were accompanied by actions to guarantee the right to social security.

SECTION 2: SOCIAL SECURITY SYSTEM

641- The right to social security was exercised in its traditional aspects. Social Security Litigation was also carried out during the period under reference.

§ 1: Right to Social Security

642- Promoting the social security system enhanced the registration of new insured workers. Similarly, social benefits were paid and social security contributions were recovered.

A: Social Security System

643- The modernization of the system of social security is one of the major concerns of Government's cooperation with the International Labour Organization (ILO). Therefore, a workshop for sensitization and national dialogue was organized from 25 to 27 April 2012, with support from the ILO, on the implementation of social protection in Cameroon, in accordance with Recommendation No. 202 of the ILO on Social Protection.

644- The workshop had 2 major objectives:

- sensitizing Cameroon social stakeholders and development partners with a view to ensuring the extension of social protection; and
- organizing a national dialogue on priority services to be carried out under social protection.

B: Registration of new Workers under the Social Insurance Scheme

645- In 2012, the National Social Insurance Fund (NSIF) recorded 3,880 newly registered employers and 54,318 new policy holders. This has increased the number of active employers to 47,084 and the number of insured workers from 783,752 in 2011 to 838,915 in 2012. The objective of Government is to cover 20 % of the population in 2015.

C: Payment of Social Welfare Benefits

646- In 2012, NSIF made payments totaling CFA 62,407,801,868²¹⁸ as social welfare benefits.

647- The Table below gives a comparison of increases in payments of social welfare benefits during the period 2009 to 2012.

²¹⁸About 95,279,086 Euros

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Table 2: Statement of payments of social welfare benefits in 2012

Sectors covered	2009	2010	2011	2012
Family allowances	7, 429, 145,870	7, 296, 559,352	6, 901, 082,616	6, 507, 512,879
Professional Risks	2, 657, 126,561	3, 277, 331,211	2, 661, 983,915	2, 505, 030,276
Old-age-Invalidity-Death Pensions	47, 585, 065,841	52, 099, 526,060	54, 431, 142,838	53, 395, 258,713

Source: NSIF

648- The slight decline noted in the amount of benefits paid out in 2012 is due to more stringent conditions in the control of the management of requests for benefits within the framework of the fight against fraud.

649- With regard to other types of benefits, the statement of expenditure stands as follows:

- Health and Social Work: CFA150, 222, 654¹¹⁹; and
- Health Care facilities: CFA1,020,638,676¹²⁰.

D: Recovery of Social Security Contributions

650- The amount of social contributions collected was CFA113, 748, 461, 885²²¹. This reflects the option taken to optimize the collection of social contributions, in particular through improved pre-litigation management, strengthening control activities, better mastery of employers' files and better monitoring of the execution of debt securities and moratoriums.

651- In addition, 46,343 active employers fulfilled their social obligations as against 41,195, giving an increase of 12. 50 %.

§2: Social Security Litigation

652- The Appeals Board and the Courts were seised of litigations on social security.

A: Before the Appeals Board

653- Social security disputes focused on both the social benefits and the collection of social contributions.

²¹⁹About 229,347.56 Euros

²²⁰About 1, 558, 226.98 Euros

²²¹About 17,3 661,773.87 Euros

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1- Litigation on Social Welfare Benefits

654- With regard to disputes relating to the rejection of application files for social welfare benefits, social workers sent 125 petitions to the Appeals Board. The Board delivered 76 decisions of inadmissibility, 67 of which were due to lapse in time-limits and 9 decisions for failure to ascribe the accident to the occupation of the victim.

655- In addition, the Committee delivered 9 decisions against NSIF, 5 of which were to grant old-age pension and 4 on occupational accidents and diseases. 8 matters were adjourned for additional information.

2- Litigation on Recovery of Social Security Contribution

656- The Appeals Board received 91 petitions to challenge adjustments of social contributions for an amount of CFA1,333,650,319²²². The said Committee also held 6 sessions in which 84 cases were examined. Therefore, 65 decisions were in favour of NSIF, 2 against it, 12 for re-examination, and 5 for lack of jurisdiction. The Administrative Bench of the Supreme Court was seised by 14 employers, but it has not yet adjudicated. The procedure of forced recovery was re-launched against those employers who have not gone on appeal.

B: Before the Courts

657- The Table below shows the trends of legal disputes on social security matters collected from some Courts of Appeal.

Table 3: Social Security Litigations

Courts	Number of cases entered on the cause-list from the Employers' complaints			Number of cases entered on the cause-list from the Workers' complaints			Number of cases heard and determined						Comments		
	CFI	HC	CA	CFI	HC	CA	In favour of worker			In favour of Employer					
							CFI	HC	CA	CFI	HC	CA			
Social Security Litigations	3	4	4	35	7	2		7	0	0	0	13	1	0	0

Source: Legal Departments of the Courts of Appeal for the South, Centre and West Regions

²²²About 2,036,107.35 Euros

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658- Government, assisted by its partners, struggled to step up promotion and protection of the right to employment and occupation by taking measures relating thereto and by fighting against unemployment, such as the ongoing recruitment into the public service. Besides, its efforts were also focused on the right to social security by continuing the debate on the modernization of the social security system with the support of the ILO and by strengthening its monitoring activities as part of the fight against fraud, thereby contributing to the mastery of the card-index of insured workers.



Chapter 6

RIGHT TO CULTURE AND LEISURE



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659- The right to culture may be understood as the right of every person to freely participate in the cultural life of the community and to enjoy arts, values and works thereof. It is equally the right related to artistic creation and the protection of ensuing works.

660- Government actions in 2012 included in particular the strengthening of the legal and institutional framework, promotion and protection of works and the national cultural heritage, as well as protection of the moral and financial interests of artists.

SECTION 1: INSTITUTIONAL AND LEGAL FRAMEWORK

661- The following instruments were adopted to ensure a better implementation of the right to culture and leisure:

- Decree No. 2012/880 of 27 March 2012 to set out the conditions for exercising some competences conferred by the State on councils in matters of organizing holidays jobs;
- Decree No. 2012/29 of 21 June 2012 to organize the Ministry of Tourism and Leisure set up a new Department for the Development of Leisure activities;
- Decree No. 2012/381 of 14 September 2012 to organize the Ministry of Arts and Culture. The decree formally extends the duties of the Ministry to all artistic activities. The Ministry is henceforth *"responsible for the development and implementation of government policy on the promotion and development of arts and culture"*. It liaises Government and International Organizations working in the field of arts and culture on the one hand, and the public administration and organizations in charge of collective management of copyrights and related rights on the other hand;
- Decree No. 2012/3053/PM of 9 October 2012 to lay down the conditions for implementing some provisions of Law No. 2004/1 of 21 April 2004 to fix the regime of shows; and
- Decree No. 2012/3052/PM of 9 October 2012 to lay down the conditions for implementing some provisions of Law No. 2003/13 of 22 December 2003 on patronage and sponsorship.

662- The legal and institutional framework helps to carry out actions for the promotion and protection of works and the national cultural heritage.

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SECTION 2: PROMOTION AND PROTECTION OF ARTISTIC WORKS AND THE NATIONAL CULTURAL HERITAGE

663- Actions were carried out to safeguard old artistic objects and to coordinate the display of cultural activities.

§ 1: Measures to Preserve Artistic Objects

664- As part of the preservation of the national cultural wealth, a census of artistic objects was conducted in Northern Cameroon²²³. These objects will be hired for exhibition during the lunching of the National Museum.

665- The identified objects, that are real cultural relics bearing ancient history each include, slaves' jewelries, weapons, coins, calabashes, canaries, musical instruments, hunting tools and various power symbols.

666- The measures taken also allowed some cultural activities to be displayed.

§ 2: Display of Cultural Activities

667- The following activities animated cultural life in 2012:

- organizing a day of consultation with Book professionals aimed among others at ensuring the explanation of Decree No. 2001/957/PM of 1 November 2001 to lay down the conditions for the implementation of Law No. 2000/5 of 17 April 2000 on legal filing, the determination of the real state of affairs and the prospects of books and reading in Cameroon, the determination of the role of the Diaspora in revitalizing books and reading in Cameroon, and a reflection on the challenges of holding a book fair in Cameroon;

- signing partnership agreements with the organizers of the following 8 festivals:

- LAMBO LA TIKI;
- ECRANS NOIRS;
- ABOKI NGOMA;
- NYEM NYEM;
- LE KOLATIER;
- FESCARHY;
- FESTI BIKUTSI; and
- COULEURS URBAINES.

668- Government intends to provide technical and financial support to the organizers of cultural events who fulfill the selection criteria.

²²³ Cameroon Tribune, 27 February 2012, p. 12

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669- With Government support, many cultural associations also organized activities to promote and enhance national cultural heritage through the following events:

- "Miss Mebinga" Film Festival that promotes films produced by women (March 2012);
- Ngaoundere International Mixed Film Festival (3rd edition, March 2012);
- "Ecrans Noirs" (June 2012);
- Bafoussam Film and Video Festival (FESCIVBA, 1st edition, March 2012);
- Douala Audiovisual Encounters (RADO), (3rd edition, April 2012);
- Night of Short Films in Douala;
- Yaounde Festival of Short Films (simplyYaounde);
- Galim-Tignere Nyem Nyem Festival;
- Mayo Sava Mountain People Cultural Festival;
- Douala Musical, Artistic, Industrial and Commercial Fair (FOMARIC);
- ABOKI-NGOMA Festival, a festival of dances and percussions, Yaounde, July 2012;
- 8th edition of "The African Fashion Rendez-vous";
- CHU-LANLI KEJOM KEKU SUNRISE" Festival;
- LAMBO LA TIKI Festival, 5th edition;
- 14th edition of the festival entitled "FESTI-BIKUTSI (Yaounde, November 2012);
- Cultural event dubbed "The Night of Imitators";
- Ngondo Festival (traditional assembly of the SAWA people), 2012 edition;
- 11th edition of the MEDUMBA Festival in the Nde Division in Bangangte;
- NGOUON Festival in the Noun Division in Foumban; and
- The first International Jazz Day (Yaounde, 30 April 2012).

670- Apart from the above-mentioned activities, the moral protection of artists was also ensured.

SECTION 3: PROTECTION OF MORAL AND FINANCIAL INTERESTS OF ARTISTS

671- The activities carried out as part of the moral and financial protection of artists include government initiatives and litigation referred to the Supreme Court.

§1: Government initiatives

672- The following activities and meetings were organized:

- meetings with the private sector (major users, cultural operators, patrons and sponsors) which were aimed at sensitizing them on the

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need to avoid labour disputes by making use of protected works only within the framework of contracts agreed either with the owners of patent rights themselves, or with the collective management bodies from the repertoire containing the said works.

Through these meetings, it was also necessary to set the milestones for revitalizing creativity and strengthening the supply of cultural products;

- meetings with collective management bodies of copyright and neighbouring rights, to assess their operation and consider solutions to problems;
- rendering the Arbitration Commission and the Commission for the Fight against piracy operational, with a view to intensifying the fight against counterfeiting of artistic works;
- validation workshop of the evaluation Committee for the implementation of Law No. 2000/11 of 19 December 2000 on copyrights and neighbouring rights;
- negotiations with mobile phone companies including MTN and Orange Cameroon, to find common ground between the above companies and the musicians' trade union in Cameroon, in respect of the fees due for downloading musical works; and
- signing of an agreement with the Department of Customs on the collection, on behalf of the collective management organizations of copyrights and neighbouring rights, of royalties due for the payment of private copying of sound and video recordings as well as printed works.

673- The incentives mentioned above have not overshadowed the litigation on the outcome of the case concerning the withdrawal of the authorization granted Cameroon Music Corporation (CMC).

§2: CAMEROON MUSIC CORPORATION vs. STATE OF CAMEROON (MINCULT)

674- It must be remembered that by Decision No. 0088/MINCULT/CAB of 12 May 2008, the Minister of Culture withdrew authorization from the CMC and by Decision No. 0089/MINCULT/CAB of 15 May 2008, an *Ad hoc* Committee was appointed to manage current business; the duties of the Committee were defined by a release signed same day. In addition to referring to the Supreme Court for the annulment of these administrative acts, procedural lapses were settled by the Supreme Court in this case.

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675- In two separate motions on 27 May 2008 and 3 June 2008, Counsel for the Director General and the Chairman of the Board of Directors of CMC petitioned the President of the Administrative Bench of the Supreme Court for the suspension of the effects of the decision appointing the members of the Ad hoc Committee on the one hand, and to seek suspension of the effects of the decision to withdraw authorization from the CMC on the other hand.

676- By Order No. 034/OSE/CA/CS/2008 of 17 December 2008, CMC's requests were granted on the grounds that the contested decisions were of no interest to public order, safety or public tranquility and their execution is likely to cause irreparable harm to members of the CMC in that their rights may be irreparably jeopardized pending the settlement on the merits of matters that were filed on 5 September 2008 under numbers 227/2008 and 230/2008.

677- Through its representative and its counsel, the Ministry of Culture appealed to the President of the Administrative Bench for the review of an Order of stay of execution. The Appeal was declared inadmissible on the grounds that it was irrelevant in these matters, according to Order No. 19/OSE/CCA/CS/2009 of 30 April 2009.

678- With respect to the merits of the case, by Judgment No. 203/2012/CA/CS of 27 December 2012, the Administrative Bench dismissed the appeals for the annulment of decisions by the Ministry of Culture under the ground that:

"In the final analysis, the reasons given in the contested decisions, notably" the deplorable financial situation decreed by the Board of Directors on 12 April 2008, unpaid salaries to the staff and money owed many creditors, very heavy contingent liabilities up to CFA 567,000,000 as denounced by the said Board of Directors, the non-disclosure of the 2007 annual report and accounts, are considered as recidivism, which alone justifies the sanction; In so doing, the Minister who took the contested decisions did not violate the law; As a result, appeals taken by Jean Claude LAURENT and Samuel MBENDE are not justified and should be dismissed (...)"

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679- In short, Government action has helped to strengthen cultural initiatives, which are means of spreading the artistic and folkloric wealth of Cameroon. The judicial settlement of disputes with regard to the management of copyrights leaves it to hope for a beginning of clarity in the sector.

Chapter 7

RIGHT TO A HEALTHY ENVIRONMENT



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680- Environmental protection was the concern of Government during the year under reference.

681- Actions carried out were essentially focused on measures on biodiversity conservation disaster management, sanitation in urban and rural areas, and litigation management.

SECTION 1: BIODIVERSITY CONSERVATION

682- Measures on biodiversity conservation involved the preservation of wildlife and the protection of the cover crop.

§ 1: Preservation of Wildlife

683- The preservation of wildlife was focused on the fight against poaching, particularly in the Bouba N'djida Reserve.

684- Following the massacre of elephants in this Park, Government took steps to preserve the Protected Areas in general and the trans-border areas in particular. Such actions could be summarized in working sessions and field visits on the one hand, and the drawing up of an emergency Action Plan concerning Protected Areas on the other hand. Some solutions were proposed.

A: Working Sessions and Field Visits

685- An inter-ministerial meeting including some development partners was held at MINFOF on 17 February 2012. It was attended by representatives from MINDEF, MINATD, MINADER, MINCOM, DGSN, MINFI, WWF, IUCN, WCS, and COMIFAC. During this meeting, an in-depth analysis of the problem was made and appropriate measures adopted.

686- Another inter-ministerial mission led by the Minister Delegate at the Presidency in charge of Defence and the Minister of Forestry and Wildlife, visited Garoua from 29 February to 1 March 2012 to assess the situation on the field and take the measures needed to protect the Park. The Minister of Forestry and Wildlife personally launched the hunting season and handed over the share of renting taxes of CFA 63.5,000,000²²⁴ to the municipalities and neighbouring communities of areas of kinetic interest.

At the end of the mission, administrative and security measures were taken such as the renovation of the Park, increase of the number of eco-guards, effective payment of renting taxes to the populations and their supervision by the administrative authorities, strengthening of the system installed to completely eradicate the phenomenon of poaching in the National Park of Bouba Ndjida in particular, and all the protected areas in general.

²²⁴About 9,694.65 Euros

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B: Emergency Action Plan for Protected Areas

687- An Emergency Action Plan was drawn up for a period of 5 years (2012-2017), aimed at strengthening actions to ensure security in protected areas and their sustainable management. This is the outcome of combined effort that incorporated the concerns and suggestions of the most involved stakeholders in Cameroon in matters of biodiversity conservation.

688- More specifically, the Plan has provided for capacity building of human resources in charge of management of protected areas, both in terms of numbers and skills (training and further training), the supply of equipment and financial resources needed by these staff to carry out their missions, and the strengthening of measures for the renovation of these spaces.

C- Solutions Envisaged

689- For the complete control of protected areas, recruitment needs over the next 4 years were evaluated at 2,500 persons. A first batch of 462 eco-guards was introduced in 2012. Priority was given to weapons and ammunition which are needed to the tune of 3,000 weapons (for eco-guards), with 300,000 ammunitions and 300 handguns (for the supervising staff).

690- Other measures include:

- renewal of the package for eco-guards, comprising 2 uniforms per year and a small personal equipment (water bottle, backpack, sleeping bag, knife, flashlight, cutlass, boots, belt, beret and sweater ...);
- display of an assortment of military equipment aimed at preventing any possible incursion of armed gangs in the Natural Park and at preserving biodiversity. Dubbed "*Operation Peace in Bouba N'djida*". The anti-poaching measure was characterized by the availability of ground, sea and air forces, some soldiers of the Rapid Intervention Battalion (BIR), effective logistics provided including among others a terrorism control centre, 30 off-road pickups, trucks, combat equipment, satellite communication tools, food rations, an helicopter for surveillance, etc; and
- organization of national anti-poaching campaign focused on a film called "*Bouba N'djida: Killing of Elephants*" by some international bodies, such as WWF. The said campaign concerned all the parks where protected endangered species are found.

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§ 2: Protection of the Cover Crop by Continuing the Fight against Desertification

691- The fight against desertification was a central concern of the 14th Francophonie Summit, where member countries addressed the drastic reduction in rainfall in the Sudano-Sahelian area, with a negative impact on agricultural production and the health of the populations, the gradual drying up of Lake Chad, the challenges for the conservation of the vegetal cover in the Congo Basin.

692- Faced with such concerns, proposals included in particular the promotion of renewable energies, creation, at the close of the 14th Francophonie Summit, of an institutional structure to set up an Emergency Fund to assist the members countries of the Francophonie hit by calamities or other natural disasters.

693- In 2012, Government, in response to desertification, proceeded to the creation of 294 plantations, with the support of the Special Forestry Development Fund in the various beneficiary structures such as Councils, NGOs, Associations including CIGs and traditional chiefdoms. Support was also given to 20 existing plantations. In the same vein, ANAFOR planted about 1.500,000 trees over a surface area of 2000 hectares.

694- In the context of decentralization, and with regard to the transfer of powers, 43 agreements were signed between the councils for the management of forest reserves in their respective territories.

695- Desertification, like disasters, constituted challenges to which Government provided answers.

SECTION 2: EMERGENCY MANAGEMENT OF DISASTERS

696- The occurrence of disasters in the country caused the adoption of several types of response measures, followed by an evaluation of the management of the crisis.

§ 1: Disasters

697- The causes of floods and the main affected areas as well as the balance-sheet of material, economic and human damages need to be briefly described.

A: Causes of Disasters and the Main Affected Areas

698- Floods were caused on the one hand, by torrential rains in the North, East, and North West Regions, and on the other hand by the collapse of some sections of the breakwater of Lake Maga in the Far North Region.

699- The Table below summarizes types of disasters, main affected areas, and damages recorded.

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Table 1: Recapitulation of disasters that occurred in 2012

Cases recorded	Date and place	Brief Description	Balance-sheet
Floods	10 August in the Mayo Danay Division	Heavy rains that caused floods	16 people died; an afflux of nearly 180,000 displaced persons (65,000 in the North and over 117,000 in the Far North Regions); - Nearly 116,000 producers affiliated to SODECOTON were victims. - Losses were globally evaluated at 45 000 tons or close to CFA900 millions.
	22 April in Tcheboa	Heavy rains that caused floods	Several people rendered homeless
	14 April in Yaounde (Nkolbisson)	Heavy rains that caused floods.	Material losses
	14 May at Mbankolo	Heavy rains caused a landslide	3 children died following the landslide
	4 June at Tsinga (Ipavic market) and Nkolbisson	Heavy rains	Material damage and a few people died
	28 June in Douala (Makepe)	Intense rains for a week causing floods.	Heavy material losses
	17 July in Douala (Akwa and New-Bell)	Heavy rainfall causing floods.	Material losses
	7 to 8 September in Doumé	Serious floods.	About 150 victims
	9 September in Babessi (Ngo ketunja)	Heavy rains with rising waters.	50 houses destroyed, 26 families rendered homeless and heavy material losses
	7 October in Yaounde	Heavy floods hit the Nkolbisson neighbourhood following a heavy rainfall.	Hundreds of houses flooded with nearly 1,800 victims for 560 families; traffic was cut off the road from the Ekerezock flyover towards Okola till late in the night.
	13 to 14 October in Akwaya	Heavy rains caused floods and landslides in this locality of Manyu Division, South West Region.	- 01 person injured ; - 04 bridges destroyed ; - Main road with deviation through Nigeria cut off ; Several material damage recorded.
	15 October in the Logone & Chari Division	Kousseri area and its neighbourhoods were hit by heavy rains causing a rise of River Logone.	- No loss of human life ; - an afflux of over 31,000 persons rendered homeless, - thousands of houses flooded ; - roads and art works destroyed ; - hectares of crops destroyed .
Violent winds	2 to 3 June in Yaounde	Serious Storms	Heavy material losses
	25 May in Yagoua	A storm	SEMRY suffered losses valued at CFA450 million

Source: National Risks Observatory: MINATD

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B: Assessment of Needs

700- Controlling the extent of the consequences made it possible to identify the urgent needs of the victims which included tents for the homeless staple foods, medicines, motor pumps, health kits, canoes, boreholes and latrines, empty bags for building dams, reconstruction of destroyed installations and resettlement of the populations..

701- From 23 to 25 August 2012, an inter-ministerial technical mission led by the Director of Civil Protection in MINATD visited the Far North Region with a view to providing methodological support to the Joint Crisis Committee set up by the Governor of the said Region. In addition, on the instructions of the Head of State, MINATD led two inter-ministerial missions to those areas:

- the first took place from 31 August to 4 September 2012, to conduct further evaluation of the situation in the 2 affected regions, transmit Government's message of comfort to the victims, and provide assistance to the populations;
- the second mission, which took place from 20 to 24 October 2012 in the Logone and Chari Division, Far North Region, was aimed at implementing the emergency response measures resulting from the rapid assessment of the situation on the field.

§ 2: Response Measures

702- They were reflected by Government actions and taken by other national and international stakeholders.

A: Government Actions

703- Operations to provide assistance and relief to the victims, to strengthen the institutional framework for crisis management and reinforce embankments, actions to prevent waterborne diseases and measures to promote access of the affected children to education were effective.

1) Emergency Assistance and Relief Operations for the Victims

704- On the occasion of his visit to the North and Far North Regions from 19 to 21 September 2012, in the company of his wife, the President of the Republic prescribed a series of humanitarian measures including the establishment of a Support Fund for victims of natural disasters. Teams from the National Fire Brigade, divers from the Navy, and some staff from the Operational Health Department were deployed in the Mayo Danay Division, Far North Region to

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strengthen assistance and relief operations to the population.

705- During their visit to the affected areas, the presidential couple granted multifaceted assistance valued at CFA 300 million²²⁵ for the North Region and CFA 500 million²²⁶ for the Far North Region.

2) Institutional Framework for Crisis Management and Consolidation of Embankments

706- To prevent the harmful effects of heavy rainfall, local crisis committees and a Central Committee were set up. Local Committees have enabled the administrative authorities of the affected areas to undertake evictions of the population from risk areas.

707- The Central Committee was responsible for:

- ensuring the synergy of interventions from the Ministries involved;
- coordinating requests for assistance and support from national and international donors;
- making, in close collaboration with the Governors of each Region concerned, a statement of emergency needs and the corresponding assistance and relief measures;
- managing the various financial and material support from Government and institutions referred to above;
- planning and monitoring the delivery of aid and relief as well as their effective supply to the affected population;
- adopting and implementing communication initiatives on the Committee's missions and activities;
- carrying out an assessment of the impact of emergency assistance and relief mobilized for the victim populations; and
- making all necessary proposals or useful recommendations.

708- In addition to these committees, a technical mission from the Military Engineering Department was sent to the affected areas to assess the infrastructure of the Maga dam water retention, and undertake, jointly with the local authorities and officials of SEMRY, all short and long-term technical interventions for the rehabilitation of the drainage system.

3) Preventing Resurgence of Water-borne Diseases

709- To prevent an outbreak of water-borne diseases due to the resistance of

²²⁵About 457,351.93Euros

²²⁶About 762,253.22Euros

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cholera in the Northern regions, measures were taken to ensure that vaccination campaigns against cholera are organized, safe latrines and drinking water provided, capacity of human resources built, and health equipment supplied to the health facilities of the communities hosting the displaced persons.

4) Promoting Education of the Victims of the Disaster

710- Floods disrupted the resumption of the academic year as school premises were either submerged in water or used as home for the homeless. Some palliative actions were taken to ensure the education of the affected children, notably the delivery of tents that served as makeshift schools, distribution of school kits, and mobilization of teachers.

B: Complementary Support from other National Stakeholders and International Partners

1) Mobilization of National Solidarity

711- The extent of floods led to the mobilization of the elite from the affected areas, political leaders, civil society and private individuals. Therefore, additional material assistance was provided and a fundraising initiative was organized by the Cameroon Red Cross Society for assistance to flood victims in the North, East, Far North and North West Regions.

2) Multifaceted Support from International Partners

712- Support was obtained from the United Nations Agencies, international organizations and friendly countries.

713- UN action was carried out through its various agencies, including WHO, UNDP, UNFPA, WFP, UNHCR, and UNICEF. An emergency Fund of about CFA 1,000,000,000 ²²⁷ was mobilized. Assistance was provided to the flood victims by supplying them with tents, foodstuffs, inputs needed for the medical care of the population.

714- *Plan Cameroon* provided nearly 662 school kits, mobilized 140 teachers from schools of the affected areas, built a dozen classrooms and provided the affected children with a number of school supplies.

715- As emergency action was taken, an assessment of the management of the crisis was carried out.

²²⁷About 1,524,506. 44 Euros

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§ 3: Evaluating the Management of the Crisis

716- An evaluation of how the crisis was managed allowed some difficulties to be identified with regard to the humanitarian action in the northern part of the country and to consider sustainable initiatives focused on the prevention of flood risks in particular and on support to the victims of natural disasters in general.

A: Difficulties Encountered

717- Among the difficulties encountered, it should be noted that the persistence of language barriers, to some extent, hampered communication on the management of the crisis. In addition, the insistence by some victims to stay in high-risk areas in the vicinity of nearly broken embankments also constituted one of the difficulties the eviction operations faced.

B: Prospects

718- The measures envisaged were essentially set out in the address of the President of the Republic in Guirvidig and were focused on:

- setting up a Support Fund for victims of natural disasters under the auspices of MINATD;
- assessing the cost of the houses, schools, road network and other infrastructure destroyed, for their rehabilitation or reconstruction;
- conducting a study to stabilize the banks of the Chari River, the construction of a 330 km embankment-road from Gobo to Kousseri to facilitate the channeling of waters to Lake Chad;
- reconstructing the Maga and Lagdo dams;
- updating the inventory of risk areas together with the appropriate safeguarding measures; and
- strengthening the structure for the collection of meteorological data in order to provide the populations with preventive information on the effects of climate change.

719- Disaster management enabled national stakeholders and the international community to show solidarity with the victims. Such assistance follows global guidelines set out at international meetings to facilitate discussions on environmental issues. Mention can be made of the participation of Cameroon at the United Nations Conference on Sustainable Development (Rio + 20), the meeting on the protection of Lake Chad and the 67th Session of the UN General Assembly.

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720- As part of ensuring the right to a healthy environment, other Government actions were focused on clean-up operations in urban and rural areas.

SECTION 3: CLEAN-UP CAMPAIGNS IN URBAN AND RURAL AREAS

721- In 2012, Government carried out several clean-up campaigns of urban and rural areas. These were focused among others on strengthening the legal framework for waste management and fighting against pollution.

§ 1: Legal Framework for Waste Management

722- In order to strengthen the implementation of the framework Law No. 96/12 of 5 August 1996 relating to environmental management, enabling instruments were adopted.

723- The publication by the Prime Minister, Head of Government, of Decree No. 2012/2809/PM of 26 September 2012 to lay down the conditions for the sorting out, collection, storage, transportation, recovery, recycling, treatment and final disposal of waste, has provided for the general framework for management of household waste, industrial, commercial and handicraft waste, hospital waste, inert waste and agricultural waste. This was completed by a series of orders.

724- These are :

- Order No. 1/MINEPDED of 15 October 2012 to lay down the conditions for obtaining an environmental permit for waste management;
- Order No. 2/MINEPDED of 15 October 2012 to lay down specific conditions for the management of industrial waste (toxic and/or dangerous);
- Order No. 3/MINEPDED of 15 October 2012 to lay down specific conditions for the management of medical and pharmaceutical waste;
- joint Order No. 5/MINEPDED/MINCOMMERCE of 24 October 2012 to lay down specific conditions for the management of electrical and electronic equipment and the elimination of waste from such equipment; and
- joint Order No. 4/MINEPDED/MINCOMMERCE of 24 October 2012 prohibiting the manufacture, marketing, and use of non-biodegradable plastic bags. Article 12 of this Order grants manufacturers, importers and distributors a period of 18 months as from the date of its publication to comply.

²²⁸According to HYSACAM officials , the company responsible for the collection of household refuse, 14 tons of waste out of the 700 removed daily are not biodegradable, hence the need for greater sensitization of manufacturers and traders. With regard to other non-biodegradable plastic items such as bottles and cans, the Douala City Council has installed boxes for the pre-collection of the above items in some neighbourhoods.

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725- The popularisation of the instrument continued throughout the year owing to the seriousness of the issue²²⁸.

§2: Fight against Pollution

726- The fight against pollution is mainly carried out through the organization of environmental inspection and control missions to facilities whose activities are likely to destroy the environment. The Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED) conducted 885 environmental inspection and control missions in 2012 as against 650 the previous year.

727- To increase the effectiveness of personnel involved in the conduct of environmental inspections and controls, seminars to build their capacity were organized. Their powers were reinforced by Decree No. 2012/2808/PM of 26 September 2012 to lay down the conditions governing the performance of the duties of environmental inspectors and controllers.

728- Pursuant to the provisions of the instruments inspectors and controllers are entitled to:

- access any fixed or mobile facility to obtain any information on the management of the environment;
- investigate any incident or accident involving chemicals, toxic or hazardous substances, noise and odour emissions, except for radioactive substances; and
- make inquiries in the management of natural resources.

SECTION 4: DISPUTE MANAGEMENT

729- These are disputes on wildlife and forestry, as well as on pollution.

§1: Disputes on Wildlife and Forestry

730- Disputes on wildlife and forestry were mainly on illegal hunting in a protected area, illegal importation and circulation of ostriches and gold washing in a protected area. The state of the disputes appears in the Table below:

Table 2: Summary of disputes on forestry and wildlife

Disputes matters in of	Cases in court	Cases under prior notice of fine	Cases for which summonses have been served prior to court actions	Total amounts of money paid
Forestry	12	49	22	CFA1,051,665,000 ²²⁹ (Total Fines + public auction sales of seized forestry products)
Disputes matters in of wildlife	34	/	/	CFA13, 267,000 ²³⁰

Source: MINEPDED

²²⁹ About 1605595, 41 Euros

²³⁰ About 20254,96 Euros

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731- For a better management of these funds, Joint Order No. 076/MINATD/MINFI/MINFOF of 26 June 2012 was co-signed to lay down the procedures for planning, using and monitoring the management of revenues from the exploitation of forest and wildlife resources meant for councils and village communities.

732- The inventory of disputes relating to forest and wildlife offences can be consulted on the web site: www.oicameroun.org.

733- Cases relating to disputes of pollution were also recorded.

§3: Disputes Relating to Pollution

734- In 2012, environmental damage was identified and punished. The most common violations involve the air, soil, sub-soil, surface and groundwater pollution, and poor environmental waste management. Some 164 reports on environmental damage were drawn up resulting in a corresponding number of fines. Many petitions from the suspected structures were recorded and processed.

735- Besides, 139 structures which violated environmental laws were sanctioned²³¹.

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736- Finally, the management of environmental issues has been of particular concern in 2012. Beyond the usual actions to fight against pollution, manage disputes and ensure reforestation carried out by Government, the populations were seriously exposed to several disasters including floods. Measures proposed by Government to prevent such disasters should be encouraged so that structural solutions find relevant backing for the well-being of the people.

²³¹See Communiqué No. 10/MINEPDEP/SG/DNC of 2 April 2012, published in CT of 17 April 2012

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CONCLUSION OF PART TWO

737- An analysis of efforts made as part of the implementation of economic, social and cultural rights as well as the right to a healthy environment reveals an upturn in the drive to punish persons guilty of misappropriation of public property with the establishment of the SCC. This upturn also involves steps to improve education indicators even if the involvement of the educational system in the socio-economic and cultural context needs to be consolidated with a significant extension of the teaching of national languages, more consideration for the socio-cultural realities in the selection of textbooks and improved performance in the professionalization of courses, as well as in the area of reduction of geographical, economic and social disparities.

737-1- With regard to health, the provision of quality care was enhanced with the creation or transformation of health facilities as well as an increase in staff and an improved drug supply system which contributed to a decrease in morbidity due to malaria, a better control of the cholera epidemics, or the continuation of free care for people living with HIV. However, maternal mortality, care of the underprivileged, control of access to the medical profession, and retention of staff remain major concerns.

737-2- Although an increase is noted in the production of certain agricultural and livestock sectors, the levels do not yet guarantee food security. Major projects in the area of water and energy raised hope for better supply as well as production of low-cost houses, although it is feared that the massive use of foreign expertise in this area may not be beneficial to local expertise.

737-3- With regard to the right to a healthy environment, response measures taken against the massive poaching of elephants in the Bouba Ndjida National Park may contribute to biodiversity conservation. In addition, the floods that occurred in the northern part of the country have highlighted the need to improve the civil protection system. New regulations on waste management require greater awareness of the people to enable them to achieve sustainable change in behaviour and consumption habits.

Part Three

CROSS-CUTTING ISSUES AND THE RIGHTS OF SPECIFIC GROUPS



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INTRODUCTION TO PART THREE

738- The specificity of some groups requires that special measures be taken to guarantee their civil, political, economic, social and cultural rights taking into account the indivisibility of Human Rights.

739- Based on these considerations, the following aspects will be discussed:

- prison conditions;
- promotion and protection of the rights of the socially vulnerable comprising children, persons with disabilities, the elderly and indigenous people; and
- promotion and protection of the rights of women.



Chapter 1

PRISON CONDITIONS



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740- Improving prison conditions in Cameroon remains a constant concern of Government, supported by development partners and civil society organisations. Capacity building, prison statistics, health coverage, feeding of prisoners, socio-cultural activities, recreation and education as well as control and prison visits are indicators that give an overview of achievements and challenges in the prison sector.

SECTION 1: CAPACITY BUILDING

741- The annual meeting of Regional Delegates of Penitentiary Administration and capacity building seminars are the essential activities to raise awareness among certain targets on the need to improve detention conditions.

§1- Annual Meeting of Regional Delegates of Penitentiary Administration

742- The annual meeting of Regional Delegates of Penitentiary Administration; that is, an exchange platform on major concerns of Penitentiary Administration was held from 7 to 9 November 2012. Several topics were discussed during the meeting and recommendations made.

A: Topics discussed

743: Presentations were made on:

- custody in penitentiary establishment;
- escorts in prisons;
- security and respect for human rights in prisons;
- respect for the right to health of prisoners and security requirements;
- free prison labour and detachments;
- the CPC and prison overcrowding;
- development of Information and Communications Technologies (ICTs) and their impact on prison management;
- prison system and the rights of detainees; and
- ethics and professional conduct in Penitentiary Administration.

744- The meeting allowed senior officials to reflect on the above topics in order to upgrade their skills in respect of the problems encountered at work.

745- After discussions, participants made recommendations in various domains.

B: Recommendations

746- Recommendations were made on the following nine points:

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1) Guard Services

- amend instruments governing guard services in prisons;
- increase the number of staff;
- allocate appropriate safety equipment; and
- develop appropriate guard facilities.

2) Prison Escorts

- amend instruments governing escort services in prisons;
- provide appropriate equipment for the escort of prisoners; and
- systematically punish staff in charge of escort who exhibit misconduct and give incentives to those who are duty conscious.

3) Security Concerns and Respect for Human Rights in Prisons

- modernize the prison system;
- define an intervention strategic framework for public and private stakeholders; and
- develop policies for the supervision of prisoners.

4) Right of Detainees to Health and Security Requirements

- improve prison health infrastructure and strengthen their technical level;
- increase logistics; and
- increase the number of medical and paramedical staff.

5) Unsupervised Prison Labour and Detachment

- review instruments relating to prison labour;
- provide appropriate equipment for prison labour;
- recruit technical staff for the supervision of prison labour;
- cooperate with development partners; and
- resume production activities in prisons and set out an industrial control system for prisons

6) Criminal Procedure Code and Prison Overcrowding

- strict application of the CPC;
- unwavering commitment by Judicial Officers to deliver sound and intelligent judgments;
- regular control of remand in custody and systematic taking of measures to curb prison overcrowding; and
- strengthen collaboration and harmony between judicial and penitentiary officials.

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7) Information and Communications Technologies and their Impact on Prison Management

- allocate additional resources for the development of a Penitentiary Administration Computerization Master Plan;
- capacity building of penitentiary staff on information and communications technologies (ICTs);
- equip prisons gradually with suitable electronic safety tools; and
- establish a training programme to facilitate the ownership of computer usage by prison staff at all levels.

8) Penitentiary System and Respect of the Rights of Detainees

- review Decree No. 92/52 of 27 March 1992 on the prison system;
- allocate substantial resources for feeding and health of prisoners; and
- continue prison infrastructure modernization policy.

9) Ethics and Professional Deontology in the Penitentiary Administration:

- institute security clearance for recruitment into Penitentiary Administration;
- review the organic law of the National School of Penitentiary Administration;
- facilitate local refresher courses by Regional Delegates of Penitentiary Administration through allocation of adequate resources; and
- systematic disciplinary measures against staff at fault.

747- In addition to this target, the capacity of other stakeholders in the prison system was also strengthened.

§2: Capacity Building

748- The public-private sector partnership enabled the *Catholic Relief Services* (CRS) to organise 2 meetings to discuss some issues in relation to prison conditions.

749- Thus, a conference was organized in Yaounde from 28 to 29 March 2012 on "*Alternatives to Imprisonment in Cameroon*". It was followed by a workshop to evaluate the project "*Protecting the Rights of Inmates and Detainees*" (PRIDE) held on 14 September 2012 in Yaounde.

750- The meetings brought together civil society organizations, Judicial Police Officers, Judicial and Legal Officers, Prison Administration officials, and partners involved in the implementation of PRIDE namely: the Bar Council, the diocesan Justice and Peace Commissions of Yaounde and Douala.

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751- In the same vein, the association “*Avocats Sans Frontières*” (Lawyers without Borders), in collaboration with the Bar Council, organized 2 seminars for Judicial and Legal Officers, Judicial Police Officers, Lawyers, and Prison Administration officials from 4 to 5 and 8 to 9 October 2012 in Bamenda and Ngaoundere respectively. These meetings, organized within the framework of the project “*Dignity in Detention*”, focused on “*promoting respect for the basic rules of law for persons deprived of their freedom in Cameroon*”.

752- These activities seek to humanize prison conditions that must be understood in the light of prison statistics which are a combination of the number of inmates, the number of staff and the intake capacity of prisons.

SECTION 2: PRISON STATISTICS

753- In 2012, Cameroon had 88 prisons 77 of which were operational. These included 10 central prisons, 49 main prisons and 18 secondary prisons with an intake capacity estimated at 17,000 places for a prison population of 25,337 with 15,756 awaiting trials and 9,581 convicts. The prison population was 24,000 in 2011. Among the prisoners were 515 women and 865 children. In 2012, 9 new prisons were set up, namely, the secondary prisons of Douala, Yaounde, Bali, Batibo and Touboro as well as the main prisons of Bandjoun, Mbankomo, Menji and Tombel. When they become fully operational, these prisons will curb prison overcrowding and provide prisons to some areas with courts but without prison infrastructure.

754- The national guard/inmate ratio is on an average of 1 guard for 11 inmates. The lowest ratio is that of the Bavenga Secondary Prison in the South West Region with 1 guard for 2 inmates, followed by that of the Tcholliré II Prison with 1 guard for 4 inmates. The Bavenga Prison, for example, has an accommodation capacity of 50 places but has only 9 prisoners. This ratio can be partly explained by the fact that these prisons accommodate only convicts. At the Secondary Prison, Upper Farms, Buea, with an accommodation capacity of 200 places for 100 inmates, the ratio stands at 1 guard for 10 inmates. This prison also has the specificity of hosting only convicts. At the Djoum Prison in the South Region, there are 33 awaiting trials and convicts put together for a capacity of 100 places and the ratio is 1 guard for 2 inmates.

755- Prison overcrowding is significant in central prisons and in some divisional headquarters, such as Kribi with 300 prisoners for an intake capacity of 100 places or Sangmelima with 213 prisoners for an intake capacity of 100 places.

756- The specific needs of the Central Prison, Douala led to the allocation of a quarter for the elderly. This enables better management of the specific needs of this group of prisoners.

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757- In perspective, a recruitment plan for the next 5 years is provided in order to take into account technical fields such as agriculture and livestock so as to prepare for the social reintegration of prisoners and to focus on prison production. These recruitments will certainly allow a better supervision of prisoners by improving the guard/inmate ratio.

758- The Tables below summarise prison statistics, including disaggregated statistics for children and women. Convicts sentenced to death have been dealt with in the chapter relating to the right to life²³².

Table 1: Prison conditions as at 31 December 2012

Categories	Intake Capacity	Accused	Convicts	Total
Regions				
Adamawa	1070	891	461	1352
Centre	3800	4979	2079	7058
East	1475	529	480	1009
Far North	2170	1142	1766	2908
Littoral	1550	2919	1359	4278
North	1150	1165	1084	2249
North West	1550	769	654	1423
West	2420	1933	695	2628
South	800	622	465	1087
South West	1010	807	538	1345
Total	16 995	15 756	9 581	25 337

Source: DAPEN

Table 2: Women in prisons as at 31 December 2012

Categories	Accused	Convicts	TOTAL
Regions			
Adamawa	13	0	13
Centre	166	51	217
East	20	11	31
Far North	16	29	45
Littoral	54	16	70
North	23	9	32
North West	6	10	16
West	39	15	54
South	13	9	22
South West	6	9	15
Total	356	159	515

Source: DAPEN

²³²Part I, Chapter 1 on the Right to Life, p. 78 et seq.

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Table 3: Minors in Prison as at 31 December 2012

Categories	Accused	Convicts	TOTAL
Regions			
Adamawa	27	20	47
Centre	217	69	286
East	35	1	36
Far North	61	9	70
Littoral	76	9	85
North	91	14	105
North West	24	4	25
West	109	9	118
South	42	7	49
South West	35	9	44
Total	714	125	865

Source: DAPEN

759- The high prison population poses health coverage problems.

SECTION 3: HEALTH COVERAGE

760- At the institutional level, Decree No. 2012/339 of 18 September 2012 relating to the organization of the Ministry of Justice seeks to align prison health with the national health system. To this end, a draft strategic plan for prison health care is being prepared.

761- The budget allocated for the health of prisoners in 2012, which is similar to that of 2011, stands at CFA 86 513 000²³³.

762- Data collected from prisons indicate that skin diseases, malaria, HIV/AIDS and tuberculosis are the main diseases affecting inmates. In 2012, 774 detainees were infected with HIV/AIDS including 13 minors, 65 women, 696 men and 22 supervisory staff.

763- In addition to health coverage, the feeding of prisoners remains a concern.

SECTION 4: FEEDING OF PRISONERS

764- Budget allocations for the feeding of prisoners dropped from CFA 2,050,800,000²³⁴ in 2011 to CFA 2,029,094,000²³⁵ in 2012. This package remains insufficient to provide a balanced diet for prisoners.

²³³About 130,992.36 Euros

²³⁴About 3,130,992.36 Euros

²³⁵See Preliminary Chapter on Cooperation with treaty organs, § 19 et seq.

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765- One meal is served daily to prisoners in all 8 prisons in the West Region. One meal is also served daily in all the 5 prisons of the Littoral Region with the exception of the Central Prison, Douala where inmates are entitled to 2 meals per day.

766- Apart from addressing these feeding concerns, measures are also taken to promote the spiritual and intellectual development of prisoners.

SECTION 5: SOCIO-CULTURAL ACTIVITIES, RECREATION AND EDUCATION

767- Socio-cultural activities are organized regularly in all prisons in partnership with NGOs, private and denominational partners. In some prisons, inmates are trained in multimedia centres or sewing workshops within the prison. They also have access to libraries, where they exist.

768- Regarding education, only two prisons scored positive results in official examinations in 2012 at the First School Leaving Certificate Examination. Four candidates passed at the Bamenda Prison and one passed at the Ngaoundere Prison.

769- Beneficial activities for prisons are carried out under the watchful eyes of structures authorized to visit and control prison establishments.

SECTION 6: PRISON CONTROLS AND VISITS

770- In the Adamawa Region with 5 prisons, 2 visits were carried out in the Banyo Prison by an independent body. While the Meiganga Prison was not controlled, those of Tibati and Ngaoundere were visited once by the NCHRF in 2012.

771- In the North Region with five prisons, only the Garoua Prison was visited by the NCHRF.

772- In the East Region, the NCHRF visited the Doume, Bertoua and Yokadouma prisons.

773- In the West Region, the NCHRF visited the central prisons of Mantoum and Bafoussam.

774- In the North West Region, the National Commission for Justice and Peace visited all prisons in the Region. The NCHRF equally visited the Bamenda Prison twice within the year. In addition to these two organizations, Special Rapporteurs of the African Commission on Human and Peoples' Rights²³⁶ and representatives of the Red Cross visited the Bamenda Prison.

²³⁶See Preliminary Chapter on Cooperation with treaty organs, § 19 et seq.

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775- In the South West Region, the Buea Prison was visited 5 times by the civil society.

776- In the South Region, the NCHRF visited the Ebolowa and Ambam prisons. In the Centre and Littoral Regions, it visited the Central and Secondary Prisons, Kondengui, Yaounde, the New Bell Prison and the secondary prison of the Gendarmerie Legion for the Littoral.

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777- Despite efforts by Government to improve prison conditions, much remains to be done to align feeding and health in prisons with international standards.

Chapter 2

PROMOTION AND PROTECTION OF THE RIGHTS OF THE SOCIALY VULNERABLE



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778- As in previous years, Government continued in 2012 to take measures to promote and protect the rights of the socially vulnerable, namely children, persons living with disabilities, the elderly, and indigenous peoples.

SECTION 1: PROMOTION AND PROTECTION OF THE RIGHTS OF THE CHILD

779- Many measures have been taken to promote and protect the rights of the child.

§1: Promotion

780- Promotion measures include among others, capacity building on care for orphans and other vulnerable children (OVC)²³⁷, promotion and dissemination of the rights of the child, and constant collaboration with development partners.

A: Capacity building on care for OVCs

781- As part of capacity building on care of OVCs, Government led the following activities:

1) Improving the holistic care of OVCs in the context of HIV/AIDS through:

- nutritional, educational, health, legal and psycho-emotional support for over 9000 OVCs;
- organization in Kribi from 23 to 25 May 2012, of a workshop to strengthen the supervision and coordination system of care for OVCs at the central, regional and operational levels; and
- production and dissemination of the Strategic Plan and Guide for OVC care.

2) Rationalization of safety and monitoring procedures for children in need through:

- signing and distribution of Circular No. 2012/AS/59/001/LC/MINAS/SG/DPE/SDSE of 26 January 2012 on the registration of births for abandoned children;
- updating the Register for Securing distressed children in public and private organizations responsible for the supervision of children;
- updating the Private Social Works directory;
- identification of 204 families on the roster of approved families since 2005 including 130 that benefited from the temporary placement of a child at least for a total of 22 children in 2012;
- psycho-social support to 23 families approved and waiting for the temporary placement of children;
- production and dissemination of the report of the study on Children in Need of Special Protection Measures (CNSPM);
- continuation of awareness campaign against sexual exploitation of children in the headquarters of the Littoral, North West, West, and South West Regions;

²³⁷Refers to orphans, abandoned children and children victims of slavery and trafficking, sexual abuse and in need of special protection measures.

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- development of a guide to support children with special needs; and
- cross-validation of the adoption chain procedures manual with input from all stakeholders.

782- It is important to note that 34 children attended special courses offered by the Social Charity and Humanitarian Association, at the Central Prison, New Bell, Douala. At a ceremony held on 14 June 2012, the minors received their report cards and prizes for the third term.

B: Promotion and Dissemination of the Rights of Children

783- To make known certain rights of the child, the following actions were taken:

- organization of the 22nd edition of the Day of the African Child under the theme "*Rights of Children with Disabilities: duty to protect, respect, promote and realize*";
- organization of the 14th Session of the Children's Parliament on 16 June 2012 at the National Assembly chaired by the Speaker of the National Assembly, with the Prime Minister, Head of Government, in attendance;
- national launching of the 2012 UNICEF report on the situation of children in the world on 29 May 2012;
- organization of a seminar in Yaounde on 12 June 2012 by Women, Health and Development and the National Network of Aunties (RENATA), to present the results of two projects on the fight against violence through the Gender Transformative Approach, financed by GIZ-Cameroon; and
- organization by Government, with the support of UNICEF on 23 October 2012 in Douala, of a workshop to raise awareness on sexual violence and child trafficking.

C: Ongoing Collaboration with Development Partners

784- In collaboration with development partners, the following activities were recorded in the field of child welfare:

- the handover to Cameroon Baptist Convention (CBC), Makenene, Centre Region, of a building constructed and equipped by Strategic Humanitarian Services (SHUMAS-Cameroon) to house a school. The new building has 3 classrooms, an office, 3 toilet blocks and water supply. An environmental functional school project was also implemented;
- receipt of the Welcome Centre for Children in Need (CAED), Yaounde, Centre Region, newly renovated by the Turkish Cooperation and the Coordination Agency (TIKA) in Cameroon. The renovated centre has a capacity of 40 seats. It currently houses 26 children who received gifts from the Turkish Embassy.

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§2: Protection

785- Measures taken to protect the rights of children include among others, the fight against the phenomenon of street children, management of children in conflict with the law, and judicial protection of children.

A: Curbing the Phenomenon of Street Children

786- The fight against the phenomenon of street children (SC) was intensified in 2012 through:

- the identification of 285 new cases in the streets of Douala and Yaounde from January to October 2012. Among them, 207 were handed over to their respective families and 25 placed in the Welcome and Observation Centre (CAO) Bepanda-Douala, while 18 former SC initially placed at the Cameroon Institution for Children (ICE) Betamba and CAO Bepanda-Douala in 2011 have also been handed over to their families, bringing to 225 the total number of SC returned to their respective families;
- the establishment by MINAS in Yaounde and Douala of 2 Pilot Mixed Mobile Brigades for the prevention and fight against the phenomenon of SC abbreviated "B2MEDR" comprising representatives from MINAS, MINJUSTICE, MINSANTE MINJEC, MINPROFF, SED, DGSN and MINATD; and
- the delivery of teaching aids and school bags by MINAS to almost 100 former street children based in Douala.

B: Children in Conflict with the Law

787- To protect the rights of children in conflict with the law, Government strengthened their psycho-social care and education through:

- identification of 257 imprisoned minors, among whom 64 were released and 9 returned to school, and who benefited from socio-economic reintegration. The remaining 13 were supported in their respective families by supervisors; and
- supervision by the competent social services of 179 others who are still in detention.

C: Judicial Protection of Children

788- The Table below shows judicial measures against perpetrators of offences against children.

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Table I: Proceedings against perpetrators of offences against children

No.	Courts	Types and Number of Offences	Total Number of Cases	Remarks
COURT OF APPEAL, FAR NORTH REGION				
1	Maroua (HC/CFI)	-indecency to minor of less than 16 years (IM): 18	18	-12 of the 18 cases ended in convictions, 2 ended in acquittals, while 4 were pending judgment.
2	Maroua (CA)	-kidnapping: 1 - indecency to minor of less than 16 years : 3	4	- the only kidnapping case ended in a conviction. -all IM cases ended in convictions.
3	Kaele (HC/CFI)	- indecency to minor of less than 16 years: 5	5	-all cases ended in convictions.
4	Kousseri (HC/CFI)	-assault on minor(AM): 3 - kidnapping: 3 - indecency to minor of less than 16 years: 5	11	-all 3 cases of AM are pending judgment. -of the 3 kidnapping cases, 1 ended in a conviction and the other two are pending judgment. -of the 5 IM cases, 3 ended in convictions and 2 are pending judgment.
5	Mora (HC/CFI)	- kidnapping:1 -IM: 7	8	- the only kidnapping case ended in a conviction. -3 of the 7 IM cases ended in convictions while 4 were pending judgment.
6	Mokolo (HC/CFI)	- kidnapping: 8 - IM less than 16 years: 17	25	-5 of the 8 kidnapping cases ended in convictions and the rest are pending judgment. -3 of the 17 IM cases ended in convictions, 4 were pending before the Examining Magistrate and 10 were pending judgment.
7	Yagoua (HC/CFI)	- child trafficking :1 - kidnapping : 2 - IM less than 16 years:6	9	- the only child trafficking case was pending judgment. -the kidnapping cases were pending before the Examining Magistrate. - 4 of the 6 IM cases ended in convictions while 2 were pending before the Examining Magistrate.
COURT OF APPEAL, LITTORAL REGION				
8	Edea (HC/CFI)	- kidnapping: 5 - IM less than 16 years: 64	69	-4 kidnapping cases were pending judgment and 1 before the Examining Magistrate. -21 of the 64 IM cases were pending before the Examining Magistrate; 43 were pending judgment.
9	Douala-Bonanjo (HC/CFI)	- kidnapping: 6 - IM less than 16 years:5	11	-all 6 kidnapping cases were pending judgment. - 2 IM cases were pending before the Examining Magistrate and 3 ended in convictions.

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No.	Courts	Types and Number of Offences	Total Number of Cases	Remarks
10	Douala-Ndokoti (CFI)	- AM: 2 - kidnapping:4 - IM less than 16 years:11	17	-1 of the 2 AM cases ended in a conviction and the other in an acquittal. -2 of the 4 kidnapping cases ended in convictions, 1 in an acquittal and the other is pending judgment. -8 of the 11IM ended in convictions, 2 in acquittals and the 9 others were pending judgment.
11	Mbanga (CFI)	- kidnapping: 1 - IM less than 16 years: 19	20	- the only child trafficking case was pending judgment. -10 of the 19 IM cases were pending judgment, 5 were pending before the Examining Magistrate, 4 ended in convictions and 1 in an acquittal.
12	Yabassi (HC/CFI)	- IM less than 16 years: 4	4	- all 4 IM cases were pending before the Examining Magistrate.
COURT OF APPEAL, CENTRE REGION				
13	Ngoumou (HC/CFI)	- kidnapping:2 - IM less than 16 years: 13	15	-the 2 kidnapping cases were pending before the Examining Magistrate. -5 of the 13 IM cases ended in convictions, 4 were pending judgment, while 5 were pending before the Examining Magistrate.
14	Eseka (HC/CFI)	- AM: 1 kidnapping: 6 - IM less than 16 years: 14	21	-all cases on AM and IM were not yet sent to court. -1of the 6 kidnapping cases ended in a conviction. The others were pending judgment.
15	EKOUNOU (CFI)	-child trafficking:1 - AM: 2 - kidnapping:6 - IM less than 16 years: 1	10	-the only case on child trafficking was not yet sent to court. - the 2 cases on AM were pending judgment. -4 of the 6 kidnapping cases ended in convictions and 2 ended in acquittals. -the only IM case ended in a conviction.
16	Ntui (HC/CFI)	- AM: 2 kidnapping:10 - IM less than 16 years: 27	39	-1 AM case ended in a conviction and the other is pending before the Examining Magistrate. -7 of the10 kidnapping cases ended in convictions while 3 were pending judgment. - 19 of the 27 IM cases were pending judgment while the rest were pending before the

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No.	Courts	Types and Number of Offences	Total Number of Cases	Remarks
				Examining Magistrate.
17	Mbalmayo (HC/CFI)	- kidnapping:4 - IM less than 16 years: 12	16	-all kidnapping cases were pending judgment. -3 of the12 IM cases ended in convictions, 4 ended in acquittals while the rest were pending judgment.
18	Mfou (HC/CFI)	- AM: 1 - kidnapping:1 -IM: 6	8	-all the 2 AM cases and the kidnapping cases were pending before the Examining Magistrate. -all IM cases ended in convictions.
19	Nanga-Eboko (HC/CFI)	-kidnapping:2 - IM: 11	13	-all the 2 kidnapping cases were pending judgment. -5 of 11 IM cases ended in convictions while the rest were pending judgment.
20	Yaounde, Centre Administratif (CFI)	- AM: 2 - kidnapping: 4 - IM:3	9	-1of the 2 AM cases ended in a conviction while the other was pending judgment. -2 of the 4 kidnapping cases ended in convictions while the other 2 were pending judgment . -2 of 3 IM cases were pending judgment while 1was pending before the Examining Magistrate.
21	Yaounde, (HC)	-child trafficking: 2 - kidnapping: 8 - IM minor of less than 16 years: 102	110	-the 2 cases on child trafficking were pending before the Examining Magistrate. -3 of the 8 kidnapping cases ended in convictions, 1 in an acquittal and the others were pending before the Examining Magistrate. -32 of the 102 IM cases ended in convictions, 6 in acquittals, 43 were pending judgment while the rest were pending before the Examining Magistrate.
COURT OF APPEAL, EAST REGION				

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No.	Courts	Types and Number of Offences	Total Number of Cases	Remarks
22	Batouri (HC/CFI)	- AM: 2 - kidnapping: 1 - IM minor of less than 16 years: 7	10	-the 2 AM cases were pending before the Examining Magistrate. -the only kidnapping case was pending judgment. -5 of the 7 IM cases were pending judgment, 1 was pending before the Examining Magistrate while 1 ended in a conviction.
23	Yokadouma (HC/CFI)	- kidnapping:3 - IM minor of less than 16 years: 11	14	-1 of the 3 kidnapping cases ended in a conviction while 2 are pending judgement. -8 of the 11 IM cases ended in convictions, while 3 others ended in acquittals.
24	Abong-Mbang (HC/CFI)	- AM:1 - kidnapping: 4 - IM minor of less than 16 years: 30	35	- the only AM case ended in a conviction. - 4 kidnapping cases were pending before the Examining Magistrate, and 1 pending judgment. -15 of the 30 IM cases were pending before the Examining Magistrate, 12 were pending judgment while 3 ended in convictions.
25	Bertoua (CFI)	- kidnapping:3 - IM minor of less than 16 years: 9	12	-2 of the 3 kidnapping cases were pending before the Examining Magistrate, while 1 was pending judgment. -7 of the 9 IM cases were pending before the Examining Magistrate while the 2 others were pending judgment.
COURT OF APPEAL, NORTH REGION				
26	Garoua (CA)	-AM: 1 - kidnapping: 3 -IM: 8	12	-Appellant acquitted on AM charge. -Appellants equally acquitted on kidnapping charge. - convictions were confirmed in 5 of the 8 IM cases; 1 ended in an acquittal and the rest were pending judgment.
27	Garoua (HC/CFI)	- AM: 1 - kidnapping:2 -IM: 21	24	-the only AM case ended in a conviction. - the 2 kidnapping cases were pending judgment. -14 of the 21IM cases ended in convictions, 2 ended in acquittals and 5 were pending judgment.

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No.	Courts	Types and Number of Offences	Total Number of Cases	Remarks
28	Poli (HC/CFI)	- kidnapping: 1 -IM: 3	4	- the only kidnapping case was pending judgment. -1 of the 3 IM cases ended in a conviction while the rest were pending judgment.
29	Tcholliré (HC/CFI)	- AM:1 - IM:5	6	- the only AM case ended in a conviction. -1 of the 5 IM cases ended in a conviction, 2 were pending before the Examining Magistrate, while 2 others were pending judgment.
30	Guider (HC/CFI)	- kidnapping:3 -IM:5	8	- 1 of the 3 kidnapping cases ended in a conviction, 1 ended in an acquittal and the last was pending judgment. - 3 of the 5 IM cases ended in convictions, 1 in an acquittal and the other was pending judgment.
COURT OF APPEAL, NORTH WEST REGION				
31	Bamenda (HC/CFI)	- AM: 1 -kidnapping: 3 - IM less than 16 years: 28	32	- the only AM case ended in a conviction. -all 3 kidnapping cases ended in convictions. -4 of the 28 IM cases ended in convictions, 19 were pending judgment, while the rest were pending before the Examining Magistrate.
32	Bali (CFI)	- kidnapping: 1 -IM: 1	2	-all the cases were pending judgment.
33	Batibo (CFI)	- kidnapping: 10 - IM: 20	30	-2 of the 10 kidnapping cases ended in convictions, 5 were pending before the Examining Magistrate, while the rest were pending judgment. -3 of the 20 IM cases were pending judgment while the rest are pending before the Examining Magistrate.
34	Fundong (HC/CFI)	- AM:1 - IM:5	6	- the only AM case is pending judgment. -2 of 5 IM cases ended in convictions and 3 were pending judgment.
35	Kumbo (HC/CFI)	- IM: 14	14	-10 of the 14 cases were pending before the Examining Magistrate while 4 others were pending judgment.

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No.	Courts	Types and Number of Offences	Total Number of Cases	Remarks
36	Mbengwi (HC/CFI)	- AM:2 -kidnapping:3 -IM: 24	29	-1of the 2 AM cases ended in a conviction and the other was pending judgment. -2 of the 3 kidnapping cases were pending before the Examining Magistrate and the other was pending judgment. - of the 24 IM cases, 7 ended in convictions and the rests were pending judgement.
37	Ndop (HC/CFI)	- IM:2	2	-the 2 cases were pending judgment.
38	Nkambe (HC/CFI)	-kidnapping:2	2	-the 2 cases ended in convictions.
39	Wum (HC/CFI)	- IM less than 16 years:4	4	-1 of the 4 cases ended in a conviction, 1 was pending judgment, while the rest were pending before the Examining Magistrate.
COURT OF APPEAL, WEST REGION				
40	Bafoussam (HC/CFI)	- AM: 2 - kidnapping:9 - IM less than 16 years:29	40	-the 2 AM cases were pending judgment. -2 of the 9 kidnapping cases ended in convictions, 3 were pending judgment and 4 were pending before the Examining Magistrate. -14 of the 29 IM cases ended in convictions, 3 in acquittals, 6 were pending judgment and 5 were pending before the Examining Magistrate.
41	Bafang (HC/CFI)	- IM less than 16 years:9	9	-all 9 IM cases ended in convictions.
42	Bandjoun (HC/CFI)	- kidnapping:1 - IM less than 16 years: 8	9	- 2 IM cases were pending judgment; the rest were pending before the Examining Magistrate. - the only kidnapping case was equally pending before the Examining Magistrate.
43	Bangangte (HC/CFI)	- kidnapping: 4 - IM less than 16 years: 8	12	-2 of the 4 kidnapping cases ended in convictions. -2 of the 8 IM cases ended in convictions; 2 others in acquittals and the rest were pending before the Examining Magistrate.

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No.	Courts	Types and Number of Offences	Total Number of Cases	Remarks
44	Dschang (HC/CFI)	- kidnapping: 2 - IM less than 16 years: 7	9	-1 of the 2 kidnapping cases ended in a conviction. -4 of the 7 IM cases ended in convictions. - the rest were pending before the Examining Magistrate.
45	Foumban (HC/CFI)	- AM: 1 - kidnapping:3 - IM less than 16 years: 8	12	-all the cases were pending before the Examining Magistrate.
46	Foumbot (CFI)	- IM less than 16 years: 5	5	- 2 of the 5 cases were pending judgment, while the 3 others were pending before the Examining Magistrate.
47	Mbouda (HC/CFI)	- kidnapping: 5 - IM less than 16 years: 16	21	-all the 5 kidnapping cases ended in convictions. -15 of the 16 IM cases ended in convictions while 1 is pending before the Examining Magistrate.
COURT OF APPEAL, SOUTH WEST REGION				
48	Tiko (CFI)	- IM less than 16 years: 3	3	-all 3 IM cases ended in convictions.
COURT OF APPEAL, SOUTH REGION				
49	Ebolowa (CFI)	- Child trafficking : 2 - IM less than 16 years: 9	11	-the 2 cases on child trafficking ended in convictions. -4 of the 9 IM cases were pending before the Examining Magistrate while 5 ended in convictions.
50	Bengbis (CFI)	- IM : 3	3	-all the cases were pending judgment.
51	Kribi (HC/CFI)	-AM: 1 - kidnapping:4 - IM less than 16 years: 20	25	the only AM case ended in a conviction. -the 4 kidnapping cases were pending judgment. -11 of the 20 IM cases were pending judgment while the rest were pending before the Examining Magistrate.
52	Ambam (HC/CFI)	- Child trafficking: 2 - kidnapping:3 - IM:4	9	-the 2 child trafficking cases were pending before the Examining Magistrate. -1 kidnapping case was pending before the Examining Magistrate, while 2 others were pending judgment. - 3 of the 4 IM cases were pending judgment while 1 ended in a conviction.
53	Djoum (CFI)	- IM less than 16 years: 1	1	- the only case was pending judgment.
54	Sangmelima (HC/CFI)	- AM: 1 - kidnapping:5 - IM: 9	15	- the only AM case ended in a conviction. - 2 kidnapping cases ended in convictions while 3 were pending judgment. - 6 of the 9 IM cases ended in convictions, 1 acquittal while 2 were pending judgment.

Source: MINJUSTICE

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789- Government did not focus solely on children, but also on the promotion and protection of the rights of persons with disabilities.

SECTION 2: PROMOTION AND PROTECTION OF THE RIGHTS OF PERSONS WITH DISABILITIES

790- Government, with the support of social partners, continued the promotion and protection of the rights of persons with disabilities.

§1: Promotion Measures

791- The measures taken by Government to promote the rights of persons with disabilities include the launch of a study on inclusive education for persons with disabilities, the celebration of the International Day of Persons with Disabilities, participation in international forums, and the strengthening of institutions.

A: Inclusive Education for Persons with Disabilities

792- To promote the education of people with disabilities, MINAS, with the help of UNESCO, endorsed the terms of reference for a detailed study on inclusive education of this category of persons.

793- The study conducted by the UNESCO Office in Cameroon, established the real situation of persons with disabilities in Cameroon and identified the main difficulties encountered in inclusive education, among others.

794- In the same vein, the MINAS officially launched the community-based rehabilitation approach in October 2012. Pilot projects for field experiments were launched in Bamenda, Garoua and Mbalmayo.

B: Celebration of the International Day of Persons with Disabilities

795- On 3 December 2012, the 21st edition of the International Day of Persons with Disabilities was celebrated throughout the country under the theme "*Breaking down Barriers for the Promotion of the Emergence of an Accessible and Inclusive Society for All.*"

796- During the celebration, the National Union of Associations of and for Persons with Disabilities of Cameroon (UNAPHAC), hosted a radio-television talk show to identify proposals and strategies to remove barriers to the promotion of an inclusive and accessible society.

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797- In order to enable persons with disabilities to understand the current electoral system so as to massively register on the voters' register, ELECAM officials distributed Braille kits and DVD compatible formats.

C: Participation in International Forums

798- To share experiences in promoting the rights of persons with disabilities, Cameroon attended the following international forums:

- the consultative meeting held in Addis Ababa from 27 to 29 December 2012 with the objective of implementing the Forum for Persons with Disability in Africa; and
- the 3rd Session of the Conference of Ministers of Social Development of the African Union in which the following decisions and recommendations were made:
 - dissolution of the African Rehabilitation Institute and the establishment of a new body;
 - adoption of the amended Action Plan of the Continental Action Plan of the African Decade of Persons with Disabilities 2010-2019; and
 - preparation and participation in the high-level meeting of the General Assembly of the UN on the theme "*The Way Forward: An Inclusive Development Programme for People with Disabilities 2015 and Beyond*".

D: Strengthening Institutions

799- In the context of institution building, the following actions were taken:

- continued strengthening of the technical capacity of the *Cardinal Paul Emile LEGER National Rehabilitation Centre for Persons with Disabilities* (CNRPH- CPEL) and the acquisition of equipment; and
- continued construction of the Centre for the Rehabilitation of Persons with Disabilities of Maroua in cooperation with the Italian NGO, *AIAS AFRAGOLA*.

§2: Protection Measures

800- In 2012, the rights of persons with disabilities were also protected through collaboration with development partners and the revision of instruments to protect the rights of persons with disabilities.

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A: Collaboration with Development Partners

801- Collaboration with development partners was marked by the donation, by the *Association de Secours Mutuels-Partage-Insertion*, a France-based Cameroonian NGO, of clothes, shoes, home games, toys, blankets, books, crutches and wheelchairs to more than 20 organizations and 4 persons with disabilities at the Reception and Observation Centre, Bepanda, Douala on 4 October 20

B: Review of Protection Instruments

802- The following can be noted as part of the review of instruments to protect the rights of persons with disabilities:

- updating and publication of guides on accessibility for persons with disabilities to education, public infrastructure and buildings; and
- signing of 2 decisions by MINAS including Decisions No. 9 and No. 10/D/MINAS/SG/DAG/SDBMM/SM of 19 March 2012 to grant subsidies in cash to the CNRPH-CPEL to buy 2 vehicles and medical equipment.

803- Government was also concerned with strengthening the rights of the elderly.

SECTION 3: PROMOTION AND PROTECTION OF THE RIGHTS OF THE ELDERLY

804- Government in 2012, as in previous years, was concerned with the promotion and protection of the rights of the elderly.

§1: Promotion Measures

805- The following measures were taken to promote the rights of the elderly:

- production and publication of Volume 1 of the guide on healthy and active aging;
- preparation and transmission to the United Nations Economic and Social Council of the Report of Cameroon on the implementation of the Madrid Plan of Action on Ageing (MADRID +10); and
- celebration on 1 October 2012 of the 22nd International Day of Elderly Persons on the theme: "Longevity: *Shaping the Future.*"

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§2: Protection Measures

806- The following actions were taken to protect the rights of the elderly:

- updating the draft national policy documents on the protection of the elderly, and on aging; and
- signing by MINAS and MINTP of the joint decision relating to the setting up, organization and functioning of an ad hoc committee to produce the tender file and to monitor the execution of the construction of the Old Peoples' Home.

807- Besides the foregoing, promotional activities were also undertaken on behalf of indigenous peoples.

SECTION 4: PROMOTION OF THE RIGHTS OF INDIGENOUS PEOPLES

808- Measures taken to promote the rights of indigenous peoples include solidarity shown by the Circle of Friends of Cameroon (CERAC), celebration of the International Day of Indigenous Peoples, and capacity building.

§1: Action by the Circle of Friends of Cameroon

809- On 30 June 2012, CERAC handed over to the Baka pygmies of the Mbang Subdivision, in the Kadey Division, East Region, the "Baba Simon" Social Centre it had rehabilitated and equipped.

810- The action was accompanied by a donation of pharmaceuticals and medicines, farm tools and teaching aids, foodstuffs, toiletries and household effects to the Centre. The founding Chairperson of the association, Mrs. Chantal BIYA, also offered to the children of this community, special gifts consisting of a flat screen television, a DVD player and a generator.

§2: Celebration of the International Day of Indigenous Peoples

811- The celebration on 9 August 2012 of the 5th edition of the International Day of Indigenous Peoples under the theme: "*Taking into Account the Vulnerable Indigenous People Approach in the Growth and Employment Strategy Paper (GESP): Stakes and Challenges*", marked the launch of the second phase of the Pygmies Development Plan of the Environment and Forest Sector Programme through:

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- support for the socio-economic integration of pygmies; and
- sponsorship of the training of 3 young pygmies at the National School of Forestry, Mbalmayo.

§3: Capacity Building

812- A 3-day awareness workshop to build the capacity of minority Mbororos in environment-friendly projects was held in Bamenda. It enabled this vulnerable group to benefit from poverty reduction projects funded by Cameroon and the World Bank and led by the Agricultural Competitiveness Project (ACAP).

813- The projects are designed to enhance productivity, agricultural production capacity, supply and harvesting, processing and marketing of products, and producers organization. The training strengthened the capacity of the Mbororos in the Littoral, West and North West Regions, with the approval of community leaders who made relevant, realistic, consistent, and technological choices to help them benefit from these projects that will ensure their settlement and prosperity.

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814- Government is continuing its efforts in promoting and protecting the rights of socially vulnerable people. However, the ratification of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol, as well as the signing of the enabling instruments of Law No. 2010/2 of 13 April 2010 relating to the protection and promotion of the rights of persons with disabilities could strengthen the legal framework in this area.

815- In the same vein, the problems associated with aging, such as poor nutrition, isolation, discomfort, stress and poor living conditions are indicators that much remains to be done to reduce the vulnerability of this group of people. The acceleration of the implementation of the National Policy Document in the sector should therefore be a priority.



Chapter 3

PROMOTION AND PROTECTION OF THE RIGHTS OF WOMEN



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816- Actions for the promotion and protection of the rights of women were geared mainly towards continued achievement of gender equality, non-discrimination and reduction of violence against women.

SECTION 1: GENDER EQUALITY

817- Significant efforts have been made for women to gain access to adequate standard of living and to strengthen gender-sensitive policies and programmes. Measures have also been taken to improve the participation of women in the management of public affairs and to promote the rights of women in marriage and family relations.

§1: Promotion of equal access of women to adequate standard of living

818- Steps have been taken to improve the living and working conditions of rural women, food traders and to develop sports and leisure activities for women.

A: Improvement of the Living Conditions of Rural Women

819- Measures taken to improve the living conditions of rural women reached their climax during the celebrations of some commemorative days.

1) 27th Edition of the International Women's Day

820- The 27th Edition of the International Women's Day (IWD) on 8 March 2012 was celebrated under the theme "*Empower Rural Women: End Hunger and Poverty*". The opportunity gave rise to constructive discussions and concrete actions to improve the living and working conditions of rural women in both the country and the Diaspora.

821- In Cameroon, activities focused on roundtables, educational talks, training sessions, gourmet dinners, sports and recreation, social work, parade and fairs grouped into 7 sectors: agro-food system, crafts, aesthetic (cosmetic) and hairdressing, catering, health, pharmaceuticals and textiles.

822- The following results, among others, were obtained:

- participation of 9,446 women in information sessions and training workshops in processing and preserving food products such as bananas, sweet potatoes and corn;
- organization of a trip to the Agro-food System Complex, Ndonko for 75 rural women from Olamze in the South Region;
- 486 women were screened for cervical cancer, HIV, diabetes and sickle cell anaemia;
- collective celebration of 311 marriages including 30 Baka couples;
- offering of gifts to female prisoners and orphans; and
- participation of 114,246 women in a march past on behalf of 3,835 organizations with the presentation of 100 women leaders as examples to the public.

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823- In the same vein, mention could be made of support for refugee women in rural and urban areas by the UNHCR, through their deployment in farm and poultry houses as well as vegetable farming programmes in areas around Yaounde.

824- The celebration of IWD 2012 by Cameroonians living abroad was organized by 4 diplomatic missions of Cameroon, namely Paris (France) on 10 March, Bern (Switzerland) on 11 March, The Hague (The Netherlands) on 10 March and Brussels (Belgium) on 10 March, in partnership with women's associations in other African countries. For each Embassy, these celebrations were attended by more than 250 men, women and youths. Overall, round-table activities were organized on the global theme and sub-themes: exhibition of the skills of Cameroonian women, gourmet dinners which aimed at enhancing Cameroon's culinary art, sporting events and various other attractions.

2) 17th Edition of the International Day of Rural Women

825- Celebrated on 15 October 2012, the 17th edition of the World Rural Women's Day was held under the theme "*Claim your Space in Mitigating and Adapting to Climate Change*". The overall aim was to promote the contribution of rural women in the fight against poverty and protect the environment through reforestation and the use of renewable energies.

826- Nation-wide activities were organized to animate the celebration. They included awareness campaigns on climate change through public and private media; workshops for capacity building of rural women on various themes and modules; reforestation; fairs and exhibition/sale of agricultural and crafts products; financial support and farm equipment granted to rural women; and the collective celebration of marriages.

827- At the end of the commemoration, the daily difficulties faced by rural women and those related to the organization of the day were identified. The challenges include insufficient material resources, and working conditions. Regional celebrations were also organized.

828- Thus, for example:

- in the Centre Region, activities took place around the smoking workshops (meat, chicken, fish), conducting a training session on setting up an organic garden, products manufacturing workshops such as cocoa butter, animal feed, powder soap, dying, glycerine, balms, candles, and competition for the best dishes;

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- in the Far North Region, educational talk sessions focused on HIV prevention and the virtues of "Moringa" (medicinal plant). Reforestation was materialized by the planting of 300 plants by Kousseri women and 500 plants by Mayo-Sava women in collaboration with MINEPDED;
- in the Littoral Region, a fish fair was organized in the Regional Delegation of MINEPIA with demonstrations in plenary and 3 workshops on fishing, aquaculture (fish-farming, prawn farming, Goliath frog breeding). A Fishery Products Promoters Board was installed. Reforestation activity focused on planting one thousand thirty 1030 species in the Sanaga Maritime and Nkam Divisions;
- in the South Region, training of women in income generating activities focused on the processing and preservation of local products for 164 leaders of women's associations in Ebolowa, Ngoulemakong and Adjap; and
- in the West Region, the Centre for Women's Empowerment and the Family (CPF), Bandjoun was inaugurated on 16 October 2012.

B: Working Conditions of Foodstuff Traders

829- In order to better organize business in some border areas, a sub-regional conference and trade fair by women involved in informal cross-border trade was held from 12 to 13 December 2012 chaired by the Minister of Commerce, in partnership with UN Women.

830- Two special markets were built in Kye-Ossi, South Region and Mora, Far North Region of the country with areas that are conducive for children to sleep. Traders were requested to structure the foodstuff border markets in Kye-Ossi and Abang Minko by industry and to set a common price for each commodity.

C: Sports and Leisure Development

831- With technical, psychological and financial support from Government, the national women soccer team achieved major successes with its dual participation in the Olympic Games in London of 27 July 2012 and the Women's Africa Cup of Nations of 28 October 2012 in Equatorial Guinea.

832- These performances were accompanied with the advent of some women as leaders of clubs and high-level officials in the domain. This is the case of Celestine Ketcha COURTES, President of Panthère Sportive du Nde FC, who is also *Mayor of the Bangangté Municipality*; Celine EKO, *Board Chair of Canon Sportif de Yaounde* and Marlene EMVOUTOU representative of *ASPIRE*, a youth football promotion company, and contender to the office of President of the Cameroon Football Federation (FECAFOOT).

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833- Similarly, the training of coaches and referees implemented by FECAFOOT promoted Mrs. Raissa Thérèse NEGUEL as one of the 3 African referees. She was the only Cameroonian selected to officiate as referee during the Women's World Cup organized from 27 June to 17 July 2012.

834- Since gender equality can be achieved through mastery of the gender approach, gender awareness measures adopted this strategy.

§2: Gender Inclusion

835- In view of the implementation of the National Gender Policy (NGP), new sector plans were developed that will better include gender issues in the Budget. Furthermore, awareness was raised in the field on the inclusion of gender in health and sexuality programmes, while better processing of files enabled women to have a little more access to land ownership.

A: New Sector Plans to implement National Gender Policy

836- Three sector plans for Gender Policy implementation were drafted in 2012 including:

- promotion of equality and equal access of women and men, girls and boys to education, training and information;
- promotion of equal chances and equal opportunities between women and men in the areas of economy and employment; and
- strengthening participation and representation of women in decision-making and
- elective positions with GIZ and SNV support.

837- These sector Plans for the implementation of the NGP may constitute the Multisector Plan.

B: Gender Responsive Budgeting

838- As part of the implementation of the "*Gender and Economic Policy Management Initiative*" (GEPMI) of the United Nations Development Programme (UNDP), a workshop was organized by MINEPAT for Secretaries General of Ministries, on 14 May 2012, to raise awareness on the integration of the Gender Equality concept as a key parameter in the planning, budgeting and implementation of their policies.

839- Similarly, a capacity building workshop for some one hundred Gender focal points in administrations was organized in July 2012 with the support of UNWomen. The aim was to make participants aware of taking into account the Gender dimension in the development, planning, budgeting, implementation, monitoring and evaluation process of policies, programmes and sectoral projects.

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840- On this occasion, participants committed themselves to integrate the funding of activities that are primarily beneficial to women in budgets.

C: Health, Sexuality, Rights and Gender

841- The “*health, sexuality, rights and gender*” Programme introduced in Cameroon by the NGO CAMNAFAW with support from the French Movement for Family Planning, is based on the awareness of communities and particularly women on rights relating to their sexual and reproductive health. It seeks to strengthen health systems, improve the provision of social and health services, involving communities and stimulate demand for services in order to achieve the goals set by international legal instruments ratified by Cameroon and which protect women and children.

842- The programme runs in the neighbourhoods of Yaounde and the town of Mfou with the help of 12 trainers and 60 facilitators leading discussion groups on the ground. The pilot phase established a capacity building programme for partner organizations and the transfer of skills to ensure the viability and multiplication of the action. The last phase of the Programme is the consolidation of the gains of the previous phases and the development of new thrusts for its empowerment.

D: Access of Women to Land Rights

843- In 2012, 1,891 land certificates were issued to women against 7,610 for men. This big difference should challenge the relevant services to find ways of facilitating access to land.

844- The inclusion of gender in policies required taking steps to encourage the participation of women in public affairs.

§3: Women in the Management of Public Affairs

845- Progress has been noted in various fields. However, only aspects that seem to be the foundation for effective action for the promotion of equality and non-discrimination will be examined. These aspects comprise the concrete expression of gender in politics and in the public sphere.

A: Gender in Politics

846- The notion of gender is usually confused with women’s issues. Efforts have been made to express the concept of gender which is a socio-cultural variable referring to social relationships and focusing on the differences in man and woman in society and their relationships.

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847- The Law of 19 April 2012 relating to the Electoral Code introduced the Gender Approach in the electoral process. Indeed, for the election of Parliamentarians, Municipal Councillors and Senators, the Electoral Code provides, *"The constitution of each list of candidates must take into account different sociological components of the constituency. It must also take Gender into account"*.

848- Since mechanisms for the implementation of the Law of 19 April 2012 have not been explained, ELECAM, with the support of technical and financial partners developed a draft strategic plan to implement that law. The plan was validated on 12 and 13 June 2012 during a workshop with key stakeholders involved in the electoral process namely, administrations, political parties, civil society, the media, and development partners.

849- The strategic plan began by taking stock of the participation of women and men in public life. The study showed low female participation in the management of political affairs, in view of elections already held in Cameroon even though the principle of gender equality is laid down by the Constitution and legal instruments relating to human rights ratified by Cameroon and introduced into the Preamble as well as expressed by the political will of the Head of State.

850- After these findings, factors that limit the access of women to elected positions were diagnosed and solutions proposed.

851- Solutions include awareness raising for women, capacity building of women and respect of the quota for at least 30% of women. In this regard, an advocacy session was organized in 2012 with political party officials for better representation of women therein.

B: Women in Decision-making

852- Progress in this area is indicated by the appointment of 2 women in territorial command to positions previously reserved for men. This is the first time a female Senior Divisional Officer, that is, the Senior Divisional Officer for Koung-khi Division is appointed out of 58 SDOs. Similarly, this is the first time a woman, the Secretary-General of the East Region, is appointed Secretary-General of a Region out of 10. These appointments add to those of other women appointed Sub-Divisional Officers in 5 Sub-Divisional Headquarters.

853- The Gender Approach, applied to recruitment through competitive examination by the Public Service in 2012, produced the following results:

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Table 1: Administrative competitive examinations organized by MINFOPRA in 2012

Competitive Examination	Vacancies	Male Candidates	Female Candidates	Successful Candidates-Male	Successful Candidates-Female	
ISSEA(Senior Statistics Technician) Category B2	20	282	63	18	2	
IFORD (Demography) Category A2	Type A	10	52	46	7	3
	Type B	10	130	53	8	2
Senior Translators, Category A2	60	25	53	22	38	
Total	100	489	215	55	45	

Source: MINFOPRA/DDRHE

854- Similarly, after the adjustments to fill the vacancies left by withdrawers from the special recruitment of 25,000 graduates into the Public Service launched in 2011, the gender sensitive disaggregated summary of these recruitments as at 31 December 2012 indicates that a total of 22,122 young people effectively signed contracts. This represents 10,098 women and 12,024 men in absolute value and 45.65% women against 54.35% men in relative value.

855- During the appointment of Judicial and Legal Officers on 18 April 2012, 2 women were promoted to positions of director at MINJUSTICE namely, the Director of General Affairs and the Director of Human Rights and International Cooperation. A third woman was also appointed as President of the Court of Appeal, South Region, Ebolowa. Overall, this appointment of Judicial and Legal Officers has innovated by bridging the male/female parity gap or at least reaching the 30% quota for women set by the GESP as shown in the following Table:

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Table 2: Trend on the representation of woman in decision-making positions in the Judiciary after the Higher Judicial Council convened on 18 April 2012

No	Duty Posts	2010					2012					Gap in duty posts occupied by women
		M	W	TOTAL	% M	% W	M	W	Total	% M	% W	
Supreme Court												
1	Chief Justice and President of Benches	3	0	3	100	00	3	00	3	100	00	0
2	Procureur General	1	0	1	100	00	1	00	1	100	00	0
3	Judges	45	0	51	88.24	11.76	47	5	52	90.38	9.62	-1
4	Advocates General	10	0	10	100	00	11	00	11	100	00	0
Courts of Appeal												
5	President of Courts of Appeal	9	0	10	90	10	8	2	10	80	20	+1
6	Procureurs General	9	0	10	90	10	9	1	10	90	10	0
High Courts and Courts of First Instance												
7	President of Courts	64	11	75	85.34	14.66	62	15	77	80.52	19.48	+4
8	State Counsel	68	2	70	97.15	2.85	66	6	72	91.67	8.33	+4
Central Services of the Ministry of Justice												
9	Inspector General of Services	1	1	2	50	50	1	1	2	50	50	0
10	Technical Advisers	00	2	2	00	100	00	2	2	00	100	0
11	Directors in the Central Administration	7	00	7	100	00	4	2	6	66.67	33.33	+2
12	Inspectors at General Inspectorate of Judicial Services	5	1	6	83.34	16.66	4	2	6	66.67	33.33	+1
13	Sub-Directors and others as such	14	6	20	70	30	13	7	20	65	35	+1
New Courts												
Special Criminal Court (National)												
14	President				Inexistent		1	00	1	100	00	0
15	Procureur General				Inexistent		1	00	1	100	00	00
16	Advocates General				Inexistent		7	00	7	100	00	00
17	Vice-Presidents				Inexistent		6	3	9	66.667	33.3	0
18	Examining Magistrate				Inexistent							
Administrative Courts (Regions)												
19					Inexistent		07	03	10	70	30	0

Source: MINJUSTICE

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856- A novelty also occurred in the Penitentiary Administration with the appointment of a woman as Regional Delegate of Penitentiary Administration for the South Region.

§ 4: Rights of Women in Marriage and Family Relations

857- Government has developed a National Family Policy document that will enable the implementation of a strategy to prevent malfunctions within families which are almost always unfavourable to women. As such, 12,000 marriage preparation sessions were organized and 4,889 couples benefited from collective wedding ceremonies across the country.

858- Also, the premarital education, marriage and family guide lays emphasis on preparation for marriage, sex education, birth control as well as family and marital life education.

859- As part of institutional strengthening, the ministry in charge of monitoring the rights of women was reorganized and its missions refocused. Decree No. 2011/408 of 9 December 2011 to organize the Government confers on the Ministry of Women's Empowerment and the Family, the task of studying and proposing strategies and measures to strengthen the promotion and protection of the Rights of the Child to take into account the definition of the woman given by the Maputo Protocol that includes the girl child who is often a victim of all kinds of child abuse including forced marriages, sexual abuse and low rate education. In application of the above-mentioned Decree, Decree No. 2012/638 of 21 December 2012 to organize the Ministry of Women's Empowerment and the Family sets up a new Department for the Promotion and Protection of the Family and the Rights of the Child.

860- Since the promotion of women's rights goes hand in hand with its protection against violation of those rights, measures have been taken to ensure same.

SECTION 2: PROTECTION OF WOMEN AGAINST VIOLENCE

861- Violence against women also known as sex-based violence or gender-based violence as defined by the Committee on the Elimination of Discrimination against Women in its General Comments No. 19 (1992) and Article 1 of the Maputo Protocol (2003) consists of violence against a woman because she is a woman or that affects women especially. It covers acts that inflict suffering or physical, psychological, sexual or economic pain, threats of such acts, coercion and other deprivations of freedoms in private or public life.

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862- Similarly, the Committee states that gender-based violence, which impairs or nullifies the enjoyment of individual rights and fundamental freedoms by women by virtue of the general principles of international law or under particular conventions relating to Human Rights, constitutes discrimination within the meaning of Article I of CEDAW.

863- Recalling these concepts allow for a better understanding of the steps taken by Government and its partners to prevent violence against women, punish perpetrators and support victims.

§1: Violence against Women

864- Preventive measures were related to education, awareness raising, capacity building of both the beneficiaries of the rights as well as social stakeholders, and the intervention of the Ministry of Justice for a sound application of the rights of women.

A: Education and Awareness Raising

865- The following education and sensitization measures were taken:

- conduct of a study on the participation of women in citizenship;
- organization of advocacy for political parties to improve the participation of women in politics and their representation in elected offices;
- organization of 4 outreach sessions on the national action plan for the fight against FGM in the Far North (Diamaré), South West (Manyu) and Centre (Yaounde 2) Regions;
- organization of 22 outreach sessions on the national strategy for the fight against gender-based violence in Yaounde, Mbakomo, Mbalmayo Sangmelima, Kribi and Bertoua;
- establishment of 6 committees to fight against FGM in the Centre (Yaounde) and Far North (Mora) Regions. These comprised administrative, political, traditional and religious authorities, former circumcisers and victims, raise greater awareness among local people in the fight against the phenomenon;
- provision of a health guide for women and girls;
- national launching of the global campaign initiated by the UN Secretary-General under the theme "Unite to End Violence against Women" and placed under the Distinguished Patronage of the President of the Republic, His Excellency Paul BIYA, represented at the occasion by the Minister of State, Minister of Justice, Keeper of the Seals. The launch was essentially built around a walk against violence on women, a press conference with the UN System and the National Commission on Human Rights and Freedoms;

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- commemoration of the first ever edition of the International Day of the Girl Child officially launched by Plan Cameroon on 11 October 2012 under the theme "*Because I am a Girl.*" During the celebration in Bamenda, emphasis was laid on advocacy for positive political change, programmes on gender equality and respect for the rights of the girl child;
- commemoration of the International Day of Widows to discuss their worries and envisage better prospects for the protection of their rights;
- conduct of the following activities by ACAFEJ, during the 16 days of advocacy against violence against women, in November and December 2012:
 - dissemination of messages on violence against women by postings on urban transport buses in the cities of Douala and Yaounde;
 - holding of 20 mobile legal clinics in the form of educational talks in the East, Centre and Littoral Regions with the commitment of a traditional chief of the Littoral Region to alleviate the suffering of widows in the community through the development of a widowhood code;
 - rebroadcast over CRTV of the documentary entitled "*The Plight of Women*" which presents 40 minutes of the most common forms of violence against women in Cameroon and testimonies of victims' struggle to overcome them.

B: Capacity Building

866- Capacity building resulted in:

- the training of 85 community relays, members of local committees for the fight against FGM and staff of the decentralized services of the Ministry of Women's Empowerment and the Family in the prevention and fight against FGM in the Far North Region;
- the organization of training and awareness sessions for community relays and women's associations networks on the fight against gender-based violence in the East (Bertoua Batouri, Abong Mbang Bétaré-Oya), North (Garoua, Guider, Pitoa, Lagdo), and Far North (Mokolo Kaélé) Regions;
- the training of 20 community and council radio animators representing 15 radio stations in two Regions (East and North) on the prevention and management of gender-based violence, the prevention and promotion of Reproductive Health in emergency situations;
- the production of programmes in local languages and French (many spots, micro programmes and magazines) with the involvement of administrative, traditional, local and civil society authorities. The production of these programmes led to a synergy of actions between

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- the different stakeholders, including law enforcement officials, health staff and other stakeholders in the control of violence against women;
- the granting of agricultural equipment (2 tractors) to 4 excisers associations converted into other income-generating activities;
- the holding of three seminars on capacity building of judicial personnel on the implementation of the CEDAW, in the MINJUSTICE/UNWomen partnership from 1 to 3 August 2012, 29 to 31 August 2012 and 26 to 28 September 2012 in Douala, Maroua and Yaounde respectively. Ninety five Judicial and Legal Officers, 19 Lawyers, 10 Notaries Public and 6 Bailiffs practising in the Courts of Appeal for the Centre, Far North and the Littoral Regions attended the seminars. The main aim of the seminars was to draw their attention to the obligations of the State in the GESP which include *"the application of CEDAW in the Courts"* as one indicator of the objectives relating to *"equitable access of all categories of the population to the judicial system,"* pending the harmonization of national legislation with international legal instruments relating to Human Rights ratified by Cameroon; and
- the establishment of a network of associations on the defence of the rights of women including some mayors and civil society stakeholders that encourage the participation of women in politics through a seminar held on 13 June 2012 by the NGO *"Horizon Femme."*

C: Intervention by the Ministry of Justice

867- The Ministry of Justice, a Department responsible for monitoring civil matters including those pending before the courts, in 2012, treated 83 cases involving women among which 21 naturalization files, 24 cases of change of name and 38 records related to liquidations of estate.

868- The follow-up of these cases is to ensure respect for equality between women and men in the acquisition of Cameroon nationality and to enable women to have the opportunity of opting freely for Cameroon nationality for themselves and for their children or to bear the name of their choice.

869- Regarding the liquidation of estates, the Ministry of Justice has undertaken generally to monitor these procedures to ensure compliance with the principle of equal successors, the preservation of the property and non proprietary rights of women and processing periods of these procedures.

870- To this end, missions were carried out in Douala and Yaounde from 6 to 10 August 2012 and from 4 to 13 September 2012 to identify procedures on the settlement of estates and establish a file for better traceability.

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871- Besides raising awareness, cases of violation of the rights of women have been sanctioned.

§2: Punishment of Violence against Women

872- Both criminal and civil jurisdictions heard and determined disputes related to the rights of women.

A: Criminal Jurisdictions

873- The Table below on measures taken by the courts against Human Rights violations²³⁸ reveals that many women continued to be victims of sexual violence in 2012. Indeed, several cases of rape and indecency on minors followed by sex were identified and most of the perpetrators convicted.

874- It should be noted that the number of women, victims of serious injuries, increased over the previous year from 50 cases in 2011 to 67 in 2012.

875- Grievous harm is a criminal offence because it causes permanent disability.

B: Civil Jurisdictions

876- The Table below shows judicial settlement of disputes relating to the conjugal, family and property rights of women.

Table 3: Judicial settlement of disputes relating to the conjugal, family and property rights of women

	Number of Divorce Cases					Judicial Separation				Dissolution of Marriage	Successions		
	Husband's Fault	Wife's Fault	Shared Fault	Liquidation of Matrimonial Regime	Alimony to Wife	Husband's Fault	Wife's Fault	Shared Fault	Alimony to Wife		M	W	C
<i>TPD</i> <i>CC</i>	504	524	215	197	195	53	14	8	26	71	1474	563	739
<i>HC</i>	131	111	74	86	33	20	11	7	21	62	344	194	424
<i>CA</i>	16	9	43	40	4	1	0	0	13	13	65	36	0

Source: Legal Departments of Courts of Appeal of Adamawa, Centre, East, Far North, Littoral, North, North West, West and South West

²³⁸See Table on criminal response to Human Rights violations, §115 et seq

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877- It is worthy of note that the courts are still reluctant to make the liquidation of ante nuptial settlement a consequence of the dissolution of marriage as provided for by Section 1441 et seq of the Civil Code. Indeed, out of 1,627 divorces, liquidation of the matrimonial regime was ordered by the court in only 323 cases. Consequently, such action undermines the property rights of women knowing their vulnerability in these circumstances.

878- Similarly, the number of women who received alimony dropped with the number of divorces. Indeed, in 2011, 1,764 divorce petitions were granted and 268 women received alimony. In 2012, the number of the said petitions dropped to 1,627 with 232 cases in which alimony was awarded to women.

879- Moreover, the number of women who received inheritance rights is insignificant compared to that of men. Courts have to take steps in this regard to guarantee the rights of women to inheritance that contribute to their access to land.

§ 3: Support and Rehabilitation of Victims of Violence

880- Victims of violence received administrative support and guaranteed access to justice including legal aid.

A: Administrative Support

881- A strategy was adopted by MINPROFF for psycho-social support for people, couples and families struggling with socio-economic problems and the violation of their rights. The strategy focuses on:

- development of the Women-Families Sector Plan for HIV/AIDS and STIs control;
- development of a telephone reassurance service;
- development of mediation, marital and family therapy services. These services treated 3,949 cases of domestic and family conflicts involving in particular, physical, psychological and sexual violence;
- administrative and procedural support to widows in resolving succession issues (access to a survivor's pension, confiscation of the property of the deceased spouse and of the surviving spouse, repudiation ...); and
- aid and social assistance to low-income families through medical, education, material, and financial aid.

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B: Access to Justice

882- According to data collected from the courts in 2012, 34 women benefited from legal aid against 62 in 2011 and 141 in 2010 during the first year of implementation of Law No. 2009/4 of 14 April 2009 on legal aid.

883- Among the causes of the decline indicated by the Chairperson of legal aid commissions from the courts, are primarily the lack of awareness among target populations and inflated composition of the Commission whose members do not understand that their duty is free of charge.

884- ACAFEJ's monitoring and legal consultation centres located in Yaounde, Bertoua, and Douala received 615 women, victims of violence, who received appropriate guidance for the resolution of their cases. The advice received led in most cases to the reconciliation of beneficiaries with the perpetrators of violence. 117 of the 615 women whose cases required legal action received financial assistance for the payment of procedural expenses (bailiff's acts, establishing medico-legal certificates) and court costs.

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885- In conclusion, Government action has ensured a better appropriation of the rights of women and their empowerment. Actions taken during the reference year adapt to current issues, including the situation of rural women in the overall context of the fight against climate change. But in the context of violence against women, domestic violence and other offences against their physical and moral integrity remain major concerns, despite outreach activities with various social stakeholders. It is hoped that the victims of violence will take enough advantage of the legal instruments on repression in force.

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CONCLUSION OF PART THREE

886- The signing of Decree No. 2012/339 of 18 September 2012 by the Minister of Justice aligned prison health with the national health system. This marks Government commitment to render prison conditions humane, which otherwise face many challenges.

887- Many measures have been taken to reduce the vulnerability of children.

888- The rights of the elderly, persons with disabilities and indigenous peoples were also considered for their socio-economic integration. For persons with disabilities in particular, their promotion in the participation of the management of public affairs is evidenced by the distribution of Braille kits and DVD compatible formats.

889- Consideration of gender in policies and programmes, the participation of women in the management of public affairs and the protection of women against violence were the pillars of Government policy on gender equality.

890- With regard to the actions and measures taken, Government and its partners have demonstrated real momentum in this area, although much still remains to be done.

GENERAL

CONCLUSION



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891- Assessment of Human Rights fulfilment in Cameroon in 2012 showed that strides were made although a number of challenges are still to be tackled.

892- Regarding civil and political rights, significant reform was made in the judicial system especially with the effective functioning of the SCC, establishment of Administrative Courts, and new HCs and CFIs. Biometric registration of voters and adoption of the Electoral Code are major actions that aim at promoting the enjoyment of the right to participate in the management of public affairs. However, there are still some major challenges such as the popularization of the law on legal aid that is still to attain its objective of enabling indigent people to have access to justice, and the effective functioning of Administrative Courts after appointment of their staff.

893- At the level of economic, social and cultural rights, progress was made by conducting a crackdown on embezzlement of public property the direct impact of which is to cause restitution of such property by persons convicted by the SCC. Besides, the following achievements were recorded: improvement in school enrolment, drop in malaria-related morbidity, control of cholera epidemic, and continued free treatment of PLWHIV. Note should also be taken of the hope raised in improving water and electricity supply by the launch of major development projects, and the slight increase in production in some animal and agricultural sectors. Challenges in fulfilling these rights relate especially to consolidating alignment of the education system with the socio-economic and cultural context, reducing maternal mortality, checking access to the medical profession and retaining staff, enhancing the civilian protection system, and educating the people on waste treatment rules so as to keep a healthy environment.

894- With regard to cross-cutting issues and specific rights, alignment of prison health to the national health system constitutes a major step in improving detention conditions. Distribution of Brail kits and DVD compatible formats to persons with disabilities will enable their social integration.

895- Appointment of women, in spite of their small number, to territorial command and decision-making positions is a sign of encouragement to their full participation in the management of public and political affairs of Cameroon. Although measures taken or envisioned to rehabilitate women who are victims of domestic violence are encouraging, much more needs to be done in this area.



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ANNEXE

The following institutions, Ministries, Government Services, independent services, public and semi-public establishments and civil society organizations contributed in preparing this Report:

- Sub-Regional Centre for Human Rights and Democracy in Central Africa;
- Supreme Court of Cameroon;
- Courts of Appeal and Lower Courts;
- Ministry of Arts and Culture (MINAC);
- Ministry of Agriculture and Rural Development (MINADER);
- Ministry of Social Affairs (MINAS);
- Ministry of Territorial Administration and Decentralization (MINATD);
- Ministry of Commerce (MINCOMMERCE);
- Ministry in charge of Supreme State Audit (MINCONSUPE);
- Ministry of Lands, Surveys and Land Tenure (MINDCAF);
- Ministry of Defence (MINDEF);
- Ministry of Basic Education (MINEDUB);
- Ministry of Water Resources and Energy (MINEE);
- Ministry of Employment and Vocational Training (MINEFOP);
- Ministry of Economy, Planning and Regional Development (MINEPAT);
- Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED);
- Ministry of Livestock, Fisheries and Animal Husbandry (MINEPIA);
- Ministry of Secondary Education (MINESEC);
- Ministry of Higher Education (MINESUP);
- Ministry of Forestry and Wildlife (MINFOF);
- Ministry of Public Service and Administrative Reform (MINFOPRA);
- Ministry of Housing and Urban Development (MINHDU);
- Ministry of Youth and Civic Education (MINJEC);
- Ministry of Mines, Industry and Technological Development (MINMIDT) ;
- Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts (MINPMEESA);
- Ministry of Women's Empowerment and the Family (MINPROFF);

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- Ministry of External Relations (MINREX);
- Ministry of Public Health (MINSANTE);
- Ministry of Tourism and Leisure (MINTOUL);
- Ministry of Labour and Social Security (MINTSS);
- General Delegation for National Security (DGSN);
- National Gendarmerie;
- National Financial Investigation Agency (ANIF);
- Authority for the Development and Equipment of Urban and Rural Lands (MAETUR);
- Electricity Sector Regulatory Agency (ARSEL);
- National Institute of Statistics (NIS);
- National Commission on Human Rights and Freedoms (CNDHL);
- National Anti-Corruption Commission (CONAC);
- City Council, Douala (CUD);
- City Council, Yaounde (CUI);
- National Social Insurance Fund (NSIF);
- Elections Cameroon (ELECAM);
- Confederation of Cameroon Trade Unions (CSTC);
- African Action on Aids (AAA);
- *Afrique Future*;
- Mbororos Social and Cultural Development Association (MBOSCUDA);
- National Associations and Institutions of and for Persons with Disabilities of Cameroon (UNAPHAC);
- National Employment Fund (NEF); and
- Cameroon Housing Corporation (SIC).



