

**REPUBLIQUE DU CAMEROUN
PAIX-TRAVAIL-PATRIE**

**REPUBLIC OF CAMEROON
PEACE-WORK-FATHERLAND**



REPORT BY THE MINISTRY OF JUSTICE ON HUMAN RIGHTS IN CAMEROON IN 2009

Yaoundé, October 2010

**Report by the Ministry of
Justice on Human Rights
in Cameroon in 2009**

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FOREWORD

"Justice – young legal trainees must be fully aware – is the highest social regulator and the kingpin of democracy in a State governed by the rule of law.

Rendering justice is a lofty task, but also a very heavy responsibility. In this case, one must be guided by ethics and deontology. Accordingly, the Republic which empowers Judicial and Legal Officers to ensure compliance with the law cannot tolerate any flaws."

Paul BIYA, *President of the Republic*

Speech delivered at the fiftieth anniversary of the National School of Administration and Magistracy (ENAM) on 1 December 2009

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LIST OF ACCRONYMS AND ABBREVIATIONS

AAA:	African Action on Aids
AER:	Rural Electricity Agency
AGIR:	Support for the Management of Profitable Initiatives and Professionalization in Higher Education
ANIF:	National Financial Investigation Agency
ARSEL:	Electricity Sector Regulatory Board
ARV:	Anti Retro Viral
BFDC:	Budgetary and Financial Disciplinary Board
BMD:	Bachelors – Masters – Doctorate
CAPIET:	Technical Teachers Grade I Certificate
CBC:	Commercial Bank of Cameroon
CEDAW:	Convention on the Elimination of All Forms of Discrimination against Women
CEMAC:	Central African Economic and Monetary Community
CFI:	Court of First Instance
CFA:	African Financial Community Franc
CFC:	Cameroon Housing Loan Fund
CHU:	University Teaching Hospital
CIG:	Common Initiative Group
CIRCB:	Chantal BIYA International Research Centre on HIV/AIDS and Control
CNSST:	National Commission on Security and Labour Health
COBAC:	Central African Banking Commission
CONAC:	National Anti-Corruption Commission
CPC:	Criminal Procedure Code

CREPA:	Regional Centre for Low Cost Drinking Water
CRTV:	Cameroon Radio and Television
DECC:	Department of Examinations
DGSN:	General Delegation of National Security
DIRLUT:	Department of Regulation and the Fight against Urban Disorder
ENIET:	Technical Education Grade I Teachers Training College
ENSET:	Advanced Technical Teachers Training College
FER:	Rural Energy Fund
FIPOL:	Permanent Committee for the Follow-up of the International Compensation Fund for Damages by Hydrocarbons Pollution
FNE:	National Employment Fund
GFATM:	Global Fund to Fight AIDS, Tuberculosis, and Malaria
GICAM:	Interprofessional Group of Cameroon
GI WAF:	World Initiative Project for West and Central Africa
HGOPY:	Gyneco-Obstetrics and Paediatrics Hospital, Yaounde
HIPC-I:	Highly Indebted Poor Country Initiative
HRBA:	Human Rights Based Approach
IACM:	Manual Circuit Breakers
IAI:	African Institute of Computer Studies
ICCPR:	International Covenant on Civil and Political Rights
ICESCR:	International Covenant on Economic, Social and Cultural Rights
IDA:	International Development Association
ILO:	International Labour Organization
IMO:	International Maritime Organization
IPIECA:	International Society for Petroleum Industry and the Safeguard of the Environment
JGT:	Judgment

MAIH:	Support Measures for the Professional Insertion of Disabled Persons
MBOSCUA:	Mbororo Social and Cultural Development Association
MDRI:	Multilateral Debt Relief Initiative
MIDIMA:	Mount Mandara Development Authority
MINAS:	Ministry of Social Affairs
MINATD:	Ministry of Territorial Administration and Decentralization
MINCOM:	Ministry of Communication
MINEDUB:	Ministry of Basic Education
MINEE:	Ministry of Energy and Water Resources
MINEPIA:	Ministry of Livestock, Fisheries and Animal Husbandry
MINESEC:	Ministry of Secondary Education
MINESUP:	Ministry of Higher Education
MINSANTE:	Ministry of Public Health
MINTSS:	Ministry of Labour and Social Security
MRV:	Measurable, Verifiable Reportable
NCHRF:	National Commission on Human Rights and Freedom
NGO:	Non-Governmental Organization
NSF:	National Solidarity Fund
NSIF:	National Social Insurance Fund
OBC:	Cameroon Baccalauréat Board
OVC:	Orphaned and Vulnerable Children
PACDET:	Programme for the Improvement of Detention Conditions and Respect of Human Rights
PADES-BAKA:	Support Programme for the Socio-economic Development of the Baka People
PAPENOC:	Non-conventional Livestock Development Support Programme
PDFP:	Swine Industry Development Programme

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PDPP:	Pygmies Development Plan
PIB:	Public Investment Budget
PNVRA:	National Agricultural Extension Programme
PRIPAR:	Programme for the Insertion of Street Adolescents
PRO-ACTP:	Support Programme for the Technological and Professional Component of Higher Education
PSE:	Public Service Employment
PSEJ:	Social Programme for the Employment and Insertion of Youths
RHORTICAM:	Horticulture Operators Network of Cameroon
SCDP:	Cameroon Petroleum Storage Company
SDDP:	Dairy Sector Development Programme
SDR:	Special Drawing Rights
SIC:	Cameroon Real Estate Corporation
SNEC:	Cameroon National Water Corporation
SNH:	National Hydrocarbons Corporation
SONARA:	National Oil Refinery Company
SPEE:	Child Management Structures
TBC:	Tom Broadcasting Corporation
UNFPA:	United Nations Fund for Population Activities
USEP:	Urban Social Employment Programme
WAPES:	World Association of Public Employment Services
WEC:	Women's Empowerment Centres
WPRC:	World Prize on the Rights of the Child

PREFACE

In April 2005, following the re-organization of the Ministry of Justice, the Head of State set up a Department of Human Rights and International Cooperation to handle mainly Human Rights issues within the Government.

One of the emblematic instruments of the said Department is the annual report on Human Rights in Cameroon, this being the fifth after those of 2005, 2006, 2007, and 2008. The purpose of this fifth report is the same as that of the preceding reports, which is to publish the most objective information on measures taken by both the Government and other stakeholders to guarantee every person under Cameroon's jurisdiction their rights as laid down by international customary law and conventional human rights law.

It was in 2009 that Cameroon submitted to the new mechanism, the Universal Periodic Review (UPR) instituted by the United Nations Human Rights Council. This review is a type of evaluation by other UN member States of how the State under examination complies with its international obligation of protecting and ensuring the protection of the Human Rights of persons under its jurisdiction. The focus here is the thorough evaluation of and constructive criticism by "examining countries" of the universality and complementarity of human rights, be they political, civil, social, economic and cultural, of all generations put together. It was within the spirit of transparency, cooperation and goodwill, while respecting our fundamental values, that the Cameroon plenipotentiary representatives in Geneva carried out this exercise at the end of which our shortcomings were highlighted and what is still to be done mapped out for a better guarantee of human rights. The recommendations made are under study with Government and their implementation will improve human rights in Cameroon. In fact, part of this report dwells on the UPR exercise and Cameroon's defence of its second and third periodic reports before the United Nations Committee on the Elimination of all Forms of Discrimination against Women.

A new section entitled "Cooperation with International Human Rights Promotion and Protection Mechanisms" highlights an important aspect of the country's international activities on human rights especially in terms of defence of reports and follow-up of disputes before international or regional human rights protection organs.

Nowadays, it is commonplace to talk of the importance of Human Rights within the framework of democratic governance, and a more decentralized and balanced development determined to protect the people against different hazards. In short, the purpose is to consolidate the rule of law with justice being at the centre of this social mechanism. Of course, the President of the Republic reiterated this concern when, on the occasion of celebrations to mark the fiftieth anniversary of the National School of Administration and Magistracy (ENAM), he reminded Judicial and Legal Officers that: "Justice – young legal trainees must be fully aware – is the highest social regulator and the kingpin of democracy in a State governed by the rule of law. Rendering justice is a lofty task, but also a very heavy responsibility. In this case, one must be guided by ethics and deontology. Accordingly, the Republic which empowers Judicial and Legal Officers to ensure compliance with the law cannot tolerate any flaws."

The context and strength of the reminder are quite explanatory. It is now left for Judicial and Legal Officers whom Antoine Garapon describes as custodians of the promises laid down at the heart of Republican laws to meditate on and draw lessons from the reminder, especially in terms of restoring the confidence of the people. This is one of the conditions for the effective enjoyment by our fellow citizens of their most essential human rights.

Introduction

GENERAL CONSIDERATION

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- 1-The 2009 Report of the Ministry of Justice on Human Rights in Cameroon like the preceding reports of 2005, 2006, 2007, and 2008 aims to give account of most of the measures taken and activities carried out on human rights in Cameroon in the said year.
- 2-Thus, Cameroon's submission in February 2009 before the Human Rights Council (HRC) for evaluation within the framework of the Universal Periodic Review (UPR) may be seen as a giant step in this domain. The ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted on 11 July 2003 at Maputo, Mozambique, another giant step, paradoxically sparked off very strong reactions from some school of thought as regards the right of African women to medical abortion.
- 3-Fortunately, 2009 was not marked only by such controversies. There were also major developments on human rights promotion and protection with the State being its main actor in collaboration with and supported by the civil society.

Some of such developments include :

- continued sanctions against the impunity of persons in charge of application of laws and regulations;
- consolidation of the legal framework to guarantee fair trial;
- consolidation of the right to mass communication;
- commencement of the decentralization process;
- continuation of the fight against corruption pursuant to the Merida Convention;
- consolidation of measures to improve on the standard of living of the people;
- improvement on detention conditions;
- improvement on healthcare and education;
- protection of the underprivileged;
- continuation of the fight against all forms of discrimination especially against women; and
- environmental conservation.

4-Such developments and the topical issues raised above will be the focus of this report. Its determination to continuously provide information on human rights developments in Cameroon will further be enhanced with a recall of the court proceedings referred to in the previous reports and their outcome.

5-As usual, this report contains news on the legal and institutional framework of human rights promotion and protection, and the international humanitarian law as well as related activities carried out by Government and its national and international partners.

International Legal Undertakings

6-In 2009, Cameroon signed or ratified universal, regional and sub-regional human rights promotion and protection instruments.

a) Signed Instruments

At the universal level, the following instruments were signed on 15 December 2009 at New York:

- Convention on Cluster Munitions adopted in Dublin on 30 May 2008;
- International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families, adopted on 18 December 1990; and
- Optional Protocol of 18 December 2002 to the United Nations Convention of 10 December 1984 against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

At the African regional level, the African Youth Charter adopted in Banjul, Gambia on 2 July 2006 was signed on 15 December 2009 at Addis Ababa.

At the sub-regional level, the following two instruments adopted on 6 July 2006 at Abuja, Nigeria by the ECOWAS/ECCAS Ministerial Conference were signed on 11 November 2009 at Libreville, Gabon:

- Regional Multilateral Cooperation Agreement on the fight against trafficking in Persons, in particular women and children, in West and Central Africa; and
- Resolution on the fight against trafficking in persons.

b) Ratified Instruments

At the universal level, the Treaty on Amendments to the Montreal Protocol on Substances that Deplete the Ozone Layer (SAO), adopted on 17 September 1997 at Montreal and on 3 December 1999 at Beijing was ratified by Decree No. 2009/141 of 18 May 2009.

It is worthy of note that Cameroon has deposited the ratification instrument of the International Agreement on Tropical Wood adopted at Geneva on 27 January 2006 and ratified by Decree No. 2008/177 of 22 May 2008.

At the African regional level, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) was ratified by Decree No. 2009/143 of 28 May 2009.

In the same light, Cameroon deposited on 26 May 2009, the ratification instrument of the Convention of the African Commission on Energy signed on 25 July 2006 and ratified on 26 June 2007.

National Legislative and Regulatory Instruments

7-At the national level, Cameroon signed the following Human Rights promotion and protection legislative and regulatory instruments:

- Law No. 2009/4 of 14 April 2009 to organize Legal Aid;
- Law No. 2009/9 of 10 July 2009 relating to the construction of buildings for sale and its enforcement instrument No. 2009/1726/PM of 4 September 2009;
- Law No. 2009/10 of 10 July 2009 governing real estate lease-purchase and its enforcement instrument No. 2009/1727/PM of 4 September 2009;

- Law No. 2009/11 of 10 July 2009 relating to the Financial Regime of Regional and Local Authorities;
- Law No. 2009/19 of 15 December 2009 relating to the financial regimes of councils ;
- le décret n° 2009/248 du 5 août 2009 fixant les modalités d'évaluation et de répartition de la dotation générale de la décentralisation ;

Institutional Framework

8-The following new and refurbished institutions have increased the institutional framework of human rights promotion and protection in Cameroon :

On the rights of the child, the Centre de rééducation pour Mineurs, Bepanda, Douala, set up by Decree No. 2009/301/PM of 13 February 2009;

On the rights of disabled persons, the Cardinal Paul Emile LEGER National Centre for Disabled Persons set up by Decree No. 2009/96 of 16 March 2009.

On the right to a healthy environment:

- National Observatory on Climate Change set up by Decree No. 2009/410 of 10 December 2009; and
- the Permanent Follow-up Committee on the International Oil Pollution Compensation Fund set up by Order No. 131/PM of 30 April 2009.

On the right to energy, the Rural Energy Fund (REF) set up by Decree No. 2009/409 of 10 December 2009.

Training Seminars, Workshops and Celebrations

9-In 2009, the United Nations Centre for Human Rights and Democracy in Central Africa organized the following activities in Cameroon:

- 15 training sessions of officers of the judicial police and the armed forces from countries of the Central African sub-region;
- a sub-regional workshop on the human rights protection of indigenous people;

- an international conference on transitional justice: a step toward reconciliation and the consolidation of sustainable peace; and
- a sub-regional seminar on the drawing up of national action plans on the fight against racism, racial discrimination, xenophobia and related intolerance.

10-The National Commission on Human Rights and Freedoms (NCHRF) carried out human rights promotion activities in collaboration with civil society organizations within the framework of celebrations of the following international events:

- the 19th edition of the Day of the African Child celebrated on 9 June 2009 under the theme: An Africa worthy of Children: a Call for urgent action for their survival;
- the 47th Day of the African Woman celebrated on 31 July 2009 with a lecture forum at the International Relations Institute of Cameroon on the theme: The stakes of the ratification by Cameroon of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol); and
- the 61st anniversary of the Universal Declaration of Human Rights with the organization on 23 November 2009, of an essay competition of form three and 4ème students from 12 French-speaking, English-speaking and Bilingual secondary schools in Yaounde for the Award of Excellence on human rights, 2009 edition, on the theme: What do Human Rights mean to me?.

11-The following training sessions were equally organized by the NCHRF with the financial support of the United Nations Development Programme (UNDP):

- a capacity building workshop of civil society organizations from 24 to 25 February 2009 in Yaounde; and
- a workshop on Human Rights based Development Approach (HRBA) from 10 to 12 March 2009 in Mbalmayo.

12-Besides, an evaluation meeting on the implementation of the pilot phase of the National Human Rights Education Programme officially launched on 23 December 2008 for primary and secondary school teachers for the 2008/2009 academic year was organized on 5 June 2009 in the conference hall of the NCHRF.

13-The National Anti-corruption Commission (CONAC) also carried out the following activities :

- participation in deliberations from 2 to 4 June 2009 of the national workshop to examine the draft public contracts code;
- organization on 12 February, 5 March, 5 May, 11 and 16 September, 20, 23 and 29 October 2009, of working sessions with the Change Habits, Oppose Corruption (CHOC) programme to strengthen their collaboration and especially set up pockets of integrity at the international airports of Yaounde and Douala as well as in Universities and Higher Education Schools; and
- organization on 6 May, 4 and 10 June 2009 of consultation meetings with the National Financial Investigation Agency (ANIF) to consolidate collaboration between the two bodies.

14-It further organized:

- a seminar for pressmen from 29 to 31 July 2009 in Yaounde to consolidate and boost Cameroon's image;
- a reflection workshop between CONAC and ministerial anti-corruption units; and
- a consultation workshop with civil society organizations within the national anti-corruption coalition.

15-The latter two workshops were organized in Yaounde from 7 to 9 December 2009 during celebrations to mark the United Nations International Anti-corruption Day.

Methodology

a) Data Collection

16- Collaboration between the Ministry of Justice, the Supreme Court and the following ministries as well as other structures ranking as such and involved in Human Rights issues made it possible as in past years, to obtain the information and elements contained in this report:

- Ministry of Territorial Administration and Decentralization;
- Ministry of Social Affairs;
- Ministry of Livestock, Fisheries and Animal Husbandry;
- Ministry of Trade;
- Ministry of Basic Education;
- Ministry of the Environment and Nature Protection;
- Ministry of Secondary Education;
- Ministry of Higher Education;
- Ministry of Forestry and Wildlife;
- Ministry of Women's Empowerment and the Family;
- Ministry of External Relations;
- Ministry of Labour and Social Security;
- Ministry of Public Health; and
- Ministry of Transport.

The following independent administrative structures equally provided support to this report:

- National Commission on Human Rights and Freedoms (NCHRF);
- National Anti-corruption Commission (CONAC); and
- National Financial Investigation Agency (ANIF).

Partnership established since the 2005 report with the civil society was consolidated with contributions from the following bodies involved in human rights activities carried out in 2009:

- African Action on Aids (AAA);
- Mbororo Social and Cultural Development Association (MBOSCUDA);
- Plan Cameroon; and the
- National Union of Associations and Institutions of Disabled Persons (UNAPHAC).

b) Focus on the 2009 data

This report is based on facts, activities carried out and measures taken in 2009. However, the need for current information at the time of publication has led to the mentioning in the footnotes of this report, of 2010 data without prejudice to their subsequent development.

c) Participative Approach

The drawing up and validation of reports of the Ministry of Justice on Human Rights in Cameroon has become a traditional framework of dialogue, consultation, and consolidation of partnership between Government and the civil society in the human rights domain. This report ties in with the participative approach prescribed by the Minister of Justice.

d) Structure

Unlike the previous reports, this report contains, in addition to the three traditional parts dealing respectively with civil and political rights, economic, social and cultural rights, and cross-cutting human rights issues, a preliminary chapter to the three parts entitled "Cooperation with International Human Rights Protection Mechanisms."

Reporting before different international organs in charge of ensuring that States respect their customary and/or conventional obligations in human rights promotion and protection has become an unavoidable activity on the international scene. Some of these bodies further have dispute settlement duties with respect to States Parties to some relevant conventions. According to Antoine Garapon "human rights provided for in instruments with positive value (...) have progressively turned the State administrator of justice to the State litigant."¹ This is a wide field of activities in which national laws and practices are in conflict with international norms. One of the recommendations to States in any of the cases, be it reporting or dispute,

1 A. GARAPON, *Le gardien des promesses, le juge et la démocratie*, Odile Jacob, 1996, p.38.

is the compulsory publication of the defence of reports or “findings” of such bodies. The report on Human Rights in Cameroon will henceforth be a determined enforcement of the said recommendation by publishing such elements and where necessary, giving indications of further implementation of other recommendations made to the State.

17-The structure of this report is as follows:

- Preliminary Chapter: Cooperation with International Human Rights Promotion and Protection Mechanisms;
- Part One: Civil and Political Rights;
- Part Two: Economic, Social and Cultural Rights as well as the Right to a Healthy Environment; and
- Part Three: Cross-cutting Issues.

Preliminary Chapter

COOPERATION WITH INTERNATIONAL HUMAN RIGHTS PROMOTION AND PROTECTION MECHANISMS

18-The international human rights promotion and protection system has provided guarantees based on both conventional mechanisms and non-conventional techniques. In 2009, Cameroon's cooperation with international mechanisms focused on traditional conventional mechanisms and the new institutional Universal Periodic Review mechanism.

SECTION 1: COOPERATION WITH TRADITIONAL CONVENTIONAL MECHANISMS

19-Most human rights conventional instruments institute surveillance bodies by giving them both non dispute settlement and dispute settlement duties. In the former case, in 2008, Cameroon fulfilled its obligation as concerns drawing up reports on a number of conventions. In 2009, it started defending² them. In this connection, on 28 January 2009, it defended before the Committee on the Elimination of Discrimination against Women (CEDAW) in one report, its second and third periodic reports on the Convention on the Elimination of all Forms of Discrimination against Women. In the latter case, treaty bodies received communications from Cameroon.

§ 1: DEFENCE OF CAMEROON'S REPORT BEFORE THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW COMMITTEE)

20-This report will focus on the report per se and the implementation of the recommendations thereof.

2 Defense continued in 2010 before the following conventional committees:

- Committee on the Rights of the Child, 14 January 2010;
- Committee against Racial Discrimination, 23 and 24 February 2010;
- Committee against Torture, 28 April and 7 May 2010;
- African Commission on Human and Peoples' Rights, 14 May 2010.

A: Defence of the Report

21-Cameroon ratified without reservation, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 23 August 1994 and its Optional Protocol on 7 January 2005.

22-In accordance with the provisions of the Convention, Cameroon had to submit its initial report to the CEDAW Committee³ one year after the said ratification and the first periodic report four years after defending the initial report.

23-Cameroon submitted in a single report, both its initial report and its first periodic report to the Committee at its 23rd session on 20 and 26 June 2000. Following the examination of the said report, the Committee made comments and recommendations as well as decided that Cameroon submits its second and third periodic reports in a single document on 26 October 2008. Of course, the combined reports were effectively defended before the Committee on 28 January 2009 at Geneva by a Cameroon delegation.

24-Since the aim of the periodic reports is to assess progress made by the State Party in a given period, in order to tie in its legislation, regulations, procedures and practices with the provisions of the Convention, Cameroon used the occasion to present to the CEDAW Committee, its level of implementation of the recommendations from its first report.

25-After examination on 28 January 2009, of Cameroon's second and third periodic reports submitted in a single document, the CEDAW Committee communicated its final conclusions containing satisfactory aspects, issues of concern, and recommendations to the Government of Cameroon.

3 For the composition and duties of the CEDAW Committee, see Articles 17 and 18 of CEDAW.

(1) Satisfactory Aspects

26-The Committee noted that Cameroon ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women in January 2005.

27-It further noted the close collaboration between Cameroon and United Nations organizations, Non Governmental Organizations (NGOs) and other civil society groups as concerns promotion of the fundamental rights of women and gender equality.

28-Besides, the Committee noticed that Cameroon has undertaken a legislative reform to amend all provisions deemed repugnant to the Convention.

29-Furthermore, it was satisfied with the promulgation in July 2005, of a law on the status of refugees and strategies adopted by Cameroon to reduce poverty and improve on the social situation especially of women.

(2) Issues of Concern and Recommendations

(a) Major Issues of Concern

30-They include:

- the place of the Convention in the national legislation;
- the clarity of the Convention and its Optional Protocol;
- persistence of discriminatory provisions;
- national women's empowerment mechanisms;
- application of special temporary measures;
- persistence of patriarchal cultural stereotypes and practices;
- violence against women;

- repression of female genital mutilation and other harmful practices;
- trafficking in persons and exploitation of prostitution;
- low participation of women in public and political activities;
- an education system less favourable to girls;
- women's employment;
- access to healthcare;
- the situation of rural women;
- refugees status;
- inequality in families; and
- insufficient statistics.

(b) Recommendations

31-The Committee made the following recommendations to overcome the above-mentioned shortcomings:

- in spite of the recognition of the precedence of CEDAW over national legislation, the Committee recommended Cameroon to adopt laws prohibiting discrimination against women and providing for sanctions against female genital mutilation and other harmful practices;
- it further recommended the integration of CEDAW and its supplementary instruments into the training curriculum of jurists in general and Judicial and Legal Officers in particular as well as in the training of judges of traditional courts who are not Judicial and Legal Officers. It equally exhorted the sensitization of women on their rights as well as officials at all levels on the rights of women;
- the Committee requested the drawing up of a calendar for the completion of current reforms especially the amendment of the Penal Code, adoption of a Civil Code and the Family Code in order to promote and protect gender equality and the fundamental rights of women;
- it further requested Cameroon to amend the composition of the National Commission on Human Rights and Freedoms (NCHRF) by instituting a gender equality mediator with the specific mandate of promoting women's rights;

- it equally exhorted Cameroon to provide detailed information on the results and execution level of its national plan to curb gender inequality and the mechanisms to monitor its implementation;
- the Committee further exhorted Cameroon to increase its efforts in drawing up and implementing a strategy and programmes targeting men and women with a view to setting the ground for the elimination of harmful traditional stereotypes and practices;
- Cameroon was requested to provide detailed statistics on the trafficking in and prostitution of women and girls and exhorted to the psychological management and rehabilitation of victims by setting up settlement centres;
- the Committee equally requested Cameroon to ensure that more women are appointed to decision-making positions in both the political and public management of the country by encouraging equality and taking special temporary measures with detailed objectives or by fixing quotas; and
- the Committee further exhorted Cameroon to see how possible it can amend the law on abortion to ensure the application of provisions governing abortion authorized by law (in the case of rape or incest) and continue the sexual education of adolescents.

32-In conclusion, the CEDAW Committee requested Cameroon to answer these concerns in its next periodic report to be submitted in 2011.

B: Follow-up of the Recommendations of the CEDAW Committee

33-In order to ensure the follow-up of the recommendations, a consultation framework comprising different actors was set up by Government and the implementation of some recommendations have started.

1) Consultation Framework

34-The Ministry of Women's Empowerment and the Family, the Government structure in charge of coordinating actions on the promotion and protection of women's rights organized from 4 to 6 August 2009, a workshop to submit the deliberations of the 43rd session of the CEDAW Committee during which Cameroon defended its recent periodic report. The workshop brought together representatives from Ministries and other State structures as well as from interested civil society organizations.

35-At the end of the workshop, an action plan to implement the recommendations of the Committee was adopted and the different actors identified.⁴

2) Implementation of some Recommendations

36-As regards the popularisation of the Convention and its Protocol, the CEDAW Committee recommended the integration of CEDAW and its supplementary instruments into the training curriculum of jurists in general and Judicial and Legal Officers in particular as well as in the training of judges of traditional courts who are not Judicial and Legal Officers. It equally exhorted the sensitization of women on their rights as well as officials at all levels on the rights of women;

37-Within the framework of the implementation of this recommendation, the Ministry of Justice organized training seminars for Judicial and Legal Officers on the application of the CEDAW and the publication of the "final conclusions" of the CEDAW Committee.

38-The first was organized from 9 to 11 December 2009 with the financial support of UNIFEM, the second from 21 to 23 December 2009 and the third from 18 to 20 January 2010 but under the 2009 budgetary year.

⁴ The drafting Committee of the next periodic report was officially installed in June 2010 by the Minister of Women's Empowerment and the Family.

39-During these training sessions, 90 Judicial and Legal Officers (30 per session and the majority of them women selected from the ten Courts of Appeal studied and understood this international legal instrument considered as the Charter of Women's Rights.

40-They were aware of its justiciability and consequently, its invocability before national courts either to strengthen national law or fill its vacuum. They further undertook to share the knowledge acquired with their colleagues who did not have the opportunity to attend the training sessions earmarked for all judicial staff.

41-During the seminars, Judicial and Legal Officers were communicated the "final conclusions" of the CEDAW Committee and they in turn made proposals for their implementation.

42-In this connection, participants made the following relevant recommendations to Government :

1. sensitization of Judicial and Legal Officers on the application of univocal and self-executing provisions of the CEDAW through a circular letter from the Ministry of Justice;
2. organization of more training sessions for Judicial and Legal Officers, Lawyers and Judicial Police Officers on the application of the CEDAW within the framework of initial and refresher courses through seminars, workshops, lecture forums, roundtable discussions, by organizing them at the level of Courts of Appeal for a better understanding of recurrent problems in each region of the country;
3. regular organization of forums at the local level jointly coordinated by the Ministry of Justice and the Ministry of Women's Empowerment and the Family;
4. completion, adoption and promulgation of national instruments to guarantee Women's Rights enshrined in the CEDAW and to eliminate all forms of discrimination against women especially the Penal Code, Civil Code, Civil and Commercial Procedure Code, and the Family Code by 2011;

5. extension of validation of the draft amendment of the Penal Code to all national tendencies to ensure that the instrument prepared by the Ministry of Women's Empowerment and the Family on repression of violence based on sex is properly integrated and that offences to suppress all discriminatory acts against women are enshrined therein;
6. continuous teaching of human rights at all levels of the education system with special focus on the CEDAW in order to inculcate the notion of gender equality to citizens at an early age;
7. harmonization of the organization and functioning of traditional courts and training of their officials on the application of the CEDAW;
8. training of civil status registrars on the application of the CEDAW;
9. publication of the CEDAW at all State decision-making structures and the civil society;
10. training of Parliamentarians on the CEDAW to enable them to take the gender approach into account during the adoption of laws;
11. multiplication of the publication methods of the CEDAW (media, seminars, conferences, educative discussions, etc...) with a view to reaching out to all social classes;
12. distribution of the instruments in force to all actors of justice in courts, and compilation of a data bank of instruments and case law through a website of the Ministry of Justice for a wider publication and better understanding of the instruments;
13. drawing up of a draft law to institute equality in elective positions or at least fixing considerable quotas for women before the next elections;
14. drawing up and adoption of a law on equality for promotion of women and their appointment to decision-making positions;
15. fixing a short-term 40 per cent quota of women for the recruitment, promotion in grade and appointment of Judicial and Legal Officers, and Court Registrars to decision-making positions. Such decision-making positions, according to the United Nations criteria, include Head of Court, Director of Central Administration, Secretary-General, Registrar-in-chief or at least Head of Division; and
16. ensure that the 4th and 5th periodic reports are submitted in 2011.

43-Cameroon's cooperation with conventional mechanisms was also highlighted through the examination of communications submitted by individuals against the State before international settlement bodies.

§2: COMMUNICATIONS AGAINST CAMEROON

44- In 2009, two communications were submitted against Cameroon and two others were settled in the same year.

(A) Submitted Communications

45-The following two communications were submitted against Cameroon before the African Commission on Human and Peoples' Rights (ACHPR):

- **Communication 369/09, Leke Theodore vs. Cameroon.** Its author, a former employee of Cameroon Development Corporation (CDC) complains of his unfair dismissal from the company and submits that this measure was founded on the determination of the authorities to punish him because of his membership of the Southern Cameroons National Council (SCNC). The matter is pending;

- **Communication 380/09, Global Conscience Initiative vs Republic of Cameroon.** The matter is pending.

(B) Settled Communications

46- At its 45th session held from 13 to 27 May 2009 in Banjul, the ACHPR ruled on Communication 266/2003, Kevin Ngwang Gumne vs the State of Cameroon⁵ while on 22 July 2009, the Human Rights Committee

5 See African Commission on Human and People's Rights, 26th Activity report, pp. 100-189.

delivered its findings on Communication 1397/2005, Pierre Désiré Engo vs the State of Cameroon⁶.

1) Findings and Recommendations of the ACHPR on Communication 266/2003, Kevin Ngwan Gumne vs. the State of Cameroon

47-It is necessary to briefly recall the facts and procedure before presenting the findings and recommendations per se.

(a) Facts and Procedure

48-Fourteen (14) persons among whom Dr. Kevin Ngwang Gumne, members of the Southern Cameroons National Council (SCNC) and Southern Cameroons People's Organization (SCAPO) submitted Communication 266/2003 before the ACHPR on violation of the right to self-determination of the people of Southern Cameroons and violation of relating rights of persons from that part of the country.

49-In the said communication, the authors claim that in 1961, the right to self-determination of Southern Cameroons was violated in that the then referendum organized by the United Nations comprised only two options, either join Nigeria or *Cameroun*. There was no third choice, independence, to which the majority subscribed. Under such conditions, the people of Southern Cameroons chose to join *Cameroun*. Thus in September 1961 in Foumban, negotiations began to draw up a constitution to form a Federal State with the *République du Cameroun*. According to them, although the federal constitution was not adopted by the Southern Cameroons Parliament, the Federal State was proclaimed on 1 October 1961 with the implicit approval of the British administration

⁶ See www.ohchr.org

thereby consecrating an annexation of Southern Cameroons by the *République du Cameroun*.

50-Besides, they hold that in spite of such an annexation, the people of Southern Cameroons remain distinct with an official language, English, and different education, legal and cultural systems. They further submit that this specificity was not sufficiently taken into account at the level of both the Federal State and the Unitary State, and that discriminatory practices against the people of North West and South West Regions have been developed by Government as concerns representation in republican institutions both at the national and local levels, in the legal and judicial domain with Cameroon's membership of OHADA the working language of which is French, and the transfer of English-speaking Cameroonians under criminal prosecution to the French-speaking part of the country to be tried without an interpreter under the civil law tradition.

51-The authors of the said communication further held that pursuant to such discriminatory practices, representatives of the people of English-speaking Cameroon have tried in vain to dialogue with the Government that has instead shown them indifference, apathy, and even hostility. Such attitude combined with the wish of the people expressed in a referendum organized in 1995 have led them to seek the independence of Southern Cameroons and separation from the State of Cameroun that in response, resorted to systematic repression and violation of the rights of any person who supports the idea of self-determination of Southern Cameroons.

52-The communication was forwarded to the State of Cameroon that, in its rejoinder submitted to the ACHPR, refuted the idea of the existence of a territory known as Southern Cameroons, a people of Southern Cameroons and a discriminatory policy against the people of North West and South West Regions.

(b) Findings and Recommendations of the ACHPR

53-After examining the communication Kevin Ngwang Gumne and others vs. the State of Cameroon, the ACHPR made findings and a number of recommendations.

b1) Findings

54-The ACHPR made the following findings:

i) Findings of non-violation

55-The ACHPR found out that the following articles of the African Charter on Human and Peoples' Rights were not violated:

- Article 12 on the freedom of movement;
- Article 13 on the right to participate in the government of one's country;
- Article 17 (1) on the right to education;
- Article 20 on the right to self-determination;
- Article 21 on the right of peoples to dispose of their riches and natural resources;
- Article 23 (1) on the right to peace and security; and
- Article 24 on the right of peoples to a general satisfactory environment favourable to their development.

ii) Findings of violation

56-However, the ACHPR found violation of the following articles of the Charter :

- Article 1 on the positive obligations of the State to recognize the rights enshrined in the Charter and by adopting measures to give effect to them;
- Article 2 on the right to equality and non discrimination;

- Article 4 on the right to physical integrity;
- Article 5 on the right to human dignity;
- Article 6 on the right to freedom and security;
- Article 7 (1) on the right to the presumption of innocence, the right to defence and the right to be heard within a reasonable period by an impartial court or tribunal;
- Article 10 on the right to freedom of association;
- Article 11 on the right to freedom of assembly;
- Article 19 on the right of peoples to equality; and
- Article 26 on the independence of the Judiciary.

b2) Recommendations

57-The ACHPR made the following recommendations to the State and the complainants

58-The recommendations below were made to the State of Cameroon:

- abolition of discriminatory practices against the people of North West and South West Regions as well as the equal use of English and French in trade relations;
- stop the transfer of accused persons from the North West and South West Regions to other Regions;
- guarantee the effective right of all accused persons to be tried in the language they understand especially by hiring the services of interpreters in order to avoid compromising their rights;
- equitable implantation of national projects throughout the country including the North West and South West Regions depending on economic viability and in accordance with regional balance;
- compensation of enterprises in the North West and South West Regions that have suffered discriminatory treatment from banks;
- constructive dialogue with petitioners especially the SCNC and SCAPO to resolve constitutional issues and grievances likely to undermine national unity; and

- a reform of the Higher Judicial Council the composition of which should include personalities other than the President of the Republic, the Minister of Justice and other members of the Executive.

59-Meanwhile, the following recommendations were made to the authors of the communication especially the SCNC and SCAPO:

- transformation of their organizations into political parties;
- abandonment of vague secessionist desires; and
- constructive dialogue with Government on constitutional provisions and grievances raised in the communication.

60-The ACHPR offered its good mediation office for the amicable settlement of this matter and the effective application of the recommendations. The State of Cameroon was required to submit a report within one hundred eighty (180) days from the date of adoption of the recommendations by the Assembly of the African Union on the measures taken to implement the said recommendations.

2) Findings of the Human Rights Committee in Communication 1397/2005, Pierre Désiré Engo vs the State of Cameroon

61-It is necessary to briefly give the facts and procedure before the findings of the Committee.

(a) Facts and Procedure

62-On 30 March 2005, Pierre Désiré Engo, former General Manager of the National Social Insurance Fund (NSIF) petitioned the Human Rights Committee on his prolonged detention without trial the substantive issues

being illegal detention, failure to respect the reasonable period for trial as well as poor detention conditions.

63-According to the communication, the petitioner was arrested on 3 September 1999 and was accused on five counts relating to the management of the *Société Prévoyance Immobilière de Gestion des Travaux* (PIGT) set up by the NSIF and Six International Company managed by Atangana Bengono. The state of the matters was as follows:

- convicted and sentenced to 15 and 10 years imprisonment respectively, the author argued that his counsel were not summoned by the Supreme Court when it was hearing his appeal against the second judgment;
- two files pending transmission to the Court of Appeal since 2000 and 2003 for the first and second judgments respectively; and
- ongoing preliminary inquiry in which an international rogatory commission was set up on 7 March 2005.

64-The author claimed that his right to freedom and security (Article 9 of the Covenant) was violated in that he was arrested without warrant and illegally detained without being informed of the charges against him. He further submitted that he was not treated humanely (Article 10 of the Covenant), that the poor detention conditions caused his poor health, and that he was prevented from being consulted by medical doctors. He affirmed that he was not granted the right to fair trial in that his right to the presumption of innocence was violated (Article 14 (2) of the Covenant), as well as his right to defence (Article 14 (3) (b) and (d) of the Covenant), and his right to be heard without undue delay (Article 14 (3) (c) of the Covenant).

65-The communication was forwarded to the State of Cameroon and in its submission, argued first on its inadmissibility on the ground that the internal appeal has not been determined. Cameroon further contended that the arrest and detention of Mr. Engo were not illegal in that they fell within the framework of preliminary inquiry duly opened against him. Besides, the gravity of the charges against him, in this case,

misappropriation of public funds could not allow for bail as of right. Furthermore, his counsel were granted a number of facilities especially the issuance of visas to enable them to attend court sessions. Lastly, as a common law detainee, he was treated humanely like all Cameroon detainees. He benefited and continues to benefit from medical assistance from the doctors of his choice.

(b) Findings of the Committee

66-On 22 July 2009, the Human Rights Committee delivered its findings in the following verdict :

“The Human Rights Committee, acting under article 5, paragraph 4, of the Optional Protocol to the International Convention on Civil and Political Rights, is of the view that the facts before it reveal a violation of article 9, paragraphs 2 and 3, article 10, paragraph 1, and article 14, paragraphs 2 and 3 (a) and (d), of the Covenant.

Pursuant to article 2, paragraph 3(a) of the Covenant that State party has an obligation to provide the author with an effective remedy leading to his immediate release and the provision of adequate ophthalmological treatment. The State party is also under an obligation to prevent similar violation in the future.

Bearing in mind that, by becoming a party to the Optional Protocol, the State party has recognised the competence of the Committee to determine whether or not there has been a violation of the Covenant, and that, pursuant to article 2 of the Covenant, the State party has undertaken to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the Covenant and to provide an effective and enforceable remedy in the event that a violation has been established, the Committee wishes to receive from the State party, within 180 days, information about the measures taken to give effect to the Committee’s Views. The State party is also requested to publish the Committee’s Views”.

67-The conditions for the implementation of the recommendations of the ACHPR and the Human Rights Committee relating to the two communications are under study.

68-In addition to its traditional cooperation with treaty organizations, Cameroon participated in the new Universal Periodic Review mechanism instituted by the Human Rights Council.

SECTION 2: PARTICIPATION IN THE NEW UNIVERSAL PERIODIC REVIEW MECHANISM

69-On 15 March 2006, the United Nations General Assembly by Resolution No. 60/251 set up the Human Rights Council to replace the Human Rights Commission. Its main duty is to examine human rights violation and make recommendations. With a view to accomplishing its duty, the Council, comprising 47 countries⁷, has set up a new mechanism to evaluate human rights cases in each State by other States. It is the Universal Periodic Review mechanism instituted by Resolution 5/1 of the said Council. On 5 February 2009, Cameroon submitted to the Universal Periodic Review mechanism.

70-After its defence before the Human Rights Council, a number of recommendations were made to Cameroon by other States in accordance with the principles governing the exercise. Some of them were accepted, some reserved and others rejected.

§1: Accepted Recommendations

71-The following recommendations were accepted:

- abolition of discrimination and violence against women and girls;

⁷ Cameroon is member of the Human Rights Council since its creation. Its mandate in the body was renewed for a period of three years in June 2009.

- improvement on child protection;
 - improvement on the fate of disabled persons⁸, indigenous and vulnerable people;
 - conformity of the National Commission on Human Rights and Freedoms with the Paris Principles⁹;
 - consolidation of freedom of press;
 - improvement on detention conditions;
 - improvement on court procedures in criminal matters; and
- consolidation of training and sensitization of persons in charge of the application of laws to international human rights protection standards.¹⁰

§2: Reserved Recommendations

72-They include:

- membership of the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment¹¹;
- ratification of the Rome Statute of the International Criminal Court;
- ratification of the Convention 169 of the ILO;
- permanent invitation to special procedures;
- abolition of the death penalty;
- adoption of a special law to punish the voluntary transmission of HIV/AIDS; and

8 On 13 April 2010, Law No. 2010/2 on the promotion and protection of Disabled Persons was adopted. See especially the chapter on the promotion and protection of vulnerable groups.

9 To this end, Law No. 2010/4 was adopted on 13 April 2010.

10 See p.26. Besides, a seminar on the application of Human Rights Conventions by the Cameroon judge was organized from 31 May to 4 June 2010.

11 A bill to authorize the President of the Republic to ratify the said Protocol was adopted at the June 2010 session of the National Assembly.

- adoption of a special law to protect the lands of pygmies and other indigenous people.

§ 3: Rejected Recommendations

73-The following recommendations were rejected:

- amendment of the composition of ELECAM to include other political leanings;
- decriminalization of breach of the press laws;
- decriminalization of homosexuality; and
- amendment of Sections 29 and 30 of the Criminal Procedure Code on the execution of court processes and arrests respectively.

74-The Minister of External Relations organizes inter-ministerial meetings intended to follow up accepted recommendations and those under study¹².

¹²The first was held on 23 April 2009 and the second, on 7 April 2010.

Part One



CIVIL AND POLITICAL RIGHTS

Introduction

75-The presentation of civil and political rights in Cameroon in 2009 focuses as concerns civil rights, on measures to curb impunity of staff in charge of the implementation of the law through judicial measures. It is necessary to analyze the implementation of the right to fair trial in order to assess conformity of the practice in Cameroon with international standards on the issue by bringing out progress made in the domain. There is focus on the sharp increase of mass communication actors within the framework of freedom granted them as well as the activities of Human Rights activists. Besides, freedom of religion will be discussed to bring out the current situation that is somehow disturbing. As regards political rights, emphasis is laid on the traditional management of political parties and the setting of the effective beginning of decentralization within the framework of the management of public affairs.

76-All these developments will be discussed under the following chapters:

- (chapter 1) fight against impunity;
- (chapter 2) right to fair trial;
- (chapter 3) freedom of communication;
- (chapter 4) freedom of religion;
- (chapter 5) human rights activists; and
- (chapter 6) right to participate in the management of public affairs.

Chapter

1

FIGHT AGAINST
IMPUNITY

77-This chapter covers the right to life, individual security, physical and moral integrity of persons. It underlines the procedures against persons in charge of implementing the laws in these domains especially the forces of law and order, prison administration staff, administrative and traditional authorities.

78-Before delving into the disciplinary and/or judicial procedures as well as sanctions taken to curb impunity, it is necessary to discuss the 2009 report of Amnesty International that largely dwells on impunity entertained and cautioned by Government.

SECTION 1: 2009 REPORT OF AMNESTY INTERNATIONAL

79-The human rights organization, Amnesty International, published its 2009 annual report. The report which takes a look at human rights in the world focuses on Cameroon in one of its chapters which requires some analysis. Following the publication of the said report, the Government of Cameroon made some clarifications on allegations levied against it.

§1: CONTENT OF THE REPORT ON CAMEROON

80-In the 2009 report of Amnesty International, Cameroon is alleged to have committed the following human rights violations as recorded by the network of local actors of the said organization:

- illegal homicides of opposition political leaders;
- sexually based persecutions;
- deplorable detention conditions;
- torture and other cruel, inhuman or degrading treatment ;
- summary executions; and
- death penalty.

§ 2: GOVERNMENT'S CLARIFICATION

81-In a press release of 3 February 2009, the Vice-Prime Minister, Minister of Justice, Keeper of the Seals published the following Government opinion :

"As is the tradition every year, the non-governmental organisation, Amnesty International, has just released its 2009 report on the state of human rights.

In the report, Amnesty International alleges that the Cameroon authorities refused its experts authorisation to enter into the country. The clear intent was to better justify the use of its "secondary sources" and demonstrate the "plausibility" of the different claims made in the report, notably:

- illegal killings of political dissidents, violations of the human rights of political supporters;*
- harassment of human rights activists and journalists;*
- persecution of presumed homosexuals;*
- deplorable detention conditions; practice of torture; and maintenance of the death sentence.*

According to this organisation, these "human rights violations were ordered, sanctioned or perpetrated by the Cameroonian authorities in utter disregard of their domestic and international obligations..."

Following publication of this report, the Government of the Republic of Cameroon wishes to bring the following clarifications to the attention of the national and international public: The promotion and protection of human rights is one of the priorities of Government action. In this regard, the Government itself has been conducting a thorough assessment of its human rights promotion and protection mechanism for several years now, leading to the publication of an annual report on the state of human rights in the country, drafted with the active participation of the more representative civil society

organisations. Thus, the three reports for 2005, 2006 and 2007 had already thoroughly examined the concerns mentioned in Amnesty International's report and charted concrete proposals.

These reports also treated many other issues dealing with the promotion and protection of human rights. It is worth noting that the 2006 report was forwarded to Amnesty International which duly acknowledged receipt by letter dated 9 May 2008. Furthermore, the impunity of workers charged with enforcing laws and protecting persons and property is being combated, as evidenced in legal proceedings which result in sanctions published by the press.

Lastly, with regard to the visit of Amnesty International's representatives to Cameroon, the Government wishes to state that its agreement was notified to them by letter dated 3 August 2007. However, the visit could not take place on 27 October 2007 as agreed because Amnesty International asked for a postponement on 16 October 2007 owing to the unavoidable absence of one of its purportedly bereaved delegates.

Thus, it was incumbent on this organisation to resubmit another application with new proposal of dates.

The Government of the Republic of Cameroon, which cannot but express surprise at this unexpected and unwarranted development, nevertheless indicates its full readiness to accede to any demands regarding respect of all human rights and the improvement of governance - values to which the whole country is endeared".

82-In both the law enforcement, and the other sectors discussed in the 2009 Amnesty International Report, a number of proceedings and sanctions were initiated or taken to curb impunity.

SECTION 2: PROCEEDINGS AND SANCTIONS

83-Disciplinary and judicial measures were taken against authors of human rights violation in 2009.

§1: Disciplinary Measures

84-The following disciplinary and precautionary measures were taken in 2009 against the Police, Gendarmerie, and Judicial staff.

A : Police staff

85-The Table below shows the sanctions taken against some police staff.

Grade	Number	Nature of offence committed	Sanction
Senior Superintendent of Police	6	-poor service, -dangerous use of arms,	- written warning recorded in file; - no promotion for 1 year - 20 days suspension without salary -struck off the promotion list - suspension for 3 months. - 10 days suspension without salary - 15 days suspension without salary - written warning - suspension for 6 months -notice of undue absence
Superintendent of Police	21	-disregard of orders; -serious negligence;	
Senior Assistant Superintendent of Police	2	-dishonesty to tarnish the image of the police. -misuse of service vehicle; - poor service	
Assistant Superintendent of Police 2 nd Class	52	- violence and assault to subordinate -disregard of orders -corrupt practices, concealment of evidence and notorious favour in service	
Assistant Superintendent of Police 1 st Class	29	-notorious negligence of duty -disrespect of superior -breach of instructions -failure to carry out an order	
Senior Inspector of Police	8	-abandonment of post -failure to respect debt commitments, offensive behaviour to superiors	
Inspector of Police 2 nd Class	49	-harassment, racketeering and extortion of funds -opening of inquiry in violation of organic provisions to define the material jurisdiction of National Security units, and false arrest of suspect	
Inspector of Police 1 st Class	169	- illegal release of detainee	
Senior Police Constable	13	-refusal to execute an administrative sanction, resistance, incitement to indiscipline and disobedience	
Police Constable "Major"	189	- notorious indiscipline	
Police Constable	66	-forgery -assault of third party - illegal transportation of passengers and offensive conduct on highway; - disclosure of confidential document; -unjustified withdrawal and keeping of official document; -undue issuance of administrative documents without authority; -oppression and ownership of property belonging to another person.	

Source : DGSN

B: Gendarmerie staff

86-The Table below shows some of the sanctions taken against Gendarmerie staff:

No.	Name	Grade	Unit	Registration No.	Offence and date of commission	Protective measures taken	Final sanction
1	Takou Jean-Félix	Adjt	Groupe d'Esc. NO. I/Esc. 10	9038	Torture and use of force on GAV at the Research Brigade, Yaounde III	Matter pending	
2	Wandji Bertrand	MDL	Research Brigade Yaoundé III	10102	Torture and use of force on GAV at the Research Brigade, Yaounde III	Matter pending	
3	Ngamby David	Adjt	Brigade Bassa	12.189	Use of force on user on 23 September 2009	Disciplinary measure	Prosecution pending
4	Bola Paul	G	Brigade Bonaberi II	16.769	Use of force and on user on 9 June 2010	Disciplinary measure	Prosecution pending
5	Aloa Assogo Jacques	Adjt	Brigade Bassa	12.478	Omission to give assistance	Disciplinary measure	Prosecution pending
6	Lowe Jean-Louis	MDL	Brigade Kumba	8.519	Sub-Officer who cautioned the escape of a suspect to be taken to court	Disciplinary measure (12JAR)	
7	Dogo Godlove Chuye	A/CM	Brigade Akwaya-CB	11.282	On 12/04/2009, after a football match organized by the Mayor, this Sub officer held the match officials in custody on the ground of partial treatment of the team he supported.	Disciplinary measure (12JAR)	
8	Ndeh Fru Augustin Ndifor	G	Esc. 80/PM 804 Tombel	20.334	This dishonest Gendarme used his office to recover his debt.	Disciplinary measure (10JP)	
9	Nfonmbewouon Njimbam Yacouba	G	Etat-major Légion Sud-Ouest Buea	18.802	Unlawful entry into office for illegal use of equipment (Telephone)	Disciplinary measure (12JP)	
10	Ayangma Jean	G/M	Brigade Rio del Rey	16.754	Debtor Gendarme who paid his debt only after the intervention of his superior	Disciplinary measure (10JP)	
11	Lelithi John	MDL	Esc.81/PM 813 Isangele	12.095	Extortion of funds from Nigerian citizens(100.000 Naira)	Disciplinary measure (12JAR)	

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No.	Name	Grade	Unit	Registration No.	Offence and date of commission	Protective measures taken	Final sanction
12	Tselle Jean-Pierre	G	Brigade Isangele	17.609	Extortion of funds from Nigerian citizens(100.000 Nairas)	Disciplinary measure (12JP)	
13	Djondang Elias	G	Brigade SONARA	18.475	Gendarme who cautioned the escape of a suspect to be taken to court.	Disciplinary measure (10JP)	
14	Ngenoh Nforba	MDL	Brigade SONARA	18.158	Gendarme who cautioned the escape of a suspect to be taken to court	Disciplinary measure (10JAR)	
15	Beokol François	G	Esc. 80/PM 801 Buea	19.677	Use of force and destruction against civilian population on 15/12/2009 in Akwaya	Disciplinary measure (12 JP)	
16	Bebesday	G	Esc. 80/PM 801 Buea	18.357	Use of force and destruction against civilian population on 15/12/2009 in Akwaya	Disciplinary measure (12 JP)	
17	Biyo'o Jean	G	Esc. 80/PM 801 Buea	19.696	Use of force and destruction against civilian population on 15/12/2009 in Akwaya		
18	Mengue Ndong	G	Esc. 80/PM 803 Kumba	20.124	Use of force and destruction against civilian population on 15/12/2009 in Akwaya	Disciplinary measure(12JP)	
19	Ndeh Fru Augustine	G	Etat-major Légion Sud-Ouest Buea	20.125	Use of force and destruction against civilian population on 15/12/2009 in Akwaya	Disciplinary measure (12JP)	
20	Nyembe Trésor	MDL	Esc. 80/PM 804 Kumba	19.438	Use of force and destruction against civilian population on 15/12/2009 in Akwaya	Disciplinary measure (12JAR)	
21	Betekwai Jean	G/M	Brigade Isangele	12.095	Extortion of funds from Nigerian citizens (100.000 Naira)	Disciplinary measure (12JP)	

Source: SED

KEY

G: Gendarme	2e CL: Private 2nd Class
MLT: Soldier	A/C: Senior Warrant Officer
GM: Gendarme Major	A/C-M: Senior Warrant Officer "Major"
CAL: Caporal (Lance Corporal)	EV2: Sub-Lieutenant
MDL: Sergeant	CNE: Capitaine (Captain)
MDL/C: Battery or Squadron Sergeant-Major	LT-COL: Lieutenant-Colonel
S/C: Staff Sergeant	GAV/ Remand in custody
Adj: Warrant Officer (2nd Class)	JAR: Jour d'arret de rigueur
MTRE: Seaman	JP: Days of detention
QM2: Senior Leading Rating	

C: Judicial Staff

87-The following sanctions were taken:

1) Against Bailiff:

- by Order No. 200/DPJ/SG/MJ of 4 May 2009, Mr. Mah Ebenezer Paul, Bailiff in Yaounde, was suspended for one year for breach of honour and unscrupulous behaviour; and
- by Order No. 613/DPJ/SG/MJ of 14 December 2009, Mr. Yousseuf Ibrahim, Bailiff in Ngoundere was called to order for false service of a court decision.

2) Against Notaries Public:

- by Presidential Decree No. 2009/178 of 15 June 2009, Madam Mpuli Nteppe Marthe Louise, Notary Public in Douala was dismissed from office following her 10 years prison sentence for aggravated misappropriation and false pretences (gross disrespect of her office especially breach of honour and probity); and
- by Order No. 172/DPJ/SG/MJ of 6 May 2009, Mrs. Bemme Mandengue Marie TERENCE, Notary Public in Kribi, was suspended from office following her remand in custody for misappropriation of public funds (acts contrary to probity).

§2: PROSECUTION AND/OR SANCTIONS

88-Before discussing matters that have been tried or pending in 2009, it is worthy to indicate the progress of the matters mentioned in the 2008 report.

A : Matters mentioned in the 2008 Report

Court of Appeal, Adamawa Region

CFI, Tignère :

The People Vs Hamidou (Inspector of Police, 2nd Class) and Allah Ondoum Léger Bruno (Police Constable), prosecuted for oppression as co-offender. The accused were found guilty, convicted and given a 6 month suspended sentence.

The People Vs Issa Maoundé alias Djaouro Issa (3rd Class Traditional Ruler) prosecuted for false arrest. He was found guilty, convicted and sentenced to 1 year imprisonment suspended for 3 years. The judgment is on appeal.

Court of Appeal, North Region

Court of Appeal: The People Vs Ngwan Austin, Assistant Superintendent of Police (ASP), prosecuted for assault occasioning grievous harm. The Court quashed the judgment of the lower court and declared its incompetence, and ordered the Legal Department to seise the right court.

CFI, Garoua: The People Vs Enguene Magloire, former Superintendent of Police for Emi-Immigration, Garoua, prosecuted for slight harm, and false arrest. At the hearing of 13 January 2009, the Court declared its lack of jurisdiction on ground of privileged proceedings, and ordered the Legal Department to seise the right court.

The People vs. Mbock Mbock Michel, Police Constable at the Public Security Police Station, Meiganga.10 By judgment of 3 November 2009, the Court requalified the charge of torture to slight harm. The accused was found guilty, convicted and ordered him to pay a fine of CFA 50,000 suspended for 3 years. He was further ordered to pay costs.

B: Matters in 2009

89-The following matters were recorded according to whether they were before military tribunals or common law courts.

1) Matters before the Military Tribunal

MT, Garoua

No.	Suit No.	Name	Grade	Position	Offence	Matters	Observations
1	40/RP/08	Babila Fon	S/C	Detention	Capital murder	OI No.116 of 26/02/08 OR No.330 of 19/08/08	Pending hearing and determination
2	01/RP/09	Djodda Jonas	CAL	Released	Slight harm	CD No.356 of 09/12/08	Pending hearing and determination
3	58/RP/02	-Sunny Nkangha -Bayang Martin -Gakne Pali Panai -Alhadji Mahamat -Ngos Timothee	CNE A/C G/M G/M G/M	L DCD DCD L At large	Undue demand, oppression, conditional threats, co-offender in false pretences	OI No.152 of 05/03/02 OR No.12 of 20/01/06	Pending hearing and determination
4	81/RP/02	-Souman Doko -Oloum Miasi Jean	A/C G/M	L EF	Corruption, Oppression	OI No.235 of 22/05/02 OR No.033 of 15/03/06	Pending hearing and determination
5	79/RP/07	Vroumsia Jean Luc	G/M	L	Invasion of residence, slight harm and false arrest	OI No.227 of 16/05/07 OR No.58 of 23/01/08	Pending hearing and determination

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No.	Suit No.	Name	Grade	Position	Offence	Matters	Observations
6	81/RP/05	-Bouba Haman -Dabile Jerome -Ngavouda Gamsou -Likike Nestor -Mainimou Olivier -Ndema Ndema -Ndjidere Ambe	MTR E CAL QM2 2°CL MLT 2° CL EV2	L L L L L L	False arrest, torture	OI No.227 of 18/05/05 OR No.211 of 30/06/08	Pending hearing and determination
7	71/RP/06	Dobom Robert	G/M	L	Assault occasioning death	OI No.139 of 21/02/06 OR No.285 of 19/08/08	Pending hearing and determination
8	102/RP/08	Nfor Geneis Finya	SGT	L	Unintentional killing and harm	CD No.212 of 21/07/08	Pending hearing and determination
9	201/RP/04	-Njoyep Moungang Cyril -Tonye Joel Emmanuel	GEND MDL/C	L DCD	Theft, oppression, false pretences, simple harm and slight harm	OI No.528 of 25/10/04 OR No.253 of 12/09/08	Pending hearing and determination
10	172/RP/08	Juanyang John	AC/M	L	Oppression and favour	CD No.341 of 13/08/08	Pending hearing and determination
11	41/RP/09	Yuandin Eric	CAL	L	Slight harm	CD No.86 of 26/03/09	
12	110/RP/08	Nchare Appolinaire	MDL/C	L	Oppression	OI No.340 of 30/06/08 OR No.184 of 17/08/09	Pending hearing and determination
13	14/RP/07	Julius Nfor	SGT	L	Murder	OI No.12 of 05/01/07 OR NO.225 of 31/07/07	Pending hearing and determination
14	103/RP/08	Keanyang Ngoffo Jean	2 nd CL	L	Dangerous carriage of firearm, slight harm	CD No.224 of 24/07/08	Pending hearing and determination
15	01/RP/08	-Metomo Bruno -Ntiege John Ejah -Sigala Vincent -Nguti Nguti -Sali Wouwe	AT MDL GEND GEND	L	Corruption, accessory in corruption	CD No.301 of 10/12/07	Pending hearing and determination

No.	Suit No.	Name	Grade	Position	Offence	Matters	Observations
16	33/RP/06	-Mbozo'o Roger -Itchimou Mimban -Fouda Andre Bertrand -Atangana Charles -Hamadou Saliou -Biwoli Biwoliagee	S/C C/C 2 nd CL 2 nd CL CAL GEND	L	False arrest	OI No.050 of 11/01/06 OR No.209 of 29/08/08	Pending hearing and determination
17	20/RP/07	Aminou Illiassou	GEND	L	Arrest, oppression, false pretences, undue demand and damage	OI No.075 of 11/01/07 OR No. 289 of 29/08/08	Pending hearing and determination
18	150/RP/04	Tantan Francis	LT-COL	L	Oppression	OI No.401 of 05/10/04 OR No.091 of 19/03/09	Pending hearing and determination
19	40/RP/09	Bilong Ferdinand	CAL	L	Assault of another person	CD No.74 of 16/03/09	Pending hearing and determination
20	158/RP/08	Njingoumbe Mazou	2 nd CL	Released	Accessory and attempted aggravated theft, attempted murder and slight harm	OI No. 535 of 29/10/08 OR No.222 of 31/08/09	Pending hearing and determination
21	182/RP/06	- Mandengue Emmanuel -Abomo Mbita Georges	S/C MDL/C	EF EF	Torture	OI No. 537 of 31/08/06 OR No.261 of 16/10/09	Pending hearing and determination
22	135/RP/09	Aminou Illiassou	GEND	L	Oppression	CD No.243 of 21/10/09	Pending hearing and determination
23	17/RP/09	Issa Jacob	MDL/C	L	Slight harm	CD No.08 of 22/01/09	Pending hearing and determination
24	35/RP/09	Pambounde m Jepthe	C.E	L	Corruption, accessory in aggravated theft, aggravated accessory by shelter	CD No.295 of 06/11/07	Preliminary inquiry pending
25	48/RP/09	Djibrilla	A/C		Oppression, false arrest, misappropriation and attempted false pretences	OI No.049 of 28/01/08 OR No.257 of 06/08/08	Preliminary inquiry pending

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No.	Suit No.	Name	Grade	Position	Offence	Matters	Observations
26	71/RP/09	Haman Chetima Boukar	A/C-M	L	Oppression, false arrest, notorious negligence	OI No.181 of 16/03/09	Preliminary inquiry pending
27	100/RP/09	-Tija	GEND	L	Murder	OI No. 370 of 23/06/09	Preliminary inquiry pending
28	94/RP/09	Ngassam Antoine Marie	MDL/C	L	Oppression, unlawful retention of another person's property, attempted undue demand	OI No.90 of 20/02/09	Preliminary inquiry pending
29	128/RP/09	Domwa Celestin	AT	L	Oppression and undue demand	OI No.504 of 11/09/09	Preliminary inquiry pending
30	139/RP/09	Avele Salomon	MDL/C	L	Assault occasioning death	OI No.554 of 14/10/09	Preliminary inquiry pending

MT, Yaounde : Judgments

No.	Name	Offence	Judgment
1	Ahidjo Emmanuel (Private 2 nd class soldier)	Capital murder	JGT No. 001/09 of 08/01/09, death penalty and costs
2	Bankou Emile (Senior Squadron Sergeant-major)	Murder	JGT No.035/09 of 05/05/09, 18 months imprisonment and costs
3	Olinga Ondoua and 1 other (a Gendarme and Civilian)	Oppression and false arrest	JGT No. 075 /09of 07/10/09, 10 years imprisonment each
4	Baba Hamadou (Gendarme)	False arrest	JGT No. 083/09 of 04/11/09, 11 years imprisonment
5	Mbongale Sone William and 1 other(Captain an a Civilian)	Accessory in false arrest	JGT No. 086/09 of 17/11/09, Cfa 50,000 fine and 4 years imprisonment respectively
6	Ateba Bertin (Warrant Officer)	Assault on superior and others	JGT No. 089 of 01/12/09, Cfa 25,000 fine and costs
7	Tambe Nso Johnson (Senior Warrant Officer)	False arrest	JGT No. 001of 08/01/09, 1 year imprisonment and costs

8	Ekwa Gaston (Warrant Officer)	Tolerance of threats to individual rights	JGT No. 036 of 05/03/09, 1 year imprisonment, suspended for 3 years and Cfa 200,000 costs
9	Amougou Jean Félix (Warrant Officer)	Disregard of order and slight harm	JGT No. 052 of 08/04/09, 3 years imprisonment, and Cfa 100,000 costs
10	Ondoua Biyo Justin (Lieutenant)	Disturbance, assault of subordinate and slight harm	JGT No. 164 (bis) 09 of 10/09/09, Cfa 120,000 fine and costs
11	Zoa Ekani and 1 other (Squadran Sergeant-Major and Gendarme Major)	Oppression and slight harm	JGT No. 169/09 of 10/09/09, 1 year imprisonment each and Cfa 50,000 costs
12	Mefane Me Mba (Captain)	Oppression and disregard of order (harassment of spouse of subordinate)	JGT No. 194/09 of 22/10/09, 2 years imprisonment
13	Abanda Abanda Jean and 1 other (Senior Warrant Officer and Gendarme)	Slight harm	JGT No. 224/09 of 02/12/09, 2 years imprisonment each
14	Akomezoa Afana (Superintendent of Police)	Simple threats, slight harm	JGT No. 246/09 of 17/12/09, 1 year imprisonment and Cfa 150,000 costs
15	Engola Biniga and 1 other (Captain)	Disregard of order and corruption	JGT No. 252/09 of 23/12/09, 3 year imprisonment, Cfa 500,000 costs and Bench Warrant

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MT, Yaounde : Pending Matters

No.	Suit No.	Name	Quality	Position	Offence and reference instrument	Court seised	Observations
1	074/RP/09	Ndidda Ala'o Blama	CAL	L	Murder, Sections 74 and 275 of the Penal Code	OI No. 130 of 10/03/09 OR No. 066 of 10/05/10	
2	296/RP/09	Fale Mbella C.	CAL	LP	Violation of instructions (attempted dangerous carriage of arms) and use of force, Sections 74, 94, 132 (1), 238 of the Penal Code 230 CJM/AT	OMJD No. 252 of 05/11/09	
3	092/RP/09	Wara Jean Pierre	MDLC	L	Oppression, Sections. 74 and 140 (1) of the Penal Code	CD No. 57 of 10/03/09	
4	271/RP/09	Sumbu Biyo'o	LT/COL	L	Oppression, Sections 74 and 318 of the Penal Code	OI No. 502 of 11/09/09 OR No. 067/C12 of 10/05/10	

Key : L : not detained

LP : on bail

2) Proceedings before Common Law Courts

Court of Appeal, Adamawa Region

CFI, Banyo

The People vs. Nsangou Amos, Assistant Superintendent of Police, 2nd Class, prosecuted for conditional threats and other charges. The matter is pending hearing and determination.

The People vs. Ndoum Assam Daniel, Police Constable, prosecuted as co-offender of slight harm. The matter is pending hearing and determination.

The People vs. Djouvoup Sylvestre, Inspector of Police, prosecuted for slight harm. The matter is pending hearing and determination.

CFI, Meiganga

The People vs. Alim Daniel, civil servant in the Police, prosecuted for oppression and simple harm. The matter is pending hearing and determination.

Court of Appeal, Centre Region

Court of Appeal

The People vs. Ouaboube Zengoba Théophile, Police Constable, prosecuted for dangerous carriage of arms and simple harm. The accused was found guilty, convicted and sentenced to five years imprisonment. The General Delegation of National Security (DGSN) was found liable and ordered to pay damages in the sum of CFA 18,500,000.

HC, Yaounde

The People vs. Ngomsia Ernest and Nkolo Serge, Inspectors of Police, prosecuted for unintentional killing. Ngomsia Ernest was convicted and sentenced to three years imprisonment.

CFI, Bafia

The People vs. Massemblele Maurice, Gendarme officer, prosecuted for use of force, false arrest, and false statement. The matter is pending hearing and determination.¹³

The People vs. Ngolong Mathias, Gendarme officer, prosecuted for oppression: the matter was declared inadmissible.

The People vs. Ngando Daniel, Gendarme officer, prosecuted for oppression: at the hearing of 3 February 2009, the accused was found guilty, convicted and ordered to pay a fine of CFA 50,000.

CFI, Eseka

The People vs. Nke Lebogo Nicolas and Eofh Enonguene Peter, Police officer and Gendarme officer, prosecuted for false arrest. The matter is pending hearing and determination.

CFI, Ngoumou

The People vs. Enyegue Atanga Jean Claude, traditional ruler, prosecuted for false arrest; by judgment of 28 August 2009 he was convicted and sentenced to 20 years imprisonment.

¹³ Adjourned to 27/7/ 2010

CFI, Yaounde - Centre Administratif

The People vs. Ongwa Yene, Senior Police Constable, prosecuted for oppression; he was convicted and sentenced to 6 months imprisonment.

The People vs. Afane Samuel Jean Noel, Inspector of Police, prosecuted for oppression. The matter is pending hearing and determination.¹⁴

The People vs. Aboudou Ongbwa Félicien, Gendarme officer, prosecuted for oppression. The matter is pending hearing and determination.¹⁵

The People vs. Eto Kong Jean Pierre, Inspector of Police, prosecuted for oppression. The matter is pending hearing and determination.¹⁶

The People vs. Edo'o Ghislain, Police officer, prosecuted for torture and oppression. The matter is pending hearing and determination.¹⁷

The People vs. Funde Ndale, Police officer, prosecuted for oppression. The matter is pending hearing and determination.¹⁸

The People vs. Medjo Eballe Simplicie, Police officer, prosecuted for oppression. The matter is pending hearing and determination.¹⁹

CFI, Yaounde – Ekounou

The People vs. Yaya Mahonde, Superintendent of Police, prosecuted for oppression. At the hearing of 17 December 2008, the Court declared its lack of jurisdiction.

The People vs. Abessolo Roger, Police officer, prosecuted for oppression and other charges. The accused was discharged for lack of evidence.

14 Adjourned to 12/08/2010

15 Adjourned to 26/08/2010

16 Adjourned to 11/08/2010

17 Adjourned to 28/09/2010

18 Adjourned to 20/07/2010

19 Adjourned to 31/08/2010

Court of Appeal, Far North Region

CFI, Yagoua

The People vs. Voutsou Taria, Gendarmerie officer, Bougoudoum, prosecuted for receiving. By judgment of 22 March 2010, the accused was found guilty, convicted and sentenced to 2 years imprisonment suspended for 3 years.

CFI, Mokolo

The People and Yokadaï Hiama vs. Hamadou Mahaï, Senior Warder, prosecuted for false arrest, and invasion of residence. The matter is pending preliminary inquiry.

Court of Appeal, Littoral Region

CFI, Douala - Bonanjo

The People vs. Mani Marthe, Lands Conservator, prosecuted for refusal of service. The matter was declared inadmissible for failure to pay deposit.

The People vs. Djuge Julianne, council staff at the Douala City Council, prosecuted for oppression. The matter is pending hearing and determination.²⁰

The People vs. Paul Kane, Judicial Expert, prosecuted for oppression. The matter was declared inadmissible for failure to identify the accused.

The People vs. Mrs. Edjangue Ekambi, Regional Delegate of Labour, prosecuted for refusal of service. The matter is pending hearing and determination.²¹

²⁰ Adjourned to 3 April 2010

²¹ Adjourned to 3 September 2009

CFI, Douala - Ndokotti

The People vs. Ngombe Francis, Assistant Superintendent of Police at the 13th District Police Station, Douala, prosecuted for oppression. At the hearing of 22 June 2009, the matter was declared inadmissible for failure to pay the deposit.

The People and Abdou Abouba vs. Foussom Touko Oscar, Police Constable, prosecuted for oppression. By judgment of 11 November 2009, the accused was found guilty, convicted and sentenced to 6 months imprisonment suspended for 3 years.

CFI, Nkongsamba

The People vs. Essama Abraham, Bakakte village head, prosecuted for usurpation of qualification and co-offender in usurpation of office. The matter is pending hearing and determination.²²

The People vs. Touko and Mballa Jean Philippe, Gendarme officers at the Motorcycle Platoon, Nkongsamba, prosecuted for simple harm, destruction, disturbance of quiet enjoyment, illegal retention of another person's property. The matter is pending hearing and determination.²³

CFI and HC, Yabassi

The People vs. Bakai Joseph, traditional ruler, prosecuted for false arrest. The court found the accused not guilty and discharged him for want of evidence.

The People vs. Bakai Joseph, traditional ruler, prosecuted for misappropriation and usurpation of office. At the hearing of 7 July 2009, the accused was found not guilty and discharged for want of evidence.

The People vs. Mbende Valentin, traditional ruler, prosecuted for disturbance of quiet enjoyment and destruction. By judgment of 22

²² This matter was mentioned in the last Report.

²³ Adjourned to 2 May 2010

December 2009, the accused was found not guilty and discharged for want of evidence.

The People vs. Evoudou Xavier Emmanuel, Gendarme officer, prosecuted for attempted rape, theft and simple threats. By judgment of 17 February 2009, he was found not guilty and discharged for want of evidence.

Court of Appeal, South Region

CFI, Sangmelima

The People vs. Dodje Christophe, Gendarme officer, prosecuted for oppression, dangerous activities and slight harm. The matter is pending hearing and determination.²⁴

CFI, Kribi

The People vs. Ngoua Emmanuel Gabriel (Senior Chief Petty Officer), Mbiwouo Jean Baptiste, Um Mbey Belinga Jacques Emmanuel (Leading Seaman), Evelle Ibrahim (Leading Seaman), Menye Owona Marthe Francine (Seaman), Owona Ambara Philippe (Assistant Superintendent of Police 2nd Class), Mvogo Ndzana Sebastien Alinda (Assistant Superintendent of Police 2nd Class), and Zoua (Inspector of Police), prosecuted as co-offenders in destruction and degradation of public property and slight harm. The matter is pending hearing and determination.²⁵

CFI, Ebolowa

The People vs. Engolo Mfou'ou Joseph Didier (Adjap village head), Owono Mfou'ou Jean Louis and Nna Ekale Daniel, prosecuted for false arrest. The Court found Nna Bekala not guilty. The other two accused were

²⁴ The last known date of adjournment is 20 July 2010.

²⁵ The last known date of adjournment is 10 August 2010.

found guilty, convicted and sentenced to 6 months imprisonment suspended for 3 years.

CFI, Ambam

The People vs. Nadar Adamou Charlie, Police Constable, prosecuted for false arrest, and oppression. The accused was found guilty, convicted and sentenced to 12 months imprisonment suspended for 3 years.

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90-All in all, curbing impunity continues with the above-mentioned actions. It requires the active involvement of everyone through mastery of the rule of law the popularization of which will guarantee the right to fair hearing



Chapter 2

RIGHT TO FAIR TRIAL

91-The right to obtain justice is a fundamental human right guaranteed by the Constitution. The expression “fair trial” summarizes in two words, the different guarantees that ensure a good administration of justice. Such guarantees concern both the court and the matter, and the specific rights of the person accused.

92-Section 8 of the law of 29 December 2006 to lay down judicial organization of the State provides that justice shall be administered free of charge, subject to the fiscal provisions and those concerning the reproduction of the record of proceedings for appeals. The strict application of these provisions calls for the equal access of all citizens to justice. However, the reality is different because access to justice involves charges that are not included in the functioning of judicial institutions and borne by the litigant. This is the case of the honorariums of lawyers and emoluments to auxiliary officers of justice. Sometimes, the cost of such charges threatens the right of needy persons to obtain justice.

93-In 2009, protection of the right to fair trial was enhanced by the promulgation of Law No. 2009/4 of 14 April 2009 to organize legal aid. The law is in line with efforts to consolidate the State governed by the rule of law in general, and the effective implementation of the principle of equality of all before the law in particular.

94-The adoption of the said law was a giant step towards a better protection of the right of access to a court which is the first step of the right to fair trial. Measures to guarantee fair trial contained in the law of 14 April 2009 and recommended by case law and part of the civil society shall be discussed in this report. Furthermore, assessment of the quality of the guarantees provided for the accused in a criminal matter examined during the annual meeting of Heads of Court of Appeal will equally be discussed.

SECTION 1: GUARANTEES RELATING TO THE COURT AND THE MATTER

95-In 2009, concerns on guarantees relating to the court focused both on the right of access to and the quality of the court, more especially on its impartiality.

§1: Right of Access to Justice

96-Law No. 2009/4 of 14 April 2009 to organize legal aid aims to facilitate the material conditions of access to justice. The right of access to justice further comprises the right to appeal against court judgments. Some aspects of the right of access to justice have been discussed below.

A: Facilitating the Material Conditions of Access to Justice

97-Law No. 2009/4 of 14 April 2009 to organize legal aid repeals Decree No. 76/521 of 9 November 1976 whose non conformity with the Constitution and inability to adapt to the new context have been highlighted. Every needy litigant may henceforth apply for and obtain legal aid from when the matter is brought before the court until the execution of the court judgment. Besides, even corporate bodies can apply for and obtain legal aid. An analysis of the instrument will focus on the conditions of obtaining legal aid, the procedure and effects of legal aid

1) Conditions of obtaining Legal Aid

98-Where legal aid is not legally provided for as of right, it may be granted on application to natural persons whose resources are inadequate to have their rights enforced by a court or to follow up the enforcement of any writ or process of execution previously obtained without such legal aid. The following categories of persons may be granted legal aid:

- needy persons;
- privates of all the ranks during the term of their service;
- persons subject to the flat-rate tax; and
- a spouse with minor dependent children in the divorce process with no source of income.

Persons who are not expressly mentioned in the law may apply for legal aid where their income is found inadequate to defray the costs to be borne.

99-Besides, legal aid may exceptionally be granted to corporate bodies with inadequate resources to have their rights enforced by a court.

100-Once the applicant fulfils these conditions, the procedure may begin.

2) Legal aid Procedure

101-Applications for legal aid are examined by legal aid commissions.

a) Legal Aid Commissions

102-Legal aid commissions are set up at the Courts of First Instance, High Courts, Military Tribunals, Courts of Appeal and the Supreme Court.

103-Each commission is chaired by the President of the court concerned with authority to delegate powers. Members of the commissions include the representative of the Legal Department at the said court and representatives of public authorities and other structures that may determine whether the applicant is needy or has inadequate resources.

104-The secretariat of the Commission is headed by the Registrar-in-chief of the said court or his representative. Representatives of non judicial structures are appointed by their administrative authorities for a term of two (2) years renewable.

b) Examination of Applications for Legal Aid

105-Applications for legal aid that may be oral or written are addressed to the Secretary of the Commission and to which are appended supporting documents required by law to justify the alleged inadequate resources of the applicant.

106-The adverse party may be heard on the adequacy or inadequacy of the applicant's resources.

107-The decisions of the legal aid Commission mention whether the legal aid has been granted or refused. Such decisions may not be appealed against.

108-Where the legal aid is granted, it produces legal effects.

3) Effects of Legal Aid

109-Legal aid produces effects as regards proceedings and costs.

a) Effects as Regards Proceedings

110-Legal aid applies, as of right, and throughout the national territory, to procedures and writs of execution of judgments delivered following the granting of legal aid and those subsequent to the decision applying to the case for which it is granted. It is valid before all the courts that hear and determine the matter until its final judgment.

111-However, the Commission may limit the legal aid to some acts or proceedings. Authorized persons issue to the beneficiary of the legal aid, acts necessary for the proceedings or execution of measures free of

charge. Advocates and members of the legal profession are appointed to lend their services to the beneficiary of the legal aid.

b) Effects of Legal Aid as Regards Costs

112-Except for the fee provided for in case of appeal, persons receiving legal aid are exempted from full or partial payment of sums due to the Treasury for stamp duty, registration and registry fees, and from any deposit. They are further exempted from payment of honorariums, official values for emoluments and other duties and fees due to advocates, members of the legal profession appointed by the court to lend them their services.

113-It is worthy to note that where the beneficiary of the legal aid recovers adequate resources during the proceedings or following the execution of a court decision, sums disbursed by the State under the legal aid are reimbursed, if need be, cut from the sums effectively collected during the execution of a court decision.

B: Clarification of some Aspects of the Right to Appeal and Assessment of its Implementation

114-In 2009, the Heads of Court of Appeal assessed the implementation of the right to appeal while the Supreme Court clearly stated the legal conditions of access to the that Court.

1) Assessment of the Right to Appeal by Heads of Court of Appeal

115-During the traditional annual meeting of Heads of Court of Appeal, participants observed that appeals in criminal matters contain some shady aspects.

116-The following are worth highlighting:

- contrary to the spirit of Section 429 (2) of the Criminal Procedure Code (CPC), some judges think that a detainee who challenges a warrant of arrest against him is automatically released;
- the disbursement mechanism of the fees by the Treasury, for the multiplication of the case file in case of appeal by the Legal Department is still not defined;
- there is contradiction between the provisions of the law on judicial organization and those of the CPC on the authority to multiply the case file in the case of appeal to the Supreme Court; and
- persons who challenge rulings by the Examining Magistrate have difficulties in fulfilling the formalities of appeal in the registry of the Court of Appeal.

2) Clarification of the Supreme Court on some Legal Conditions of Access to that Court

117-Some clarification was made on judgments subject to appeal before the Supreme Court and applications for release on bail before the said Court.

a) Judgments Subject to Appeal before the Supreme Court

118-Sections 472 to 475 of the CPC specifies the judgments subject to appeal before the Supreme Court and the conditions for such appeal against an interlocutory ruling.

119-Section 473 lays down the principle of inadmissibility of an appeal against an interlocutory ruling. However, paragraph two of this Section exceptionally authorizes such appeal where the interlocutory ruling orders measures which are illegal or might obstruct the normal course of justice, and under the conditions laid down in Section 474.

120-Pursuant to Section 473, in *The People, Gilles Roger Belinga and others vs. Cameroon Housing Corporation (SIC)*, the appellants appealed to the Supreme Court on 25 September 2008 against interlocutory ruling No. 97/ADD/CRIM of 24 September 2008 delivered by the Court of Appeal, Centre Province.

121-From the verdict of the said interlocutory ruling, the Court of Appeal disallowed the objections raised by counsel of the accused on the nullity of prosecution, constitution of SIC as civil claimant, nullity of proceedings, expert opinion and violation of Section 24 of Law No. 2006/15 of 29 December 2006 on judicial organization as unfounded. It disallowed the objection for inadmissibility of the appeal by the accused raised by *The People* and SIC as unfounded.

122-In Judgment No. 41/P of 17 December 2009, the Supreme Court declared both appeals inadmissible on the ground that instead of ordering a measure, the interlocutory ruling appealed against focused mainly on disallowing the different objections raised, before referring the matter for hearing on the merits. Therefore, the conditions laid down by Section 473 (2) of the CPC were not fulfilled.

123-By Judgment No. 55/P of 12 June 2008, in *Mouiche Moïse vs. The People and De Roquette Buisson H.G.E and others*, the Supreme Court held, as regards the application of Section 476 and 256 (3) of the CPC that, a combined reading of the above-mentioned provisions shows that judgments delivered in default by Courts of Appeal sitting on criminal matters other than to determine the release of the defaulting detainee or whose challenge has been dismissed cannot be appealed against to the Supreme Court until the time-limit for an application to set aside the judgment has expired and as long as the Court has not ruled on the application, since the released defaulting detainee does not deem it necessary to file an application by virtue of the principle of no interest no action."

b) Application to the Supreme Court for Release on Bail

124-Sections 516 and 517 of the CPC lay down the conditions under which the Supreme Court may examine an application by a convict for release on bail.

125-By declaration of 30 June 2006, counsel for Dieudonné Angoula appealed to the Supreme Court against Judgment No. 78 delivered on 27 June 2006 by the Court of Appeal, Centre Region that found his client guilty of accessory in misappropriation of public funds and interest in grant, convicted and sentenced him to 15 years imprisonment. While waiting for the appeal to be determined on the merits, he applied for his release on bail pursuant to the above-mentioned Sections 516 and 517.

126-By Judgment No. 03/P of 23 April 2009, the Supreme Court declared the application for release on bail of Angoula Dieudonné inadmissible on the grounds that a combined reading of the provisions of Sections 476 and 516 (1) of the CPC shows that the Supreme Court may entertain an application for release on bail by a convict only where the appeal is admissible especially if it is based on a judgment on the merits delivered after full hearing of the parties. Furthermore, for a judgment to be deemed delivered after full hearing of the parties, it must mention that the detainee appeared or did not appear after having been duly summoned; that the detainee requested or accepted that hearing should take place in his absence and that the Court did not deem his presence necessary or where he had been served in person, did not appear and could not legitimately justify his absence. The Supreme Court further held that in the absence of one of the above-mentioned conditions, it was proper to conclude that the judgment was delivered in default; and that since the application for bail by the accused Angoula Dieudonné is linked to an appeal to the Supreme Court that will necessarily be declared inadmissible as having been filed against a judgment delivered in default of an accused, it is proper to declare the appeal inadmissible.

127-In addition to the financial aspect and understanding of the legal conditions of access to court, the right to obtain justice equally requires that the litigants have confidence in those in charge of rendering justice. That is why Government is relentlessly fighting against corruption in judicial circles to guarantee the impartiality of courts.

§2: GUARANTEEING IMPARTIALITY

128-A court that is required to be equitable must respect a number of principles among which impartiality enshrined among others in Article 7 (d) of the African Charter on Human and Peoples' Rights and Article 14 (1) of the International Covenant on Civil and Political Rights, instruments ratified by Cameroon. Stakeholders of justice in Cameroon have assessed both the subjective and objective dimensions of the said requirement.

A: Subjective Dimension of Impartiality

129-Corruption hampers subjective impartiality in that it influences the neutrality of the court. Curbing corruption in judicial circles was the subject of deliberations at the annual meeting of Heads of Court of Appeal organized in October 2009. Since 2008, the Supreme Court has effectively guaranteed subjective impartiality through the mechanism of transfer of matters from one court to another court.

(1) Corruption in Judicial Circles raised at the Heads of Court of Appeal meeting

130-Barrister Charles Nguini, lawyer and Chairperson of Transparency International – Cameroon called on the Minister of Justice to permit him as member of the civil society, present a paper during the annual meeting of Heads of Court of Appeal in October 2009.

131-In the paper on curbing corruption in judicial circles, he described corruption in the judiciary as seen by the NGO and further proposed solutions.

(a) Corruption in judicial circles as seen by Transparency International

132-The speaker gave a definition of corruption according to Transparency International which is “the abuse of a public position for private interest.” He indicated that such interest may equally be material, financial as well as immaterial such as the quest for professional or political attainments.

133-In applying the concept to the judicial system, he highlighted the occurrence of corruption in both the court and administrative duties of the actors of justice. He further revealed that the Cameroon judicial system is suffering from systemic corruption in a society where the whole public sector is affected by this scourge.

134-He further described the survey system that determines the corruption perception index and world classification published every year by Transparency International, by stressing that, the classification is reliable because the survey was conducted on the people who assess the functioning of public services.

135-Thus, according to the 2009 world classification of Transparency International, justice is the most corrupt public sector in Cameroon.

136-Besides, he proposed solutions to curb this phenomenon.

(b) Solutions by Transparency International

137-The following solutions were proposed:

- appointment to judicial offices should be solely on merit;
- improvement on the working conditions of judicial staff especially their salaries and continuous training;
- drawing up of a code of ethics;

- a transparent and fair disciplinary procedure; and
- transparent judicial activities through improvement of judicial communication.

(2) Guaranteeing Effective Subjective Impartiality by the Supreme Court through the Transfer of Matters from one Court to Another

138-Section 604 of the CPC provides that the Supreme Court may, on the ground of suspicion or in the interest of public policy, withdraw a case from any court and transfer it for trial to another court of the same jurisdiction or appoint magistrates within the jurisdiction of a different Court of Appeal to hear and determine the matter.

139-By Judgment No. 29/P of 10 April 2008, in Mekontchou Mbe Alex and others vs. The People and SONARA, the Supreme Court effected the principle of transfer in the following terms: Whereas in any case, where judges cannot deliver their judgment with impartiality due to their leanings or interests, the party that has sufficient grounds to apply for the transfer of the matter to another court must prove the partiality of the judges concerned.

140-Such case law established by the Supreme Court is further reaffirmed in Judgment No. 31/FCR of 15 April 2008 in Nguemgne Josephine vs. the People and Ngasse Clovis Noël in the following words:

- there is reason for legitimate suspicion where there is sufficient ground to think that the Examining Magistrate or the trial court seised of a matter is unable to deliver a judgment with impartiality due to the leanings or interests of the judges concerned.

B: Objective Impartiality: Separation of Functions of Criminal Justice

141-The separation of the functions of criminal justice and guaranteeing the impartiality of the court were equally discussed by Heads of Court of Appeal at their annual meeting organized in October 2009. They assessed the application of this principle enshrined in the CPC.

142-It was observed that there is still disagreement between the State Counsel and the Examining Magistrate on the execution of rulings and processes as well as remand in custody and bail. Since such disagreement obviously hampers guaranteeing the right to freedom which is one of the rights granted a person involved in a criminal matter except in case of detention, measures have been taken to further clearly distinguish between prosecution and preliminary inquiry.

143-As regards respecting the rights of the defence, the individual who breaks the law must be protected. It is therefore necessary to ensure at a given time, that he effectively enjoys such rights.

SECTION 2: RIGHTS OF A PERSON INVOLVED IN A CRIMINAL MATTER

144-Heads of Court of Appeal have assessed the rights of persons involved in criminal matters. However, they continue to focus on the difficulties encountered in the implementation of the new CPC in a bid to provide commonly agreed solutions while waiting for case law established by the Supreme Court.

145-Findings show that judicial actors adapt with difficulty to the new law. Thus, the rights of persons involved in criminal matters are not fully respected throughout the trial. Some of them are, however, respected especially during preliminary inquiry, the trial, or execution of the judgment phases.

§1: PRELIMINARY INQUIRY

146-The CPC grants a number of rights to the defendant during preliminary inquiry. These include the right to remain silent and the right to be defended by counsel. The law further lays down detention conditions.

147-However, it was observed that:

- police investigation reports do not often mention that the suspect was informed of his right to remain silent and his right to be assisted by counsel;
 - most Judicial Police Officers are reluctant to allow lawyers in Police stations and gendarmerie brigades;
 - detention periods are not scrupulously respected; and
- suspects have been arrested without a warrant from the State Counsel and later released on bail.

§2: THE TRIAL

148-The right to cross-examine prosecution and defence witnesses is one of the rights granted the accused during the trial phase. However, judges still have to master the trial process proper.

149-In fact, it is difficult to conduct a trial in which some accused persons plead guilty and others plead not guilty such that some judges impose the "plead not guilty" procedure to all the suspects.

150-Another difficulty occurs in the case of cross proceedings in which parties are accused persons and civil claimants at the same time. In this case, the Legal Department is embarrassed on which witness to call first among the accused.

151-Moreover, problems arise where the judge who has worked only in the English-speaking part of the country has just a vague understanding of the direct summons procedure until the entry into force of the CPC since the said procedure is not known in the Common Law judicial system applied there.

§3: EXECUTION

152-The method of recovery of fines and court charges has been reinforced. In fact, the immediate payment of fines and court charges or imprisonment in default of payment does not take into consideration the possibility of appeal against the judgment delivered. Besides, it hinders the implementation of the principle of full hearing since the parties hesitate to appear in court.

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153-It is hoped that with the recommendations of the Heads of Court of Appeal and the case law established by the Supreme Court, there will be harmonization in the application of the CPC which, combined with the available legal instruments that make justice more accessible to all, and the measures taken to curb corruption in judicial circles, will further guarantee the right to fair trial.

154-This chapter deals with measures on the promotion of press freedom and alleged breach of freedom of communication.



Chapter 3

FREEDOM

OF COMMUNICATION

SECTION 1: PROMOTION MEASURES: PUBLIC ASSISTANCE TO PRIVATE PRESS

155-At the end of its 8th Session on 18 August 2009, the Commission in charge of the examination of applications for public aid to the private press granted CFA 250,000,000²⁶ to 103 press organs. These comprised 42 written press enterprises including a daily, two television stations, 30 radio stations, an audiovisual production company, 6 printing presses, 18 professional organizations and 4 cybernetic enterprises.

SECTION 2: ALLEGED BREACH OF FREEDOM OF COMMUNICATION

156-This section covers the closure of some press organs and proceedings instituted against journalists.

§ 1: CLOSURE AND CALLING TO ORDER OF SOME PRESS ORGANS

157-In 2009, some radio stations broadcasting in Yaounde were closed down and called to order by the Minister of Communication for recurrent breach of professional ethics and dishonour to persons.

158-These include "Le Démenti FM", "Tom Broadcasting Corporation" (TBC) and "Sky One Radio". In fact, many complaints on the ground of "threat to public order" were lodged against these radio stations due to the tone of some of their programmes like « coup de gueule », « ligne de mire » and « le tribunal ».

159-Given these repeated excesses, the Minister of Communication decided to close down "Le Démenti FM" just as he closed down Sky One Radio by Decision No. 81/MINCOM/CAB/SG/DAJ of 13 August 2009.

26- About 384, 615. 38 Euros

160-TBC radio, which was broadcasting on the strength of a temporary authorisation issued by the Ministry of Communication, and which failed to respect the terms of reference signed by its promoter, did not equally pay for the licence prescribed by the regulation in force with a view to completing its application for an audiovisual licence. It was therefore, issued a reminder to comply with the regulation in force.

§2: PROCEDURES AGAINST JOURNALISTS

161-A number of cases were filed against journalists. Some have been heard and determined while others are pending.

A: Matters Heard and Determined

The People vs. Mombio Michel

This case was mentioned in the previous report.²⁷ It was called for hearing for the first time on 15 September 2008 and adjourned several times. By Judgment of 19 October 2009, Mombio Michel was found not guilty of attempted false pretences and acquitted for the benefit of doubt. However, he was found guilty of contempt of Public Bodies and Public Servants and blackmail punishable under Sections 74, 154 (1b) and 303 of the Penal Code. He was granted mitigating circumstances, convicted and sentenced to 14 months imprisonment with a fine of CFA 1,000,000²⁸ and costs in the sum of CFA 265,650. An imprisonment warrant was issued against him. He was ordered to publish the judgment, under pain of payment of CFA 50,000 per day, in the following newspapers: Cameroon Tribune, Le Messenger, Mutations, Le Jour, Nouvelle Expression and the Websites, Cameroon Link, Cameroon Be, and AfricaPres.Com. He was further ordered to pay damages in the sum of CFA 5,000,000²⁹ to Madeleine Tchunte for moral prejudice. The Court declined its jurisdiction to ban the newspaper L'Ouest Republicain and the convict from the exercise of his profession.

This judgment is final because no party went on appeal.

²⁷ The last known date of adjournment is 10 August 2010. ²⁸ - About 7, 692.30 Euros

²⁹- About 1,538.46 Euros

The People vs. Medjo Lewis

Following an appeal by Medjo Lewis³⁰ against a judgment of the lower court, the Court of Appeal, by Judgment No. 550/P of 16 December 2009, entertained the appeal on the ground of form and confirmed the verdict against him, convicted and sentenced him to 20 months imprisonment with a fine of CFA 1,000,000³¹ and costs in the sum of CFA 58,000 giving a total of CFA 1,058,000 payable at the registry of the said Court. He was equally convicted and sentenced to 2 years imprisonment in default of payment accordance with Section 564 (h) of the CPC and an imprisonment warrant issued against him.

The Judgment is final.

The People vs. Benoît Mekong and the newspaper *La Tribune du Nkam* prosecuted for defamation and insults.

In this matter the CFI, Yabassi, by Judgment of 3 March 2009 found Benoît Mekong guilty of defamation and insults. He was convicted and ordered to pay a fine of CFA 2,000,000³². It admitted Kwedi Samuel's claim for damages. It ordered the convict to pay a symbolic Franc as damages, reimburse the deposit paid by the plaintiff and to publish the judgment in the next issue of the newspaper La Tribune du Nkam.

The convict appealed against the judgment on 6 March 2009.

The People vs. Talla Jean Bosco, Publisher of the newspaper *Germinal*, prosecuted before the CFI, Yaounde Centre Administratif for contempt of the President of the Republic.

On page 8 of its issue No. 46 of 18 December 2009, the newspaper *Germinal* described the Head of State as a vindictive person who had a

³⁰ See 2008 Report, p.76.

³¹- 3, 076.92 Euros

³²-1538.46 Euros

secret homosexual pact with his predecessor President Ahmadou Ahidjo. The accused was unable to submit proof of his allegations. By Judgment No. 3728 bis/Cor of 28 December 2009, he was convicted and sentenced to 1 year imprisonment suspended for three years and a fine of CFA 3,000,000³³.

The People Vs Wong Il Marcelin, Publisher of the newspaper **ECRAN MEDIA NEWS** prosecuted for defamation and insult before the CFI, Yokadouma. By Judgment of 20 February 2009, he was convicted and ordered to pay a fine of CFA 1,000,000³⁴.

The People and Polycarpe Abah Abah vs. Mintya Meka Robert, Publisher of **Le Devoir**, prosecuted for defamation. The CFI, Yaounde, Centre Administratif, found him guilty, convicted and ordered him to pay a fine of CFA 30,000.

The People and Commercial Bank of Cameroon (CBC) vs. Michel Michaut Moussala and the newspaper **Aurore Plus** prosecuted before the CFI, Bonanjo, for defamation.³⁵

In its issue No. 1079 of 28 November 2008, the newspaper AUREORE Plus reported in its cover page that CBC was bankrupt. It equally stated that it was under temporary administration and that it faced a credit risk of CFA 59 billion. It added that the CBC has a debt of CFA 59 billion³⁶ and that COBAC had decided to place the bank under temporary administration before declaring it bankrupt.

At the hearing of 5 November 2009, the Court found the accused guilty and granted him mitigating circumstances as a first offender. It convicted and sentenced him to 18 months imprisonment suspended for 3 months with a fine of CFA 10,000,000³⁷ and damages in the sum of CFA 50,000.

It declared the newspaper Aurore Plus vicariously liable, ordered for the publication of the judgment and ordered the convict to pay costs of CFA 2,505,650³⁸.

33- About 4, 615. 38 Euro, 34- About 1,538. 46 Euros. 35-See 2008 Report, p.75.

36- About 90,769, 230. 76 Euros. 37- About 15, 384. 61 Euro 38-About 3, 854.84 Euros

The People vs. Mveng Dieudonné, journalist of the newspaper **La Météo**, prosecuted for defamation. The CFI, Yaounde, Centre Administratif found him guilty, convicted and sentenced him to 6 months imprisonment suspended for 3 years.

It should be noted that the Courts declared two of the seven matters brought against journalists inadmissible for failure to pay deposit (The People and René Zé Nguelé vs. Amougou Bélinga Jean Pierre and l'Anecdote, and The People and Obié Johnson vs. Jean Pierre Bélinga and "l'Anecdote").

A similar judgment was delivered in the matter of The People and Abouna vs. Biloa Ayissi and la Nouvelle Afrique following the withdrawal of the complaint by the victim.

Two direct summonses were annulled because they were not served on the accused (The People and Jean Claude Ottou vs. Jean Pierre Amougou Belinga and l'Anecdote, and The People and Jean Pierre Ottou Vs Biloa Ayissi).

Two other direct summonses were also annulled because they did not expressly refer to the law on mass communication (The People and Guillaume Wamba vs. Jean Pierre Amougou Belinga and l'Anecdote as well as The People and Simo David vs. Baongla Georges Gilbert and Le Démenti).

B: Pending Matters

The Table below contains matters pending against journalists.

No.	Name	Press Organ	Offence	Court Seised of the Matter	Remarks
1	Guibai Gatama	L'Oeil du Sahel	Defamation	Examining Magistrate, CFI Ngaoundere	Pending
2	Branch Heads of the North and Adamawa of "L'œil du Sahel"	L'œil du Sahel	Defamation		Pending
3	Issa Batan	L'œil du Sahel	Defamation		Pending
4	Guibaï Gatama	L'œil du Sahel	Defamation		Pending
5	Branch Heads of the North and Adamawa of "L'œil du Sahel"	L'œil du Sahel	Defamation		Pending
6	Yvonne Salamatou	L'œil du Sahel	Defamation		Pending
7	Hamadou Bayam	L'œil du Sahel	Defamation, insult and false declaration	CFI, Yagoua	Adjourned to 22 June 2010
8	Njawe Nopunwembi Pius	Le Messenger	False information; Defamation; Breach of honour and dignity of CONGELCAM.	CFI, Yaounde-CA	Adjourned to 24 June 2010
9	Kamseu Kamgaing Delor Magellan	J'Informe	Defamation of SODICAM-CASINO Supermarket		Adjourned to 24 June 2010
10	Tsala Hubert Dieudonné	Journalist, DG of Universalis Communications Agency	False report, Defamation, Insults on Zibi Ngamba Alfred.		Adjourned to 24 June 2010
11	Assouzo'o BELA Benjamin	Journalist and Service Head for Communication CAMTEL	Defamation of Neba Christopher Che		Adjourned to 15 July 2010
12	Baongla Georges Gilbert	Le Démenti	Defamation of ETO'O Samuel Fils		Adjourned to 15 July 2010
13	Djiatou Nestor	L'Anecdote	False information, Contempt.		Adjourned to 29 June 2010
14	Amougou Belinga Jean Pierre	L'Anecdote	False information, Contempt of Feubeu Mbayi D. Louis Marie.		Adjourned to 29 June 2010
15	Fouda Abega Jean Claude	L'Anecdote	False information, Contempt of Feubeu Mbayi D.		Adjourned to 29 June 2010

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No.	Name	Press Organ	Offence	Court Seised of the Matter	Remarks
			Louis Marie.		
16	Batongue Alain Blaise	Mutations	Defamation Nanzoue Flaubert.		Adjourned to 9 March 2010
17	Amougou Belinga Jean Pierre	L'Anecdote	False information, Insults, Contempt of Mbarga Atangana Luc Magloire.		Deliberations of 4 April 2006
18	Mveng Dieudonné	La Météo	Defamation of Oumarou Denis.		Adjourned to 18 May 2010
19	Koum Koum Jules	Le Jeune Observateur	Insults, Defamation, False report against Happy Nya Nicolas.		Adjourned to 6 July 2010
20	Mbassi Christophe	Le Jeune Observateur	Insults, Defamation, False report against Happy Nya Nicolas.		Adjourned to 6 July 2010
21	Mekam Benoît	La Tribune du Nkam	Defamation, Contempt of Public Person: Hon. Komba Gaston.		Adjourned to 25 May 2010
22	Hilela Paulin Matug	La Tribune du Nkam	Defamation, Contempt of Public Person: Hon. Komba Gaston.		Adjourned to 25 May 2010
23	Amougou Belinga Jean Pierre	L'Anecdote	Defamation, Contempt, Insults, Denunciation of Baongla Georges Gilbert		Adjourned to 1 June 2010
24	Tchoubet Bosco	Radio TBC	Insults, Defamation, False report against Baongla Georges Gilbert		Adjourned to 1 June 2010
25	Martinez Zogo	Radio Magic FM	Defamation	CFI, Yaounde-Ekounou	Adjourned to 14 July 2010
26	Bayam Hamadou	Œil du Sahel	Defamation, Insults, False declarations	CFI, Yagoua	Adjourned to 22 April 2010
27	Haman Mana, Eloundou Engama (in Charge of relations with the press at <i>Guinness Cameroon</i>), Okala Laurent (Director General of <i>Guinness Cameroon</i>) and	Mutations	Defamation	CFI, Douala-Bonanjo	Adjourned to 17 June 2010
28	Bissoa Ottou Joseph (Managing Director of the newspaper, Abessolo Georges alias Guy Bess à Elanga (Journalist)	Œil de la Nuit	Defamation		Adjourned to 22 June 2010
29	Edjangue Jean Célestin Pius Njawe and Free Media GROUP	Le Messager	Defamation		Adjourned to 15 April 2010.

No.	Name	Press Organ	Offence	Court Seised of the Matter	Remarks
30	Nasser Kemajou Raoul (President of the Association of Human Rights and the Protection of the Citizen)	Spectrum Television (STV), Canal 2 International	Defamation		Adjourned to 24 June 2010.
31	Michel Michaut Moussala	Aurore Plus	Refusal to publish rejoinder, defamation and False report		Adjourned to 6 May 2010
32	Michel Michaut Moussala and the newspaper «Aurore Plus »	Aurore Plus	Propagation of false information, Insults and Defamation		Adjourned to 27 May 2010
33	Nzouetom Ngongang Thierry, Azebaze Djouaka Gustave, Aboya Endong Manasse and Bindji Ananie Rabier	SPECTRUM M Télévision (STV),	Biased comments and revelation of professional secrecy		Adjourned to 8 June 2010
34	Mvogo Jean Marie and the National Episcopal Conference of Cameroon	L'effort Camerounais	Defamation, usurpation of title		Adjourned to 5 March 2009.
35	Nathanael and Njog Pius Njawe and «Le Messenger »	Le Messenger	Defamation		Adjourned to 22 July 2010.
36	Haman Mana, Tagne Bruno (Journalists) and « Mutations »	Mutations	Propagation of false information		Adjourned to 24 June 2010
37	Michel Michaut Moussala and the newspaper « Aurore Plus »	Aurore Plus	Defamation		Adjourned to 15 July 2010
38	Tchounkeu Séverin and Soboth Jean Marc	La Nouvelle Expression	Defamation		Matter heard on 6 May 2010.

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162-The State maintains its policy of promoting worthy press enterprises. Its regalian role as regulator of the audiovisual communication sector complemented by actions taken by socio-professional regulatory organs cannot undermine this policy. Most of the above-mentioned cases filed against journalists by individuals cannot equally hamper this fundamental stance.

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Chapter4

FREEDOM OF RELIGION

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163-Freedom of religion which is an aspect of freedom of conscience refers to the subjective fundamental right of a person to choose and practise a given religion. It is expressed as individual and collective freedoms. The exercise of this freedom guaranteed by the Constitution and governed by Law No. 90/53 of 19 December 1990 on freedom of association was an issue of concern to Government, church ministers and citizens. Conflicts between Christians and animists were reported in the Far-North Region of the country while public disturbances led the Administration to take corrective measures relating to places of worship.

SECTION 1: CONFLICTS BETWEEN CHRISTIANS AND ANIMISTS

164-On 28 April 2009, practitioners of animist rituals dubbed « labana » and « goni » in the Massa, Toupouri and Mousgoum tribes whose goal is to inculcate ancestral moral values in boys for transition from childhood to adulthood, confronted Christians who denounced the incompatibility of these practices with the Gospel of Christ and refused to allow their children to undergo the ritual.

165-To hinder the practise of Christianity, animists destroyed temples and chapels in several villages in four subdivisions in the Mayo-Kani Division. These acts of vandalism were complemented by assault on Christians 13 of whom suffered grievous harm from knives. Young Christians were forcefully taken to the initiation rites while those who successfully escaped abandoned school.

166-Catholic and protestant officials reported the matter to the competent regional administrative and judicial authorities.

167-Administrative measures were taken to maintain order.

SECTION 2 : ADMINISTRATIVE MEASURES

168-The Law of 19 December 1990 mentioned above does not distinguish between a religious association, a church and a mosque. This assimilation of religious associations to conventional churches, as well as, administrative tolerance led to the mushrooming of religious groups operating as churches sometimes indulging in the activities of sects that function illegally and provoke havoc.

169-Government, as guarantor of public order, deemed it necessary to publish a list of religious associations authorised to operate in Cameroon. During this period, it banned fraudulent associations or trouble-makers and re-established those that complied with the law.

§1: PUBLICATION OF THE LIST OF AUTHORISED RELIGIOUS ASSOCIATIONS

170-To ensure a transparent religious milieu, the Ministry of Territorial Administration and Decentralization (MINATD) published a list of religious associations authorised to practise in Cameroon in 2009. As seen in the Table below, they are both national and foreign.

No.	Name	Headoffice	Authorisation Act
1	Société Missionnaire Baptiste Européenne (Suisse)	Zurich	Decision No.5851 of 16 November 1952
2	Assemblée Chrétienne Témoins du Christ	Douala	Letter No. 1319/INT/2 of 29 June 1960
3	Mission Catholique Romaine	Yaounde	Decision No. 16/ATF/APA/2 of 20 February 1962
4	Presbyterian Church in Cameroon (P.C.C)	Buea	Letter No. 1 of 14 April 1962
5	Eglise Presbytérienne Camerounaise (E.P.C)	Yaounde	Decision No. 55/ATF/2 of 14 July 1963
6	Eglise Protestante Africaine du Cameroun	Lolodorf	Decision No. 26/ATF/AT/2 of 25 February 1964
7	Eglise Evangélique Luthérienne du Cameroun	Ngaoundere	Decision No. 63/ATF/AG/2 of 3 July 1967
8	Eglise Apostolique du Cameroun	Kumba	Decree No.68/DF/246/2 of 10 July 1968
9	Eglise Fraternelle Luthérienne du Nord Cameroun	Kaélé	Decree No. 69/DF/154 of 26 April 1969
10	Full Gospel Mission	Muyuka	Decree No.69/DF/246 of 26 April 1969
11	Eglise Frontières Globales	Kumba	Decree No. 69/DF/418 of 20 October 1969
12	Assemblée Spirituelle Nationale des Béhaïstes	Limbe	Decree No. 68/DF/436 of 8 November 1969

MINJUSTICE

Report by the Ministry of Justice
On Human Rights in Cameroon
in 2009

No.	Name	Headoffice	Authorisation Act
13	Union des Eglises Evangeliques du nord Cameroun	Mokolo	Decree No. 70/DF/-5 of 13 January 1970
14	Eglise Presbytérienne Camerounaise Orthodoxe (E.P.C.O)	Yaounde	Decree No. 70DF/88 of 18 February 1970
15	Union des Eglises Baptistes du Cameroun (U.E.B.C)	Douala	Decree No. 71/DF/518 of 20 October 1971
16	World Wide Mission	Muyuka	Decree No.71/DF/608 of 3 December 1971
17	Eglise du Christ	Kumba	Decree No.71/DF/619 of 14 Dec 1971
18	La vraie Eglise de Dieu du Cameroun	Yaounde	Decree No.71/DF/639 of 31 Dec 1971
19	Eglise Baptiste Camerounaise (E.B.C)	Douala	Decree No. 72/DF/87 of 16 February 1972
20	Congrégation Baptiste Camerounaise	Douala	Decree No. 74/34 of 19 January 1974
21	Eglise Evangélique du Cameroun	Douala	Decree No. 74/DF/853 of 14 October 1974
22	Association Culturelle Islamique du Cameroun (A.C.I.C)	Yaounde	Decree No. 88/319 of 7 March 1988
23	Eglise Anglicane	Douala	Decree No. 89/143 of 27 January 1989
24	Cameroon Baptist Convention (C.B.C)	Bamenda	Decree No. 90/838 of 4 May 1990
25	Mission de l'Eglise Evangélique Camerounaise	Douala	Decree No. 91/159 of 11 March 1991
26	Lutheran Church of Cameroon	Kumba	Decree No. 91/257 of 30 May 1991
27	Eglise Baptiste Nationale du Cameroun	Minyungu	Decree No. 91/381 of 16 August 1991
28	Eglise Biblique de la vie Profonde	Yaounde	Decree No. 91/484 of 3 December 1991
29	Association Solidaire de la Vocation Islamique du Cameroun (A.S.S.O.V.I.C)	Yaounde	Decree No. 92/032 of 21 February 1992
30	Eglise Universelle de Dieu	Yaounde	Decree No. 92/172 of 27 August 1992
31	Eglise néo-Apostolique du Cameroun	Yaounde	Decree No. 92/225 of 30 October 1992
32	Eglise Jean Baptiste du Cameroun	Sangmélina	Decree No. 92/226 of 30 October 1992
33	Union Islamique du Cameroun	Douala	Decree No. 92/236 of 13 November 1992
34	Les Témoins de Jéhovah du Cameroun	Yaounde	Decree No. 93/043 of 3 February 1993
35	La voie au Cameroun	Yaounde	Decree No. 93/144 of 28 May 1993
36	Apostolic Faith Church	Bangem	Decree No. 93/158 of 9 June 1993
37	Eglise Messianique et Evangélique du Cameroun	Yaounde	Decree No. 93/171 of 1 July 1993
38	The Church of Jesus-Christ of Later Days Saints	Yaounde	Decree No. 93/238 of 9 September 1993
39	Mission Chrétienne du Cameroun	Nko'emvon	Decree No. 94/287 of 21 October 1993
40	The Grace Bible Church in Cameroon	Yaounde	Decree No. 96/220 of 7 November 1996 57
41	Church of God of Prophecy	Kumba	Decree No. 98/067 of 4 April 1996
42	The Native Church of Cameroon	Ndom Bakossi	Decree No. 98/47 of 27 March 1998
43	Union des Eglises Adventistes du 7ème jour en Afrique Centrale	Yaounde	Decree No. 98/49 of 27 March 1998
44	Union Baptiste Camerounaise	Douala	Decree No. 98/50 of 27 March 1998
45	Mission Evangélique Vie et Paix du Cameroun	Douala	Decree No. 98/302 of 18 November 1998
46	Eglise Pentecôtiste Chrétienne du Cameroun	Yaounde	Decree No. 98/359 of 29 December 1998
47	La Sainte Métropole Gréco-Orthodoxe du Cameroun	Yaounde	Decree No. 70 12 of February 2009

Source : MINATD

171-Thus, as at February 2009, 47 religious organisations were authorised to practise in Cameroon. It is worthy of note that after eleven years of suspension the President of the Republic on 12 April 2009, authorised the Holy Metropol Greco- Orthodox of Cameroon to practise³⁹.

172-In addition to this table, a list of 81 authorised Catholic Church congregations was equally published that can be consulted at MINATD services.

173-In order to clean and maintain order in this domain, places of worship of some churches were closed down.

§2: CLOSURE OF PLACES OF WORSHIP

174-Although freedom and practice of worship are guaranteed by the Constitution, they must be enjoyed within the limits of the Law. In this regard, pursuant to a petition lodged by The Church of Christ in September 2009 against the fraudulent use of its authorisation by a religious association professing as such and preaching unethical doctrine and teachings, the Senior Divisional Officer, Mfoundi, by Order No. 2468/APJO6/BAPP of 10 December 2009, ordered the closure of clandestine places of worship within his administrative constituency for fraudulent use of Decree No. 71/DF/619 of 14 December 1971 to authorise the religious association called The Church of Christ.

175-In execution of this order, places of worship were closed down in the Yaounde I, II, III, IV, V and VI Sub-divisions.⁴⁰

176-Besides, the Douala branch of the Eglise Biblique de la vie profonde authorised by Decree No. 91/484 of 3 December 1991 changed its

³⁹ Islamic associations which, for several years, have failed to obtain authorisation, practise clandestinely and take advantage of this situation to introduce new versions of Islam.

⁴⁰ A church or religious association may have many places of worship throughout the national territory.

name without authorisation and consequently, its place of worship was sealed by the competent authority.

177- Conversely, the places of worship of religious associations sanctioned in 2008 for diverse nuisance and disturbance of public order which complied with the law were reopened.

§ 3: REOPENING OF PLACES OF WORSHIP CLOSED DOWN IN 2008

178- Freedom of worship resulted in the proliferation of prayer assemblies by the born again churches. The closeness of their places of worship to homes has often resulted in violent conflicts between their faithful and neighbours to which the Administration has not been indifferent. To this end, officials in charge of the maintenance of law and order have had to intervene as a result of complaints essentially against noise made by these prayer assemblies especially at night.

179- Thus, the activities of the religious association called the Mission des assemblées pentecôtistes universelles were suspended by Order No. 1942/AP/JO6 of 19 November 2008 for notorious drumming and noise-making at night. Since the officials of this church took measures to check these disturbances in the interest of neighbours, the Senior Divisional Officer, Mfoundi, lifted the measure to suspend their activities by Order No. 1292/AP/JO6/BAPP of 29 July 2009.

180- The Administration took a similar measure in favour of the religious association Chapelle la Plénitude de Grâce Internationale that was suspended by Order No. 1800/AP/JO6/BASC of 27 October 2008 for notorious noise-making at night.

181- The administrative authority warned these associations that a repeat of these offences will result in the final closure of their places of worship.

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182-Thus, legal religious worship is protected in Cameroon and even highly tolerated by the Administration inasmuch as excesses are not denounced. This explains the increasing number of religious associations and congregations working to moralise society and in charitable activities some of which have been granted the status of public utility.



Chapter 5

HUMAN RIGHTS DEFENDERS

183-Like in 2008, some human rights defenders distinguished themselves in 2009 by their activism that was at the root of judicial proceedings against them. In this connection, judicial proceedings instituted in 2008 will be examined.

SECTION 1: PROCEEDINGS AGAINST HUMAN RIGHTS DEFENDERS IN 2009

184-Two matters concerning Mboua Massock will be presented. It should be specified that they are based on the claim for cultural rights.

§ 1: THE PEOPLE vs. EKWE MARDOCHEE ROGER AND MBOUA MASSOCK CAMILLE PARFAIT

185-As per inquiry report at the Legal Department in a case of flagrante delicto of 22 May 2009, EKWE Mardochée Roger and Mboua Massock Camille Parfait were prosecuted before the CFI, Douala, Bonanjo for damage to public property, an offence provided for and punishable under Sections 74 and 187 of the Penal Code.

186-According to his submissions, on 19 May 2009, Mboua Massock alias "freedom fighter", went to the main post office square with two tins of paint, two brushes and a canister of solvent. He covered the statue of General Leclerc in red with the following slogans in bold: "OUR HEROES AND MATYRS FIRST"; "ENOUGH IS ENOUGH AFTER FIFTY YEARS OF INDEPENDENCE". The accused explained that he is a nationalist and that he is disheartened because after many years of independence statues were not raised in memory of figures of Cameroon history. In his view, it is in memory of illustrious Cameroonians that he decided to disfigure and damage the statue concerned. While Mboua Massock was at work, Ekwe Roger was filming the scene. Judicial proceedings were instituted against them. The matter was listed for hearing on 27 May 2009 and after some adjournments, it was determined on 4 September 2009 by Judgment No. 1943/COR/FD. The accused were found guilty of

damage to public property, granted mitigating circumstances as first offenders, convicted and ordered to pay a fine of CFA 100,000⁴¹ severally, and costs in the sum of CFA 25,000 jointly. None of the parties appealed against the judgment.

§ 2: THE PEOPLE vs. MBOUA MASSOCK CAMILLE PAR-FAIT

187-On 2 October 2009, Mboua Massock was brought before the CFI, Douala, Bonanjo for trial. He was accused of damage to public property, an offence provided for and punishable under Sections 74 and 187 of the Penal Code.

188-The facts state that on 1 October 2009, Mboua Massock went to the scenography square in front of the main post office, Douala taking along tins of green, red and yellow paint and a brush. He wrote on the monument of General Leclerc thereby damaging its beauty.

189-He acknowledged the facts as stated. By Judgment of 2 October 2009, he was found guilty of damage to public property, granted mitigating circumstances for his spontaneous plea of guilty, convicted and ordered to pay a fine of CFA 105,000⁴² and costs in the sum of CFA 28,750. The judgment is final.

SECTION 2 : MATTERS PRIOR TO 2009

190-In its 2009 Report, Amnesty International mentioned the judicial proceedings against Aladji Mey Ali and Paul Eric Kingue in 2008. Before reviewing the circumstances of the matters, it is necessary to update the cases mentioned in the 2008 Report concerning human rights defenders.

41- About 153.84 Euros

42-About 161.53 Euros

§ 1: UPDATE OF 2008 MATTERS: NELSON NDI

191-The case involving Nelson Ndi was evoked in the preceding report.⁴³ The aggression against Nelson Ndi on 3 February 2005 in Bamenda is an illegal and isolated act condemned by Government and for which an inquiry was opened by the Regional Delegate of National Security, Bamenda.

After the inquiry, Abana Celestine, Assistant Commander of the Mobile Intervention Force, Bamenda, was arraigned before the CFI, Fundong and charged with simple and slight harm, offences provided for and punishable under Sections 280 and 281 of the Penal Code.

192-At the hearing of 30 September 2009, the Court found the accused guilty of simple harm against Nelson Ndi Ngayinkfu and Tame Linus and for slight harm against Toh Leonel and delivered the following verdict:

6 months of imprisonment or payment of a fine of CFA 50, 000⁴⁴ for the first offence;

6 months of imprisonment or payment of a fine of CFA 50, 000 for the second offence; and

3 months of imprisonment or payment of a fine of CFA 25, 000⁴⁵ for the third offence;

All the sanctions were suspended for three years.

Costs were fixed at CFA 75,000⁴⁶ or 6 months imprisonment in case of default.

Pertaining to the civil action, the following damages were awarded to the victims:

CFA 1,234,000⁴⁷ to the first victim;

CFA 200,000⁴⁸ to the second victim; and

CFA 250,000⁴⁹ to the third victim.

43 See p. 88, § 118. 44-About 76.92 Euros. 45-About 38.46 Euros.

46-About 115.38 Euros 47-About 1,898.46 Euros. 48-About 307.69 Euros.

49- About 384.61 Euros.

193-The State of Cameroon, represented by the Delegate General of National Security, was not found vicariously liable.

194-Ndi Nelson appealed against this judgment.

195-It should be noted that the matter was heard and determined in Fundong instead of Bamenda where the offences were committed because of privileged jurisdiction, by virtue of the provisions of Section 634 of the CPC, given that the convict is a judicial police officer.

§ 2: 2008 MATTERS

196-The 2008 matters concerning Paul Eric Kingue and Aladji Mey Ali.

A: Paul Eric Kingue

197-The matter concerning Paul Eric Kingue, Mayor of Njombé-Penja Council was overshadowed by that of Lambo Pierre Roger⁵⁰ although both had similar circumstances.

198-In fact, following a strike action by the National Transporters Union, individuals organised in bands, armed with machetes and clubs, blocked roads and invaded localities in Loum, Njombé-Penja and Manjo where they carried out massive damage on agro-industrial firms, private homes and property.

199-Remanded in custody on 19 March 2008 within the framework of a preliminary inquiry by the High Court, Mungo Division, Paul Eric Kingue and 28 others were committed for trial by Order No. 2008/INFO/9 of 13 June 2008 on several counts.

⁵⁰ See 2008 Report p. 83 et seq.

200-Paul Eric Kingue was accused of obstruction of highway, accessory in voluntary arson, dangerous activities, aggravated theft, depredation by band and destruction.

201-Listed initially for hearing on 9 July 2008, the matter was adjourned several times until 19 January 2009 when the Court delivered its verdict.

202-By Judgment No.10/CRIM of 19 January 2009, the Court requalified some charges against Paul Eric Kingue and found him guilty of unlawful assembly, riot, and obstruction of public highway, offences provided for and punishable under Sections 74, 230, 231, 232 of the Penal Code as well as accessory in depredation by band provided for and punishable under Sections 74, 97 and 236 of the same Code. He was granted mitigating circumstances as a first offender, convicted and sentenced to 6 years imprisonment and ordered to pay damages in the sum of CFA 800 million⁵¹ severally with 11 other convicts to "Société des Plantations du Haut Penja" and the sum of CFA 4 million⁵² to SONGA.

203-Paul Eric Kingue appealed against this judgment and the matter is pending before the Court of Appeal, Littoral. It was adjourned to 2 December 2009 for due composition of the Court, then to 3 March 2010 for composition of the panel and to 5 May for legal aid to some of the accused including Format Duplex, Aboubakari Zachée, Kola Mathurin, and for hearing.

B: Aladji Mey Ali

204-Amnesty International presented the matter concerning Aladji Mey Ali as follows: "Alhadj Mey Ali, President OS-Civile human rights group in Extreme-North Province... was arrested on 20 February 2008 on a charge of defamation. He was tried the following day, in what amounted to an unfair trial... He was sentenced for to 1 year's imprisonment and a fine of 1 million CFA Francs."

51-About 1,230,769.23 Euros.

52-About 6,153.84 Euros

205-The facts of the matter are as follows:

Alhadji Mey Ali was effectively prosecuted before the CFI, Kousseri for defamation and false report by direct summons of 30 May 2007 filed by Assistant Superintendent of Police Wakie Modeste, the then First Assistant Superintendent of Police for Public Security, Kousseri. The victim charged the accused with forwarding letters to authorities of Kousseri, the State Counsel and the Senior Divisional Officer especially. In the first letter he wrote that Wakie Modeste was the friend of the criminal, Mahamat Douguia, and that the criminal, protected by Wakie, and under false pretences, collected CFA 100,000 from a lady. In the second letter he accused Wakie of the destruction of a wall and the confiscation of property through threats.

206-The matter was initially listed for hearing on 7 June 2007 and after several adjournments, the substantive matter was heard on 14 January 2007. The accused appeared during the hearing and personally defended himself before the matter was adjourned for judgment to 21 February 2008. On the return date, the Court, by Judgment No. 72/COR, found the accused not guilty of false report. However, the Court found him guilty of defamation, convicted and sentenced him to 12 months imprisonment, with a fine of CFA 100,000 and costs of CFA 29,000. He was equally ordered to pay the sum of CFA 1,000,000 to the civil claimant as damages.

207-The accused effectively appeared at the hearing of the substantive matter that took place one week before the judgment and defended himself.

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208-In conclusion, Government is concerned with the protection of human rights defenders irrespective of whether they are civil parties, convicts or the accused. The State ensures that the right to fair is respected.

Chapter 6

RIGHT TO PARTICIPATE IN THE MANAGEMENT OF PUBLIC AFFAIRS

209-The guarantee of this right was ascertained in 2009 by the continuation of the decentralisation process and the consolidation of democracy and multiparty politics. The enhancement of the normative framework of decentralization and the expression of multiparty politics are examined below.

SECTION 1: NORMATIVE FRAMEWORK

210-A number of legal instruments on the decentralisation process were signed in 2009 with a view to transferring powers to councils from January 2010. Indeed, the following legal and regulatory measures were taken to ensure the success of this process :

- Law No. 2009/11 of 10 July 2009 on the financial regime of regional and local authorities;
- Law No. 2009/18 of 15 December 2009 on the finance law of the Republic of Cameroon for the 2010 financial year;
- Law No. 2009/19 of 15 December 2009 on local tax;
- Decree No. 2009/248 of 5 August 2009 to lay down the conditions for the assessment and distribution of the general decentralization budget; and
- Order No.136/A/MINATD/DCTD of 24 August 2009 on the implementation of standard council job descriptions.

211-Considering their importance in the management of powers to be transferred to councils, the financial regime of regional and local authorities and the regulation of council employment shall be examined to underscore their major characteristics.⁵³

⁵³ In 2010 MINATD started a national explanation campaign of these instruments.

§1: FINANCIAL REGIME OF REGIONAL AND LOCAL AUTHORITIES

212-The financial regime of the State is applicable to regional authorities. However, the specificities of local management required the adoption of special financial rules and exceptions to the general regime.

213-Law No.2009/11 of 10 July 2009 defines the financial regime of regional and local authorities and applies to regions, city councils, local councils, council trade unions, council public establishments and any other regional authority set up by law.

214-The law further lays down the conditions for the drawing up, presentation, execution and supervision of the execution of the budgets of regional and local authorities.

A: DRAWING UP OF THE BUDGET

215-Drawing up of the budget involves income and expenditure.

1) Income

216-The income of regional and local authorities includes recurrent income and investment income.

a) Recurrent Income

217-These essentially comprise :

- tax revenue provided for by law, voted by the executive organ and approved by the supervisory authority ;

- revenue from the exploitation of public or private regional or council property and services ;
- the general decentralisation budget fixed yearly by the finance law⁵⁴; subventions by public bodies ;
- the general recurrent budget granted to sub-divisional councils by city councils ;
- participation in public, semi-public and private enterprises; and bonuses and tax rebates by the State, capital transfer or income from pay offs.

b) Investment Income

218-Investment income is temporary and includes:

- investment credits;
- long- and medium-term loans;
- investment donations;
- proceeds from the sale within statutory time-limits of unrecovered impounded property, animals or equipment;
- subventions for received equipment and investments; and
- resources from international or decentralised cooperation.

219-It should be noted that loans from natural persons or corporate bodies directly or indirectly linked to the regional authority are prohibited and that foreign loans are guaranteed by the State.

220-The executive organ may, as a conservatory measure, accept gifts subject to tabling them before the subsequent council session.

54 Finance Law of 15 December 2009.

2) Expenditure

221-Like income, expenditure is classified under recurrent and investment budgets. However, a distinction is made between obligatory, optional or prohibited expenditures.

222-Obligatory expenses are imposed by the Law comprising those that are necessary for the optimal functioning of the regional authority due to their specific importance. They include salaries, allowances and other benefits provided by the law in force, social security contributions, duties and taxes, debts due and expenditure required for the completion of investment programmes.

223-Optional expenses are those that can be momentarily suspended where the financial resources of the regional authority are insufficient.

224-Prohibited expenses include subventions to undeclared associations and unauthorised structures, religious associations and congregations, and political parties.

B: BUDGET PRESENTATION

225-The presentation of the budget of regional authorities respects general budgetary principles. However, at the end of the financial year, they are granted a period of grace from 1 to 31 January of the following year to complete key operations. Similarly, credits can be transferred from one budgetary head to another, by decision of the executive head, after deliberation of the Board and on approval of the supervisory authority.

226-The presentation of the budget includes its drawing up, vote, approval and equally involves the establishment of annex budgets as well as those of council trade unions.

227-The budget is drawn up in keeping with quotas that are gradually

applied for a period not exceeding 5 years with effect from 1 January 2010. Such quotas represent 40 per cent of total investment expenditure estimates and 60 per cent of recurrent expenditure estimates while staff expenditure shall not exceed 35 per cent of recurrent expenditure.

C: BUDGET EXECUTION

228-The executive head of the regional authority is the vote holder. He executes the budget in close collaboration with the accountant.

229-Members of the executive, the decision-making organ, accountants, their spouses or beneficiaries are prohibited from supplying goods or services to the council wherein they serve or belong.

230-The execution of the budget is composed of income, expenditure, accounting operations and the management of local public services.

231-It is worthy of note that unclaimed debts owed by the council are considered proscribed 4 years after the financial year from which they were contracted.

232-Regional or council public services governed by the Administration are managed directly by the council. In other cases, the council may delegate the management of a service to a corporate body as a concession or especially as a lease.

233-The execution of the budget necessarily involves accounting rules. Thus, it should be noted that local authorities keep income and expenditure budgetary accounting, general accounting based on principles laid down by the local authorities' sectoral accounting standard specified by regulation and an analytical accounting that enables the evaluation of the costs and services of different projects and programmes undertaken.

234-The vote holder appoints a stores accountant from among competent public employees to conserve the council's furniture and equipment.

D: BUDGET EXECUTION CONTROL

235-The Law provides for the following three types of controls: control by the decision-making body, administrative and judicial control.

236-The decision-making body supervises the execution of the budget during examination of the administrative account. It may seize the supervisory authority in case of irregularity.

237-Specialised State services may also carry out administrative control on the regularity and performance of the management of regional authorities.

238-Judicial control is conducted by the judge in charge of accounts to whom supporting accounting documents must be submitted. However, independent audits may be carried out.

239-While the legislator has laid down the financial regime of regional authorities, Government has regulated council employment.

§2: REGULATION OF COUNCIL EMPLOYMENT

240-Order No. 136/A/ MINATD/DCTD of 24 August 2009 organises recruitment into city councils, sub-divisional councils and local councils.

241-This instrument that regulates the organisational chart of councils lays down the general rules applicable by all councils, conditions and recruitment procedures as well as a profession directory.

A : General Rules

242-The principles laid down concern the organisation of structures and recruitment method.

1) Organisation of Structures

243-The name and organisation of structures envisaged, their constitutive units, and number of vacancies are determined during deliberations of the city or municipal council board.

244-The competent organs of the council may decide to merge several structures if their job specifications overlap. However, such merger should not hamper public service continuity or jeopardise the smooth exercise of transferred authority.

245-Furthermore, during deliberations, the city or municipal council may, depending on the specificities of the council concerned, set up a structure that is not provided for by the instrument, in order to carry out an assignment or particular activities.

2) Recruitment

246-The instrument of 24 August 2009 provides for the profile of staff to be recruited in the councils and a list of professions. Recruitment authorised after deliberations of the council board must refer to the provisions of this instrument.

247-However, staff recruitment from Category VII must be approved by the Minister in charge of regional and local authorities.

B: RECRUITMENT CONDITIONS, PROCEDURES AND PROFESSIONS

1) Recruitment Conditions and Procedure

a) Recruitment Conditions

248-The general conditions relate to nationality, physical ability, civic rights, moral integrity and age.

249-Recruited staff are classified in a category depending on their qualification. The level of qualification depends on the diploma or certificate presented by the candidate in accordance with instruments applicable to State employees governed by the Labour Code. Each level of qualification corresponds to a professional category which ranges from one to twelve.

250-An employee without any level or elementary knowledge may be recruited by a council into Category I. A holder of the "agrégation" or an equivalent diploma may be recruited into Category XII.

251-Besides, quotas provided for by the law on the financial regime of regional and local authorities must be respected.

b) Procedure

252-A candidate for recruitment submits an application for employment that is examined by the council board and a decision is taken by the executive head and submitted to the Senior Divisional Officer for approval.

253-Staff from Category VII are recruited on an employment contract approved by the minister in charge of regional authorities.

2) Professions

254-The list of professions contains professions, activities and skills by domain.

a) Professions by Domain

255-The following five professional specialisation have been identified:

- management and resources management;
- public management and development policy;
- technical interventions;
- coordination of social services; and
- security.

Each specialisation corresponds to domains. Each domain defines related professions and job categories linked to the jobs performed, ranging from executive which is the highest, to office employee which is the lowest.

b) Activities and Skills by Specialisation

256-Each profession and corresponding job category is analysed within each professional domain.

257-The instrument specifies the activities or responsibilities of the holder of the position and the required skills and knowledge.

258-Within the professional domain entitled "leadership and management" for example, under the specialisation "Management and resources management," the position of secretary-general of the council corresponds to an executive job and includes the following activities amongst others:

- assisting the mayor in the implementation of council policy and his administrative duties ;

- coordinating municipal services;
- preparing acts and decisions taken by the mayor; and
- coordinating the activities of council directors and service heads.

259-The applicant to this position must be skilled in financial matters and public accounting, budget management, public contracts and human resource management, supervision and public policy assessment, local development and territorial governance.

260-Apart from measures taken to continue with the decentralisation process, Government has maintained the improvement of the political climate.

SECTION 2: CONSOLIDATION OF DEMOCRACY AND MULTIPARTY POLITICS

261-The consolidation of democracy and multiparty politics was manifested by the authorisation of new political parties and continuous financing of some political parties.

§1: AUTORIZATION OF NEW POLITICAL PARTIES

262-To boost the participation of citizens in the management of State affairs and political equality, Government authorised 8 new political parties in 2009.

The Table below contains the list of the new political parties.

No.	NAME	AUTHORIZATION DECISION	HEADOFFICE	ABBREVI ATION	BUREAU
1	Parti de la Génération Nouvelle	Decision No.5/D/ MINATD/DAP/SDE/SPP of 19 January 2009	Bafoussam	PAGEN	<u>Chairperson</u> : TAGNE <u>National Secretary</u> : KEUKETONG Jean Michel
2	Parti de l'Action Sociale et Démocratique	Decision No.43/D/ MINATD/DAP/SDE/SPP of 23 March 2009	YAOUNDE	PASD	<u>First Secretary</u> : NLATE Jean Magloire <u>Second</u> <u>Secretary</u> : Raiffesson NDUMEA NGOH
3	Groupe des Démocrates pour le Changement	Decision No.124/D/ MINATD/DAP/SDE/SPP of 28 May 2009	Douala	GRDEC	<u>Chairperson</u> : AMANGA BIABAK <u>SG</u> : DOUME A KEDI
4	Mouvement Patriotique pour le Changement du Cameroun	Decision No. 174/D/ MINATD/SG/DAP/SDE/S PP of 2 October 2009	Douala	MPCC	<u>Chairperson</u> : GUET Jean <u>SG</u> : MBOM Nicolas
5	Peuple Camerounais pour le Socialisme et les Etats-Unis d'Afrique	Decision No.175/D/ MINATD/SG/DAP/SDE/S PP of 2 October 2009	Bafoussam	P.CA.EUA	<u>Chairperson</u> : FONGANG Valéry <u>SG</u> : FOSSO Jules
6	La Ligue Démocrate	Decision No.308/D/ MINATD/DAP/SDE/SPP of 12 November 2009	Yaounde	LD	<u>Chairperson</u> : BABIO NGONO <u>SG</u> : MABOU TCHOUBE Philippe Deville
7	Unité du Cameroun	Decision No.309/D/ MINATD/DAP/SDE/SPP of 12 November 2009	Yaounde	UC	<u>Chairperson</u> TOWO Raphaël <u>SG</u> : MFEUGEU Marie Solange
8	Coordination des Démocrates Camerounais	Decision No.311/D/ MINATD/DAP/SDE/SPP of 16 November 2009	Yaounde	CDC	<u>Chairperson</u> : NGENE BIGAN née LISSOUCK Monique <u>SG</u> : DIKOUME Claude Patrice

Source : MINATD

§2: FINANCING OF POLITICAL PARTIES IN 2009

263-In application of the provisions of Law No. 2000/15 of 19 December 2000 relating to the public financing of political parties and electoral campaigns, political parties with members at the National Assembly and those who received at least 5 per cent of votes at the last elections continued to benefit from public funding during the 2009 financial year allocated under the same conditions like in 2008⁵⁵.

⁵⁵ See 2008 Report, pp.120 to122

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264-With the consolidation of the legal framework in 2009, effective decentralization started in January 2010 with the transfer of powers of nine Ministries to regional authorities. Meanwhile, the political sphere is enjoying increasing extension with serenity.

CONCLUSION OF PART ONE

265-From what precedes, it is obvious that impunity is not tolerated by Government that strives to curb it both through disciplinary and judicial measures.

266-Normative measures and case law are adopted to ensure optimal guarantee of the right to fair trial.

267-There is constant support to the emergence of reliable press organs and regulation of their activities which fall in line with greater responsibility of the actors of this sector just like those of human rights defenders.

268-More so, the State guarantees freedom of religion in keeping with public order.

269-Furthermore, it can be observed that the stance on decentralisation has been made more specific with the laying down of related rules while multiparty politics has been consolidated by the authorization of new political parties and the contribution to their funding in compliance with the law.

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Part Two



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

Introduction

270- Although inadequate in 2008,⁵⁶ Government continued to take measures to protect the economic, social and cultural rights of citizens. The results were more visible in 2009.

271- Thus, emphasis was laid on stabilizing the prices of basic products. Institutional, normative and judicial measures have been taken to promote good governance and curb corruption, battles Cameroon has been fighting over the years although the people have their misgivings because the expected results are still to come.

272- Government further focused on the quality of education, access to healthcare, improving on water and electricity supply.

273- Cameroon like other countries in the world, gives priority to environmental issues that should be treated globally and in consultation with States and development partners.

274- All the issues handled and measures taken by Government are discussed in the following chapters :

- Chapter I: Promotion of Good Governance and Curbing Corruption;
- Chapter II: Right to Education;

⁵⁶ See 2008 Report, pp. 195 et seq.

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- Chapter III: Right to Health;
- Chapter IV: Right to Adequate Standard of Living;
- Chapter V: Right to Work and Social Security; and
- Chapter VI: Right to a Healthy Environment.

Chapter

1

PROMOTION OF GOOD
GOVERNANCE AND
CURBING CORRUPTION

275- Promoting good governance and curbing corruption continue to take pride of place in Government's policy. In 2009, Government, anti-corruption institutions, diplomatic representations, civil society organizations, and the private sector combined efforts to promote good governance and curb corruption in Cameroon.

SECTION 1: GOOD GOVERNANCE

276- A number of institutions mobilized to promote good governance in 2009. Some of their activities as well as activities carried out in some specific sectors will be discussed. The installation of e-governance is a further intention to improve on working methods and implement more transparency in the management of public affairs.

§1: ACTIVITIES OF SOME INSTITUTIONS

277- The activities of the National Financial Investigation Agency (ANIF), the National Anti-Corruption Commission (CONAC), the Budgetary and Financial Disciplinary Council and the Audit Bench of the Supreme Court will be discussed below.

A : ANIF Activities

278- The most significant activities of ANIF focused on consolidating the legal framework, capacity building of financial investigation actors and international cooperation.

1) Consolidation of the Legal Framework

279- In this regard, the Minister of Finance signed Order No. 14/CF/MINFI of 26 March 2009 to fix the declaration threshold at ANIF at five million francs (CFA 5,000,000), of cash or bond operations,

in accordance with the provisions of Article 12 (3) of Rule No.1/3/CEMAC/UMAC/CM of 4 April 2003 to prevent and punish money laundering in Central Africa. The implementation of this order enabled ANIF to collect forty thousand (40,000) automatic declarations in 2009.

280- Besides, ANIF received 119 declarations of persons suspected to be liable to such declarations, 29 of which were forwarded to the competent Legal Departments.

2) Capacity Building

281- ANIF, in collaboration with the World Bank organized from 12 to 16 October 2009 in Yaounde, the first phase of a training seminar on capacity building of national actors of the fight against money laundering and financing terrorism.

282- The training brought together Superintendents of Police from the Department of Judicial Police and the Directorate General of External Research, senior officials of the Gendarmerie, Judicial and Legal Officers, senior officials of CONAC, the Central African Banking Commission (COBAC), ANIF, the State Audit and the Audit Bench of the Supreme Court.

3) Consolidation of International Cooperation

283- ANIF was admitted as candidate for membership of the Egmont Group at its plenary session in Doha, Qatar in May 2009.⁵⁷

284- This status enabled ANIF to exchange financial information with financial information units of foreign countries such as Germany, Spain, France, Chad and Central African Republic. Thus, it will be possible to have a clear vision and trace criminal capital from Cameroon deposited in foreign banks.

⁵⁷ This admission was effected on 29 June 2010.

B : CONAC Activities

285- In 2009, CONAC received 312 petitions against corruption and related offences, 238 of which were prosecuted. These offences include corruption, misappropriation of public funds, infringement of the provisions of public contracts, interest in grant, undue demand, favour, unjustified enrichment, and oppression.

286- On the special instructions of the President of the Republic, the report on investigations conducted by CONAC on Central Treasuries throughout the country in 2008 was forwarded to the State Audit.

287- In CONAC's report submitted to the Head of State, 47 persons were suspected of misappropriation of funds allocated for the cultivation of maize. The file was forwarded to judicial authorities.

C: Activities of the Budgetary and Financial Disciplinary Council

288- In 2009, the Budgetary and Financial Disciplinary Council examined files against twenty (19) vote holders and sanctioned 15 of them for a financial incident involving billions⁵⁸ of CFA as can be seen in the Table below :

DECISIONS OF THE BUDGETARY AND FINANCIAL DISCIPLINARY COUNCIL DELIVERED IN 2009

Accused	Function	Registration No.	Amount (CFA)	Observations	Due Date
Nguini Effa Jean Baptiste de la Salle	Former General Manager, Cameroon Petroleum Storage Company (SCDP)	175092-0	957 083 664		
Mackongo Jean Gueye	Former Director of Accounts and Finance, SCDP		255 573 472		

58- About 60,168,884 Euros.

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Accused	Function	Registration No.	Amount (CFA)	Observations	Due Date
Onana Adzi Jean	Former Director of Administration and Finance SCDP		5 200 000		
Melone née Enam	Former Deputy Director of Finance,		212 000 000		
Patricia Daisy	CRTV				
Etogo Mbezele Luc Evariste	Former Paymaster General, Yaounde	134032-Q	2 000 000		
Hamadou Sambo	Former Paymaster General, Yaounde	123 913-E	2 000 000		
Mendo Ze Gervais	Former General Manager, CRTV	123 371-N	2 816 725 345		5 years
Amang à Bitegni	Member of the Finance Commission, CRTV	171289-U	49 678 000		
Jewoh Jean René	Former senior official, Office of the Provisional Administrator, Cameroon Airlines (CAMAIR)	1369-N	500 000		
Lamero Jacques	Former Director, FOGAPE	139 286-Y	3 288 038 346		5 years
Lucie Genest Alima	Paymaster, Cameroon Consulate, Marseille-France	146 775-L	44 374 566		
Ngamo Hamani Paul-Gabriel	Former Provisional Administrator, CAMAIR	133 962-A	31 476 601 779		5 years
Tchang Biloa Roger	Former Director of Promotion at (FOGAPE)			The Budgetary and Financial Disciplinary Council (BFDC) declined jurisdiction since the accused did not act as vote holder or credit manager	
Fouda Amombo Raphael	Former Director of Administration and Finance, (CAMAIR)			The BFDC declined jurisdiction since the accused did not act as vote holder or credit manager	
Merlin Yimgna Bondja	Former Director of Administration and Finance, (CAMAIR)			The BFDC declined jurisdiction since the accused did not act as vote holder or credit manager	
Paul Ela Ondoua	Former representative, CAMAIR-CENTRE			Acquitted for want of criminal responsibility	
Essomba Antoinette	Director, Marketing and Communication Agency (CMCA), CRTV			Acquitted for want of criminal responsibility	

Accused	Function	Registration No.	Amount (CFA)	Observations	Due Date
Bodou Pierre	Former Chair, Public Contracts Commission, CRTV			Acquitted for want of criminal responsibility	
Pom Jacques	Former Chair, Public Contracts Commission, CRTV			Acquitted for want of criminal responsibility	

Source: Permanent Secretariat of the Budgetary and Financial Disciplinary Council

Key:

SCDP: Cameroon Petroleum Storage Company

BFDC: Budgetary and Financial Disciplinary Council

D : Activities of the Audit Bench of the Supreme Court

289- In 2009, the Audit Bench of the Supreme Court continued to check accounts and carry out its administrative duties.

1) Control Activities

290- The Audit Bench has judicial and administrative jurisdiction to control accounts.

291- As a reminder, the Audit Bench has judicial jurisdiction to control and rule on accounts produced by certified or de facto public accountants of the State and its public establishments, as well as those of regional and local authorities and their public establishments. Meanwhile, administrative control is exercised on the accounts of public and semi-public enterprises, and organizations not subject to public accounting.

292- As at 31 December 2009, only 600 out of the expected 2,187 accounts of the first category were produced among which 189 out of 482 accounts expected for 2009.

293- Besides, the Audit Bench addressed 36 questionnaires, produced 37 investigation reports, and delivered 19 interim rulings, 6 final judgments and 4 de facto accounting declarations. It equally forwarded a criminal offence to the Minister of Justice.

294- During the same period, and as regards the accounts of enterprises not subject to the rules of public accounting, out of the expected 287 accounts, only 157 were produced, 45 of which were produced in 2009. The Audit Bench addressed 3 questionnaires, produced 6 investigation reports, 5 interim rulings and 1 final observations report for accounts of 2009.

295- The checking of accounts has caused a drop in the production of accounts especially of regional and local authorities. Thus, the Audit Bench now focuses its sensitization activities on such authorities.

2) Administrative Activities

296- The lessons drawn from such checks have enabled the Audit Bench to continue its sensitization of the stakeholders. It has provided assistance and advice to public authorities as well as established collaboration with other control structures.

297- It has carried out sensitization on both the production and keeping of accounts. As regards production of accounts, 10 regional seminars were organized to train councillors in financial and accounting management of regional and local authorities. In the latter case, a sensitization forum bringing together accountants and auditors as well as representatives from the Ministry of Finance was organized.

298- As regards collaboration with other control structures, the Audit Bench participated in the Permanent Consultation Framework with Treasury services instituted in 2008.

299- The Audit Bench further provided assistance to public authorities by submitting a report on State accounts to the President of the Republic. It equally attended meetings with members of the Finance Committee of the National Assembly to examine how to build the capacities of members of the said Committee in controlling public finances to enable them to better examine the reports of the Audit Bench.

300- Such collaboration with the Ministry of Finance and the National Assembly will enable the Audit Bench to effectively give its opinion on bills. This was not the case in the past.

§ 2: IMPLEMENTATION OF SECTOR GOVERNANCE POLICIES

301- Actions carried out in the sectors of tourism, transport and justice have been discussed.

A : Tourism Sector

302- The Tourism Establishments Classification Commission (CCET) held a number of working sessions with statutory members, officials of associations and trade unions of tourism professionals to clean up the sector.

At the end of these sessions, the new classification of tourism establishments was published.

B : Transport Sector

303- Action carried out in this sector was geared among others, toward transparency in the issuance of transport documents, and sensitization on the payment of statutory fees. One major sanction taken against an official in this sector was the suspension for three months and subsequent

dismissal from office of Mr. BILONGO ZEH Maurice, Service Head of Road Transport, Centre Region, for notorious issuance of forged windscreen licence, and undue keeping of fees paid by users for the issuance of transport documents.

304- Besides, whenever, forged windscreen licences were detected, decisions were taken to cancel them.

305- Furthermore, instructions were issued by the Ministry of Transport aimed at transparency, and to inform the public on the statutory fees to be paid for the issuance of transport documents. These instructions were posted on the billboards of central and decentralized structures of the Ministry of Transport in charge of such issuance.

C : Justice Sector

306- The management by the Ministry of Justice of the strike action by some lawyers in reaction to the conviction and sentence to 15 years imprisonment of Barrister Etienne ABESSOLO, member of the Cameroon Bar Association in the matter pitting him against the Autonomous Port, Douala⁵⁹, falls within the framework of promotion of good governance. Disciplinary measures were equally taken against judicial staff.

1) Management of the Strike Action by Some Lawyers

307- In protest against the above-mentioned conviction, lawyers staged a walkout from the court room of the Court of Appeal, Littoral Region and decided not to wear their robes for one week with effect from 15 June 2009. This decision was taken and other complaints laid down in an extraordinary general assembly presided over by the Chairperson of the Bar Council

⁵⁹ See 2006 Report, p. 96.

308- The other complaints included the appointment of Notaries Public instead of Lawyers to the English-speaking part of the country, the promulgation of Law No. 2009/4 of 14 April 2009 to organize legal aid that allows young legal trainees to make pleadings reserved for lawyers, and the circular of the Prime Minister of 20 April 2009 that prescribes the submission of the honorarium agreement signed between all Ministries and lawyers to the Ministry of Justice for validation.

309- In reaction to this strike action, the Vice-Prime Minister, Minister of Justice and Keeper of the Seals gave a press briefing during which he discussed some of the concerns of the lawyers and where necessary, provided solutions.

a) Imprisonment of Lawyer

310- By recalling that the Judicial Power is independent and as such no group of persons or corps of professionals should interfere with court judgments, the Minister of Justice stressed that it was a court judgment delivered by Judicial Officers, the only way out being an appeal to the Supreme Court by the aggrieved party.

b) Validation of Lawyers Honorarium by the Ministry of Justice

311- The Minister of Justice explained that the Prime Minister's circular was addressed to members of Government on how to henceforth negotiate honorariums with lawyers where they are appointed to defend the interests of the State before the courts.

312- He added that the circular stemmed from drifts by some public enterprises and administrations that signed exorbitant honorariums with lawyers. It was therefore incumbent on the Minister of Justice to draw the Prime Minister's attention to such practice, recalling that honorariums are negotiated before and not by guesswork. This is all the more so as the

State spends huge sums of money without recovering a dime of its claim. Besides, since the Minister of Finance is the person who pays the honorarium, it was proper for him to be involved in the negotiations.

c) Monopoly of Defending the Interests of Clients

313- The Minister of Justice observed that lawyers were worried about losing the exclusive power to defend the parties to a matter, be it civil or criminal, whereas the law on legal aid provides for the appointment of other counsel other than lawyers to defend the parties.

314- He further pointed out the importance of such provision given the unequal distribution of lawyers throughout the country and the low income of the average Cameroonian. He concluded that the legal provisions in force shall be maintained and applied until the economic, social and cultural development of the country makes it possible to have lawyers everywhere and enables the average Cameroonian to pay for the services of a lawyer.

2) Disciplinary Measure against Judicial Staff

315- In 2009, sanctions were taken against Judicial and Legal Officers for acts contrary to their oath, breach of honour, dignity and decency, lapse from duty and unprofessional conduct. The sanctions included one dismissal and two warnings.⁶⁰

316- The Table below shows sanctions taken against auxiliaries of justice:

No.	Name	Judicial profession	Duty station	Offence and date of commission	Sanction
1	Mah Ebenezer Paul	Bailiff	Yaounde, 10 ^{ème} charge (10 th office)	Undue demand, unlawful attachment (breach of honour and decency). Offence committed between May and October 2007	Suspension (Order No. 200/DPJ/MJ of 4 May 2009)
2	Youssoufa Ibrahim	Bailiff	Ngaoundere, 3rd office	Fictitious service of court judgment (unprofessional conduct). Offence committed on 8 November 2007	Called to order (Order No. 613/DPJ/SG/MJ of 14 November 2009)

⁶⁰ Pursuant to the Rules and Regulations governing Judicial and Legal Officers, acts of the Head of State to sanction Judicial and Legal Officers are not published.

No.	Name	Judicial profession	Duty station	Offence and date of commission	Sanction
3	Mpuli Nteppe Marthe	Notary Public	Douala, 17 th office	10 years imprisonment for aggravated oppression and false pretences of CFA 105,000,000. (serious breach of duty especially breach of honour and probity).	Dismissal from Office (Decree No. 2009/178 of 15 June 2009
4	Bemma Née Mandengue Marie Thérèse	Notary Public	Kribi, 1st office	Remand in custody for misappropriation of public funds, forgery of official act and false pretences on land (acts contrary to probity and honour). Offences committed in 2005.	Prohibition from exercising (Order No.172/DPJ/SG/MJ of 14 December 2009

§3: E-GOVERNANCE

317- E-governance is a process that consists in developing electronic governance to improve management, increase productivity, and promote transparency in the management of public affairs.

318- Government ordered a feasibility study on this system to install a public infrastructure. The study was carried out by a Korean enterprise, Korean IT Promotion Agency (KIPA). It is a prerequisite to the dematerialization of administrative and commercial procedures in Cameroon.

319- The objective is to set up a secure environment comprising technical, legal, organizational and educational measures to guarantee confidence in electronic transactions. Public infrastructure falls within the framework of measures to guarantee cyber security and make it possible through authentication, integrity and confidentiality, to secure electronic data and information against attacks from cyber criminals. E-governance is under the supervision of the Prime Minister's Office.

SECTION 2 : CURBING CORRUPTION

320- Within the framework of Government's Anti-corruption Plan, and its effective implementation, an Anti-corruption Unit was set up at every Ministry. This is an administrative measure to show Government's determination to curb corruption in public services. After a few years of existence, it is worthy to assess the support of these structures in curbing the scourge. Since the action of the said units may result in judicial prosecution, such prosecution in 2009 will be examined.

§ 1: ADMINISTRATIVE MEASURES: ACTION BY ANTI-CORRUPTION UNITS

321- Analysis of the activities of Anti-corruption Units in the following seven Ministries (Ministry of Justice; the State Audit; Ministry of Economy, Planning and Regional Development, Ministry of Trade; Ministry of Secondary Education; Ministry of Labour and Social Security; and the Ministry of Employment and Vocational Training) shows that the units more or less carried out their statutory duties and encountered some difficulties that hindered them from maximum performance.

A: The Determination of Anti-corruption Units to Perform their Duties

322- In 2009, the most significant activities of Anti-corruption Units at the target Ministries focused on the following two aspects:

1) Prevention of Corruption through Sensitization and Information

323- Sensitization of officials and staff of administrations was mainly carried out through extended and participative meetings. In this connection, the Anti-corruption Unit at the Ministry of Trade organized on 23 January 2009, a sensitization anti-corruption meeting for some fifty officials and staff of the National Anti-Fraud Brigade, the regional Brigade, Centre Region and the divisional Brigade, Mfoundi Division.

324- Ongoing drafting by the Anti-corruption Unit at the State Audit of a Code of Ethics for auditors to guide them in their daily activity is a further determination to sensitize the officials concerned.

325- Public information was carried out by posting anti-corruption sensitization bills at the central and decentralized services of the Ministries concerned. Advertising media were equally used. In this connection, the Anti-corruption Unit at the State Audit printed anti-corruption messages on sweaters, bags, caps, stickers and writing-pads for selected public sensitization staff.

326- To further inform and protect the society against the effects of corruption, the Anti-corruption Unit at the Ministry of Justice launched a radio programme in both the official and national languages as well as its website. Besides, the Ministry of Trade intends to draw up a user's guide and manual of corresponding procedures.

327- Corruption risk assessment was conducted by the Anti-corruption Unit at the State Audit to determine the causes of this scourge. The objective is to adopt adequate measures to prevent and manage the risks inherent to this phenomenon.

328- Some Anti-corruption Units further geared their action toward compensation of good conduct by election of best staff.

2) Investigation

329- Investigation by Anti-corruption Units consisted mainly in conducting inquiries following complaints and reports made by some staff and users.

330- In this connection, the Anti-corruption Unit at the Ministry of Trade conducted 8 inquiries in Limbe, Bafoussam, Bertoua, Bafia, Kribi, Yaounde, Bamenda, and Nanga-Eboko while the Anti-corruption Unit at the Ministry of Labour and Social Security conducted two in the Centre Region.

331- The Anti-corruption Units at the Ministry of Economy, Planning and Regional Development (MINEPAT), Ministry of Employment and Vocational Training (MINEFOP), and Ministry of Secondary Education (MINESEC) examined reports against corruption. Where the facts were founded, the Units recommended sanctions such as transfer, dismissal from office, warning and serious warning that were effectively meted out to the staff concerned.

332- Two teachers at the Lycée technique (Government Technical High School), Douala, Koumassi were suspended from duty for receiving bribe from eighteen (18) candidates during the Probatoire F and BT at the CFTI Centre, Douala.

333- The MINEFOP Anti-corruption Unit suspended the contracts of two service providers and reported two matters to judicial authorities.

334- The Anti-corruption Unit at the State Audit Office conducted inquiries on the doubtful conduct of some auditors on special assignment to the SCDP and documents submitted to the CDBF. Thereafter, information note was submitted to the Minister concerned.

B : Difficulties Encountered

335- Some Anti-corruption Units encountered human, material and financial difficulties in the discharge of their duties. Besides, the scope of their powers was not clearly defined.

336- At the financial level, the low budgetary allocation, commitment quotas and other budgetary constraints as well as disbursement of available budgetary allocations hindered some Anti-corruption Units from effectively discharging their duties. Such difficulties further hampered the collection of material and human resources for some duties.

337- Furthermore, some Anti-corruption Units recorded significant shortages in staff in comparison to the volume of files to be examined and the scope of their duties to which some staff were not exclusively appointed since they had other duties to perform.

338- As regards the powers of the Anti-corruption Units, there was resistance from some persons requested to appear before them for explanation. Thus, the Units requested for more powers to consolidate the efficiency of their duties and consequently, their authority and credibility before the persons concerned.

339- The activities of the said Units brought some mitigating results and as such, Government intends to restructure them.

340- Since justice is the last protective wall in shaping conduct, curbing corruption equally requires judicial sanctions.

§ 2: JUDICIAL PROCEEDINGS

341- The poor management of some public accounts required judicial proceedings within the framework of "operation sparrow hawk." After the report on proceedings examined in previous reports, judicial proceedings instituted in 2009 within the same "operation sparrow hawk" will be examined.

A: Proceedings Discussed in Previous Reports

342- Judicial proceedings instituted within the “operation sparrow hawk” stand as follows:

- 1- The People vs. OLANGUENA AWONO Urbain⁶¹, former Minister of Public Health and 16 of his collaborators is pending before the High Court, Mfoundi Division;
- 2 - The People vs. ABAH ABAH Polycarpe⁶², former Minister of Economy and Finance is pending before the High Court, Mfoundi Division;
- 3 -The People vs. MOAMPAMB ABONO Paulin⁶³, former Secretary of State of Public Works and former Mayor of Yokadouma Council is pending before the High Court, Boumba and Ngoko Division;
- 4 - The People vs. FORNJINDAM Zaccheus⁶⁴ is pending before the High Court, Wouri Division;
- 5 - The People vs. ENGO Pierre Désiré⁶⁵, former General Manager of the National Social Insurance Fund is pending before the High Court, Mfoundi Division;
- 6 - The People vs. SIYAM SIWE Alphonse⁶⁶, former Minister and General Manager of the Autonomous Port, Douala was determined by the Court of Appeal, Littoral Region.

343- The Table below shows the development from the High Court to the Court of Appeal in the SIYAM SIWE matter.

Name	High Court	Court of Appeal
Alphonse Siyam Siewe	30 years imprisonment	Life imprisonment
Thompson Asa’na Ntsang	Acquitted	Life imprisonment (at large)
Kamdem	Acquitted	Life imprisonment (at large)
Siewe Nitcheu	25 years imprisonment	25 years imprisonment
Edouard Etonde Ekoto	15 years imprisonment	15 years imprisonment
Simon Pierre Ewodo Noah	10 years imprisonment	15 years imprisonment
Tchekam Cilviane, Martin Zibi François, Faustin Dingana, Eric Babila Tita, Etienne Abessolo, Maurice Teguel, J.P. Wensitcheu Mouga	Acquitted	15 years imprisonment

61 See 2008 Report, p. 157

62-Ibid

63 Ibid

64-See 2008 Report, p. 157

65 See 2005 Report, p. 197 of the French version. 66-See 2006 Report, p. 157

B: Judicial proceedings instituted in 2009

344- In the 2009 judicial year, the determination to ensure proper management of public affairs was translated by the judicial proceedings instituted against authors of misappropriation of public funds in the different social classes of public and semi-public enterprises.

345- Thus, at the High Court, Mfoundi alone, preliminary inquiries were opened for forty-nine (49) cases of misappropriation of public funds, sixty-four (64) are pending hearing and determination, thirty-one (31) judgments have been delivered sixteen (16) of which have been appealed against and one (1) challenged.

346- It is worthy of note that the matter against Atangana Mebara Jean Marie, former Secretary-General of the Presidency of the Republic is pending before the High Court, Mfoundi.

347- At the High Court, Wouri Division, preliminary inquiry was opened on 18 August 2009 against Nguini Effa Jean Baptiste, former General Manager of Cameroon Petroleum Storage Company and sixteen (16) of his collaborators.

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348- In spite of the measures taken by Government, corruption continues to be a threat to our society. However, it is hoped that efforts to improve on the legal and institutional frameworks to ensure good governance will effectively curb the scourge.



Chapter 2

RIGHT TO EDUCATION

349- In 2009, the right to education was implemented through actions carried out at the levels of basic, secondary and higher education.

SECTION 1: BASIC EDUCATION

350- The Education Sector Strategy was implemented through:

- progress in key schooling indicators;
- consolidation of education measures; and
- improvement of quality education.

§1: PROGRESS IN KEY SCHOOLING INDICATORS

351- The overall examination of progress in school coverage in 2009 shows progress in schooling indicators at both nursery and primary education.

A: Nursery Education

352- Nursery school attendance increased from 263,855 in 2008 to 287,885 in 2009. During the same period, the number of classrooms increased from 7,770 in 2008 to 8,456 in 2009.

353- Such progress was recorded in both public and council schools especially schools opened by parents and council nursery schools that receive direct assistance from the State and Informal Education NGOs.

354- On the whole, progress observed is in accordance with indices recorded by the Strategic Paper which recommends the extension of nursery schools to underprivileged rural areas. The Table below shows progress in nursery schooling gross rate in 2008 and 2009.

Year	school age population (4-5 ANS)		Schooling Population		Gross schooling age (% TBS)			
	B+G	G	B+G	G	B	G	B+G	IPS
2008	1273 152	623 211	263 855	132 369	20.22	21.22	20.71	1.05
2009	1136 967	565 452	287 885	144 880	25%	25.6%	25.3%	1.02

Source: Ministry of Basic Education.

355- The Table above shows that as regards gender approach promotion in nursery education, the number of girls attending school has increased from 132,369 pupils in 2008 to 144,880 in 2009, an increase in real terms of 12,511 pupils.

B : Primary Education

356- In 2009, basic education has recorded a primary school population increase of 149,185 pupils. In fact, primary school enrolment estimated at 3,201,477 pupils in 2008, increased to 3,350,662 pupils in 2009. The number of schools and classrooms equally increased significantly from 12,326 schools in 2008 to 13,856 schools in 2009 and from 63,252 classrooms in 2008 to 69,805 classrooms in 2009. The access rates to schools in 2009 stand at 115 per cent in the French-speaking subsystem of primary education, and 113 per cent in the English-speaking subsystem. The primary school completion rate for the French-speaking subsystem stands at 67.29 per cent while that of the English-speaking subsystem stands at 87.29 per cent.

357- The Table below shows the 2009 exhaustive primary schooling indicators which mainly comprise primary education coverage and internal output indicators.

2009 primary education coverage and internal output indicators

Indicators	Boys	Girls	B+G	IPS
Gross schooling rate	111%	96%	103%	0.87
French-speaking subsystem gross access rate			115%	
English-speaking subsystem gross access rate			113%	
Primary school promotion rate (Global)	65.2%	63.2%	64.2%	0.97
Repeating rate in French-speaking subsystem			17%	
Repeating rate in English-speaking subsystem			8%	
Primary school completion rate (Global)	78.8%	66.4%	72.6%	0.84
Gross admission rate	123%	107%	115%	0.87
Net schooling rate at primary school (Global)	77.6%	88.6%	83.1%	0.88

Source : Ministry of Basic Education.

358- As regards primary school quality indicators, the Table below shows increase in the number of schools and classrooms in both the French-speaking and English-speaking subsystems of education.

Indicators	Average
Number of French-speaking subsystem primary schools	10 372
Number of English-speaking subsystem primary schools	3 484
Number of public primary schools	9 656
Number of private primary schools	3 723
Pupil/teacher ratio in public schools	53
Pupil/teacher ratio in private schools	46
Pupil/classroom ratio in public schools	55
Pupil/classroom ratio in private schools	48
Number of classrooms in the French-speaking subsystem	51 778
Number of classrooms in the English-speaking subsystem	18 027

Source : Ministry of Basic Education.

359- On the whole, progress in schooling indicators highlight efforts made by Government to improve education in the country.

§ 2: EDUCATION MEASURES

360- Measures taken by the Ministry of Basic Education in 2009, aimed to continue and consolidate achievements especially as regards school infrastructure and recruitment of teachers.

A : School Infrastructure Development

361- Government continued to build and equip classrooms as well as other projects in cooperation with different partners. On the whole, in 2009, it built 1, 027 classrooms, 21 nursery schools, 4 regional delegations, 7 divisional delegations, 9 sub-divisional inspectorates, 7 Teacher Training Colleges, 15 houses for teachers, 8 water points, 52 pit toilets, and 5 fences.

362- Government further equipped classrooms and schools with 52,325 benches and 1,043 tables for teachers.

B: Recruitment of New Teachers

363- In 2009, the Ministry of Basic Education recruited new teachers within the framework of ongoing absorption of part-time teachers. Such recruitment progressively increased the number of teaching staff throughout the country. Concretely, in 2009, 6,490 new teachers were recruited to raise the number of teachers recruited since the start of the operation to 30,100.

§ 3: IMPROVEMENT OF QUALITY EDUCATION

364- The quality of education was improved in 2009 with the effective teaching of human rights and information and communication technologies in nursery and primary schools, and teacher training colleges.

A: Effective Teaching of Human Rights

365- After launching the human rights syllabus on 23 December 2008, six hundred sixty seven (667) Books and Teacher's Handbooks were handed to the Ministry of Basic Education by the National Commission on Human Rights and Freedoms.

366- These manuals were distributed to 50 pilot schools of which 9 English-speaking schools, 34 French-speaking schools and 7 bilingual schools in view of effective teaching on 16 January 2009.

367- On 5 June 2009, a meeting to evaluate the human rights syllabus was organized in the conference hall of the National Commission on Human Rights and Freedoms, Yaounde. In the meeting, the main difficulties encountered in the implementation of the syllabus were discussed, especially the short duration for teachers to understand its contents, the shortage of the manuals (Books and Teacher's Handbooks), and the insufficient sensitization of administrative officials in charge of follow-up and supervision of teachers in schools.

368- At the close of the meeting, participants made the following recommendations: extension of the experiment period to one year, continuous training of supervisors and teachers, training of heads of school to better sensitize them on the new trend, and distribution of teacher's handbook to the teachers concerned.

B : Teaching of Information and Communication Technologies

369- Activities carried out by the Ministry of Basic Education in this sector in 2009 focused mainly on the reproduction of information and communication technologies syllabuses and their distribution to all the regions of the country, continuous training of supervisors and teachers, and readjustment of teaching aids in prelude to the evaluation of the teaching in 2010.

370- In fact, in accordance with the provisions of Article 3 of Order No. 5592/B1/780/MINEDUC/CAB of 24 September 2007 to introduce computer training in schools under the Ministry of Basic Education, the teaching of information and communication technologies shall be introduced in the 2010 session as an optional subject in all examinations organized by the said Ministry, notably the Certificat d'Etudes Primaires (CEP), First School Leaving Certificate (FSLC), the entrance examination into Government Teacher Training Colleges (GTTC), and the Teachers' Grade I Certificate.

SECTION 2: SECONDARY EDUCATION

371- In the 2008-2009 academic year, focus was on "quality management and improvement of school performance" since the overall objective was to improve on education both qualitatively and quantitatively.

§ 1: QUALITATIVE IMPROVEMENT ON EDUCATION

372- The quality improvement on education focused on governance, professionalization and promotion of bilingualism.

A : Governance

373- Governance focused on administrative management and the organization of examinations.

1) Governance in Administrative Management

374- The following instruments were signed to enable a balanced functioning and objective evaluation of central and decentralized services as well as schools:

- Circular No. 14/09/MINESEC/IGS of 20 April 2009 on the follow-up and evaluation of services;
- Circular No.16/09/MINESEC/IGS of 20 April 2009 on the transmission of documents;
- Circular No.17/09/MINESEC/IGS of 20 April 2009 to lay down the terms and conditions of admission into Government Secondary Schools;
- Circular No.1036/09/MINESEC/IGS of 20 April 2009 to publish the full list of required periodic documents;
- Circular No.1077/09/MINESEC/IGS of 22 April 2009 to publish the Minister's instructions;
- Circular No.1206/09/MINESEC/IGS of 14 May 2009 on respecting Instruction No. 7/CAB/PM of 5 September 2001 to lay down the conditions of appointment of professionals of the teaching corps to duty posts;
- Circular No.1423/09/MINESEC/IGS of 04 June 2009 on the activities of administrative and finance officials in the DRES and DDES;
- Circular No.1634/09/MINESEC/IGS of 29 June 2009 on delays in the transmission of files; and
- Circular No. 24/09/LC/MINESEC/CAB/IGS of 30 June 2009 on confidentiality and the obligation of professional discretion.

2) Governance in the Organization of Examinations

375- Given the serenity with which the Follow-up Committee carries out its activities following the authorization granted by the Prime Minister, Head of Government, there has been a net improvement in the organization of official examinations. This was due to a number of strategies that made it possible to :

- guarantee the reliability of instruments through the drafting and

- submission of 2,693 examination questions to the data bank of the Department of Examinations (DECC), Office du Baccalauréat du Cameroun (OBC) and General Certificate of Education (GCE) Board;
- draw up and forward to the structures in charge of examinations, lists of competent markers and chief examiners;
 - consolidate pedagogic supervision of candidates through support actions to candidates preparing for official examinations:
 - organization of extra classes, mock examinations, pedagogic seminars for students in examination classes;
 - radio programmes on examination;
 - build the capacity of actors involved in the organization of 2009 examinations through training sessions and consultation meetings to better prepare them for the exercise of their respective tasks; and
 - supervise the initial training of student teachers and counsellors of ENS, ENSET, and ENIET.

376- Special focus was on the initial training of student teachers, counsellors and technical school teachers respectively of ENS (Yaounde and Bambili annex), ENSET (Douala) and ENIET (Soa, Douala and Mbengwi) with the following statistics :

- 652 graduands from ENSET, Douala and 1,668 from ENS, Yaounde supervised and assessed; and
- 848 candidates files for the CAPIET examination from ENIET.

Such focus is all the more justified as technical education constitutes one of the levers of the professionalization of education.

B : Highlighting Professionalization

377- Within the framework of the implementation of the Strategic Growth and Employment Paper (SGEP), the secondary education sector strategy henceforth focuses on professionalization.

378- The determination to ensure that know-how henceforth constitutes the

base of all knowledge in the education sector is translated by the following 3 initiatives :

- implementation of alternating training in technical schools through partnership agreement projects. Thus, the signing of a MINESEC/MINSANTE framework agreement on training in hospital maintenance. Besides, 400 enterprises were contacted to welcome students on unremunerated internship;
- publication of an information guide on vocational training and integration opportunities in Cameroon. The guide is a Cameroon/ADB cooperation product within the framework of the Technical Education and Vocational Training Reform Support Project (PARETFOP). It contains 7 job-availability training packets by 2018; and
- introduction of technological modules in secondary education especially in agriculture and handicraft initiated in 2008 in some high schools in the Centre and West Regions was consolidated in 2009.

379- Furthermore, PARETFOP ensured promotion of excellence by offering 100 scholarships and 30 first prizes to deserving students of ENSET.

380- 2009 was equally the first year when national languages were introduced in syllabuses and ICTs extended to secondary schools.

C : Promotion of Bilingualism

381- Government continued to implant bilingualism in schools with special focus on the following :

- implantation of the new special bilingual syllabus, the experimental phase of which started in the 2008-2009 academic year in 45 pilot secondary schools chosen in the Adamawa and Littoral Regions;
- revamping of school libraries and promotion of a reading culture with the distribution in May 2009, of 17,411 books (the fruit of MINESEC/IOCC partnership) to 132 schools in the ten Regions; and
- publication in the two official languages, of all communication tools and instruments drawn up by the Ministry of Secondary Education.

§ 2 : QUANTITATIVE IMPROVEMENT

382- Quantitative education can be assessed from the school record which reports on the current situation and makes it possible to draw up rational estimates. The data analysis of the 2008-2009 academic year shows an increase in human resources and infrastructure.

A : Increase in Human Resources

383- There was increase in both the number of students and teachers.

1) Increase in the Number of Students

384- In Government Secondary Schools, the number of students increased sharply from 669,129 to 1,023,265 in the 2008/2009 academic year with the number of girls on roll being higher than that of boys.

385- In technical schools, the number of students on roll increased from 137,044 in the 2006/2007 academic year to 264,802 in 2008/2009 with a higher number of boys on roll: from 80,128 to 164,950.

2) Increase in the Number of Teachers

386- Globally, the number of teachers recruited in the technical education sector increased by 30 per cent, that is, 8,483 teachers. Besides, more female teachers were recruited and their number increased from 1,381 in the 2006/2007 academic year to 3,095 in 2008/2009.

387- In the general education sector, increase in the number of teachers was by 20 per cent; that is, from 15,558 in the 2006/2007 academic year to 19,505 in 2008/2009, comprising 12,708 men and 6,797 women.

388- Increase in the number of teachers is still to meet the 1 teacher: 55 students national ratio. In practice, the best proportion is one teacher for 120 students. However, Government's constant training and recruitment of part-time teachers reduces the shortage in human resources.

389- Besides, pedagogic inspectorates carried out close pedagogic supervision of teachers with 7,000 teachers completing a refresher course in May 2009.

B: Increase in Infrastructure

390- Government's combined efforts with partners within the framework of different cooperation projects enabled a constant infrastructural development. Thus, in the 2008/2009 academic year, the following were built: 660/931 classrooms, 20/22 administrative blocks, 41/44 technical education and teacher training workshops, 10 computers pools, 80 pit toilets, 2 technical secondary schools, and 2 grammar secondary schools. Furthermore, 12/15 multimedia resource centres were refurbished.

391- At the beginning of the 2009/2010 academic year, there were 1,134 Government Secondary Schools and 331 Government Technical Colleges.

SECTION 3: HIGHER EDUCATION

392- The Ministry of Higher Education continued reforms to consolidate the Bachelors-Masters-Doctorate (BMD) system, expansion of the university map and improvement of the university environment.

§1: CONSOLIDATION OF THE BMD SYSTEM

393- The implementation of the BMD system in all the universities in 2009 made it possible to determine its efficiency through academic inspection missions. The main objective was to verify the measures taken and practices carried out by universities in implementing the system since the 2006/2007 academic year in accordance with the calendar adopted by CRUCOR-AC.

394- Reports thereon show that a number of measures have been taken to progressively implement the system. Therefore, at the academic level, university officials were exhorted to beef up their development plan with needs and constraints relating to the new system. Besides, officials of the Support Programme of the Technology and Higher Education Professional Component (PRO-ACTP) were requested to provide teaching aids to a number of schools especially with medical and technological disciplines.

395- A number of working sessions were organized to integrate socio-professional partners in the training of students and learners so as to enable a giant step toward opening vocational disciplines and adequate vocational training. At the "Universiades Academics", the University of Douala was overall first and was rewarded.

§2: EXPANSION OF THE UNIVERSITY MAP

396- The university map was expanded by diversifying training and increasing the student population.

A : Diversification of Training

397- In 2009, new Higher Education institutions were set up such as the

Faculty of Fine Arts at the University of Maroua, and under the University of Douala, the Faculty of Fine Arts , Nkongsamba, and Faculty of Fisheries, Yabassi.

398- The project to set up two virtual universities including the Virtual University of Central Africa funded mainly by the Indian Cooperation support, made significant progress in 2009 through the construction and equipment of a number of infrastructure at the site of the National Advanced School of Engineering (ENSP).

B: Increase in Student Population

Discipline, orientation	2008	2009
Total public and private, presentiel	150,932	174,267
Total universities, presentiel	130,872	151,106
Long courses, other than pedagogic courses	117,949	136,185
Primary sector	675	779
Agriculture, forestry, fisheries	627	703
Veterinary Sciences	38	76
Law, Political Sciences and Economics	63,320	73,110
- academic	61,407	70,901
- vocational	1913	2,209
Letters, Arts and Social Sciences	25,982	29,999
- academic	24,622	28,429
- vocational	1360	1,570
Sciences	26,204	30,255
- academic	22,139	25,562
Mathematics and Statistics	3,271	3,777
Earth Sciences	6,332	7,311
Life Sciences	12,536	14,474
- vocational (engineering,...)	4,065	4,693
Health Sciences	1,768	2,041
Short-term vocational training	4,153	4,795
2 years course (Higher Technical Diploma...)	3,226	3,725
Industrial	1,776	2,051
Tertiary	1,450	1,674
3 years course (vocational BA)	927	1,070
Industrial	829	957
Tertiary	98	113

Pedagogic training (ENS, ENSET...)	8,770	10,126
Technical (industrial)	1,260	1,455
General	7,088	8,184
Technical (tertiary)	422	487
Private	20,060	23,161
Short-term courses	17,652	20,381
Long-term courses	2,408	2,780

399-The Table below shows increase in student population :

§3 : IMPROVEMENT OF UNIVERSITY ENVIRONMENT

400- Actions initiated in 2008 and comprising rehabilitation and building of infrastructure, consolidation of sector strategy projects, and curbing poverty in the university continued in 2009.

A : Rehabilitation and Building of Infrastructure

1) Rehabilitation of Infrastructure

401- Notwithstanding the traditional investment budget of every university, a special urgent subvention of CFA 2.3 billion was allocated for the rehabilitation of some infrastructure. In this connection, the buildings of the Biomedical healthcare Unit, Public Health Unit, VRD lighting and the administrative block of the Faculty of Medicine and Biomedical Sciences of the University of Yaounde I were renovated

402- Other renovation works were carried out in other universities and schools such as the Faculty of Agriculture, University of Dschang, University Institute of Technology (IUT), Ngaoundere, Fotso Victor University Institute of Technology (IUT), Bandjoun, ENSAI, University of Ngaoundere, Higher Technical Teachers' Training College (ENSET), University of Douala, and the Higher Teachers' Training College (ENS), Bambili.

2) Building of Infrastructure

403- The following construction works have been started:

- at the University of Yaounde I, 10 laboratories and 8 lecture halls, and completion of the first phase of construction and equipment of a 500 seats lecture hall;
- at the University of Ngaoundere, completion of the IUT administrative block;
- at the Fotso Victor IUT, completion of the first phase of the lecture hall;
- at the University of Douala, contract has been awarded for the construction of a central block, annex 1 and annex 2 blocks of the Faculty of Medicine and Biomedical Sciences;
- at the Faculty of Management, construction of a lecture hall, an administrative block, laboratories, an amphitheatre, and workshops block has started; and
- at the University of Buea, construction of lecture halls (two-storey building), and specialized laboratories has started.

B : Consolidation of Sector Strategy Projects

404- A number of projects earmarked within the framework of the implementation of the higher education subsector including PRO-ACTP and the Management Support Programme to Profitable Initiative and Professionalization in Higher Education (AGIR) resulted in the construction and rehabilitation as well as equipment of schools with teaching aids and laboratories.

C : Poverty Reduction in the University

405- In order to reduce poverty in the university, the working conditions and standard of living of lecturers and students were improved.

1) Improvement of Working conditions of Lecturers

406- Sessions of the University Institutions Consultative Board (UICB) enabled a number of lecturers to be promoted. Besides, the following actions were equally taken :

- continuation of the institutional support to the academic mobility programme that enabled stronger collaboration between lecturers of different universities and for which credits have been allocated by the autonomous budgets of the universities ; and
- consolidation of the rationalization of completion procedures of acts on the management of the careers of lecturers in general (with a start of deliberations to revamp the UICB) and permanent lecturers in particular.

407- It is worthy to note the signing by the President of the Republic, of Decree No. 2009/121 of 8 April 2009 to set up and lay down the organization and functioning of a special account to modernize research in State Universities. This act enables State University lecturers and researchers to receive a quarterly financial allocation to modernize university research. The said decree entered into force from the date of signature.

408- As regards health, partnership with the AXA insurance group continued to enable all lecturers to be insured and deliberations to extend such insurance scheme to the entire university community were initiated.

2) Improvement of Living Conditions of Students

409- A number of actions were carried out to improve the living standards of students such as bursary award and other assistance as well as holiday jobs. There was further improvement in the Work Study Program, healthcare and University Games. Besides, sporadic actions were taken for disabled students.

a) Bursary Awards to Students

- disbursement of CFA 87,921,000⁶⁷ to pay bursary arrears to 36 students sponsored by the Government of Cameroon and students sponsored under cooperation with other friendly countries who have returned to the country;
- allocation of CFA 461,160,000 francs⁶⁸ to pay bursary complements to 490 students sponsored under cooperation with friendly countries in Africa (Morocco, Algeria, Tunisia), in Europe (Russia, Turkey), in Asia (Bangladesh, China), and in America (Cuba); and
- disbursement of CFA 98,164,000 francs⁶⁹ for transport requisition for 141 students.

b) Award of Assistance to Students Without Bursaries

Assistance was given first, to students without bursaries studying in North African countries. Thus, CFA 38 950 000⁷⁰ was allocated to 213 students and student associations.

Besides, CFA 69 950 000⁷¹ was sporadically allocated to 120 students studying abroad.

CFA 32 529 950⁷² was used to repatriate 51 students, while CFA 7 325 290⁷³ was used to pay internship allowance to 6 students. CFA 145 000 000⁷⁴ was allocated to students in national universities under the budgetary head "assistance to students in national universities".

⁶⁷ About 134,230 Euros

⁶⁸ About 704,061 Euros

⁶⁹ About 149,868 Euros

⁷⁰ About 59,465 Euros

⁷¹ About 106,793 Euros

⁷² About 49,664 Euros

⁷³ About 11,183 Euros

⁷⁴ About 221,374 Euros

Assistance granted to the functioning of national and foreign students associations continued as in previous years. Continued assistance was given to the cultural services of Cameroon Embassies.

c) Holiday Jobs

Holiday jobs worth CFA 55 650 000⁷⁵ were granted to 1,346 students in councils, State universities, and central services of the Ministry of Higher Education. The holiday jobs enabled the beneficiaries not only to be acquainted with the realities of professional life but also and especially to help them meet some of their needs.

d) Continuation of the Work Study Programme (WSP)

The main objective of the WSP is to enable the selected students to carry out some administrative tasks in the Ministry of Higher Education so as to meet some needs. Thus, in 2009, 160 students were recruited to work in lifts, archives and mail service of MINESUP, and CFA 25 600 000⁷⁶ was disbursed for their remuneration.

e) Improvement of the Healthcare of Students

The following actions were carried out:

- supply of first aid drugs to MINESUP sick bay;
- free screening of glycaemia;
- free HIV/AIDS screening campaign at the University of Maroua in November 2009 (1,000 students were screened with 10 testing seropositive, about 1 per cent seropositive); and
- medical management and insurance of all athletes to handle accidents during the 2009 University Games.

⁷⁵ About 84,961 Euros

⁷⁶ About 39,084 Euros

f) Sporadic Actions for Disabled Students

Circular No. 8/6/LCCC/MINESUP/MINAS of 9 July 2008 to consolidate improvement of reception conditions and supervision of disabled or vulnerable students in State universities of Cameroon is effectively implemented with the following results:

- opening and functioning of a Social Affairs service at the University of Buea;
- taking into consideration the new standards laid down by the Public Contracts Regulatory Agency (handicap approach) in the steering construction plan of infrastructure;
- granting of rooms under preferential conditions in halls of residence; special assistance to disabled students in particular and disabled students associations in general; and
- renovation of lecture halls and amphitheatres as well as construction of paths for disabled students especially those on tricycles.

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410- There is increasing determination of public authorities to promote the right to education by providing support to private institutions at all levels. There is real need to consolidate the right to education especially in rural areas. A better consideration of the importance of hygiene and sanitation of the environment as well as maintenance of equipment will further improve on the quality of education. Therefore, it is hoped that better results will be obtained in 2010.

Chapter

3

RIGHT TO HEALTH

411- Government continued to promote and protect the right to health in Cameroon. With a budgetary allocation of CFA 113.33 billion⁷⁷, concrete actions were taken in 2009 to better improve on the health system, healthcare and health services.

SECTION 1: IMPROVEMENT OF HEALTH SYSTEM

412- New measures were taken at the levels of general administration, internal governance and infrastructure to better improve on the health system.

§1: GENERAL ADMINISTRATION AND INTERNAL GOVERNANCE

413- A giant step was made in the management of human resources, working methods and internal control.

A : Human Resource Management

414- It is worthy to present a list of health staff before delving into measures taken to better manage this human capital.

1) Health Staff

415- The Table below shows the 2009 list of health staff per region and per corps in Cameroon as well as the doctor/nurse patient ratio.

⁷⁷ An increase of about 23.7 per cent as compared to the 2008 financial year

MINJUSTICE

Report by the Ministry of Justice
On Human Rights in Cameroon
in 2009

Corps	Adam- awa	Centre	East	Far North	Littora l	North	North West	West	South	South West	Total staff
Medical Practitio ners	38	754	53	55	171	37	44	95	58	41	1465
Dental Surgeons	-	15	1	2	6	-	-	3	3	2	32
Pharmac ists	1	19	-	1	3	-	-	2	-	1	47
Public Health Administ rators	1	17	1	1	1	-	-	1	-	1	22
Nurses	318	2200	477	578	1062	490	591	1123	367	420	9267
Medical health Technici ans	35	344	56	57	141	-	-	126	47	57	1008
Health hygiene	9	148	11	32	42	16	28	48	17	21	372
Contract staff	32	221	154	18	31	22	59	31	38	29	635
Staff recruited by decision	52	708	68	105	121	160	121	196	56	107	1694
Others	216	854	268	349	82	166	46	607	355	15	2958
Popula- tion In 2007	927473	308013 0	833523	3238756	240830 2	176091 2	181589 7	189244 9	581799	134968 5	1788926
Nurse: Pop. ratio (per 10.000)	3.43	7.14	5.72	1.78	4.41	2.78	3.25	5.92	6.31	0.31	
Doctor: pop. ratio (per 10.000)	0.41	2.45	0.64	0.17	0.71	0.21	0.24	0.50	1.00	0.30	
TOTAL	702	5.280	1.089	1.197	1.660	931	994	2.232	941	694	15720

416- From a total of 15,720 medical staff, women represent 23.73 per cent of medical doctors, 60.88 per cent of Nurse Aids, 66.67 per cent of Senior Health Technicians, and 58 per cent of Pharmacists.

2) Better Management of Human Resources

417- In this domain, focus was on:

- the development of a second software that will make it possible to have a comprehensive database. 14,000 workers were registered on :

- the basis of information collected in the regions;
- the re-start of the use of attendance registers with the institution of weekly data sheets in central services and the automatic clocking-in of attendance in some referral hospitals; and
- the award of a contract for the purchase of biometric apparatuses to put in place an automatic clocking-in system of attendance in central services.

418- Progress was noted as regards:

- the commencement of the absorption process of 2,358 personnel recruited in 2007 (2208 on HIPC funds and 150 on CD2 funds);
- the recruitment of 2,357 health workers following the direct competitive examination organised by the ministry of Public Service and Administrative Reforms for the 2008 financial year;
- the absorption upon file study of 3,382 personnel working under precarious conditions in public health facilities;
- the recruitment of 80 penitentiary health personnel (10 medical doctors, 20 state registered nurses, 30 nursing aids, and 20 technical medical agents); and
- capacity building of penitentiary health personnel of the Centre Region on the testing and treatment of tuberculosis.

B: Internal Governance

419- The following actions were taken to implement the new working and supervision methods:

- impromptu inspection visits to some ten health establishments in Yaounde;
- supervision and inspection tours of health establishments;
- submission of 14 inspection reports to the State Audit;
- sanctioning of 23 staff;
- drawing up of directives on revival of anti-corruption units in central and decentralized health services;

- measures to ensure the traceability and diligence in the processing of files;
- publication of a user's guide to ensure transparency especially as regards:
- the sale of pharmaceutical products;
- supply of vaccines;
- registration of pharmaceutical products;
- approval of medical laboratories;
- authorization of establishments to promote pharmaceutical products;
- installation of private customers in the retail drug store sector;
- authorization of establishments to distribute medical products; and
- official authorization to import some special products.

§2: INFRASTRUCUTRE

420- In 2009, the following major developments of hospital infrastructure were carried out :

- functioning of two Medical Imaging Centres in referral hospitals, Ebolowa and Bertoua inaugurated respectively on 30 November and 21 December 2009;
- functioning of two Haemodialysis Wards in the referral hospitals, Bamenda and Garoua inaugurated respectively on 2 and 16 December 2009 and with respectively 22 and 11 patients under dialysis;
- equipment worth CFA 1.311 billion of hospital establishments in the North and Far North Regions;
- purchase of incinerators and freezers for EVPs worth CFA 2.2 billion;
- inauguration of emergency service at the Laquintinie Hospital, Douala;
- completion of the National Health Observatory building, Yaounde; construction of a neuro-surgical ward at the Central Hospital, Yaounde;

- renovation of the VIP ward at the Central Hospital, Yaounde;
- start of construction work of the Gynaecological and Obstetrics Hospital at Yassa, Douala;
- continuous rehabilitation of referral hospitals, Ngaoundere, Garoua and Maroua;
- continuous construction of the referral hospital, Sangmelima;
- continuous construction of the district hospitals, Tignere and Maga; completion of renovation and extension of the district hospitals, Edea and Ayos;
- ongoing rehabilitation of the district hospitals of Ngogmapubi, Ambam, and Kribi;
- construction of 21 integrated health centres (IHC) in some regions (2 in the East Region, 1 in the Adamawa Region, 3 in the North West Regions, 2 in the Centre Region, 2 in the Littoral Region, 1 in the Far North Region, and 1 in the South Region);
- construction of guest houses for medical doctors in the Littoral Region; drilling of 6 wells in the IHCs, Ambam, Endengue, Fifinda, Ngolbang, Sangmelima (Nkolnguet), Sangmelima II (Akon);
- completion of the IHCs, Nkolnguet Akon, Amvom, Endengue, Fifinda and Nkolbang, and the training centres in biomedical maintenance, Garoua, Kumba and Bertoua ;
- opening and rehabilitation of seven training schools for health personnel, Yaounde,(2), Douala (2), Monatele (1), Foumban (1), and Foubot (1). This brought the number to 58 training schools in healthcare approved by the Ministry of Public Health; and
- start of construction of sick bays in Guider, Tcholliré I and Tcholliré II prisons.

SECTION 2: IMPROVEMENT OF HEALTHCARE SERVICES

421- Actions on healthcare services in 2009 focused mainly on access to drugs, disease control, maternal and child health as well as promotion of health.

§1: ACCESS TO DRUGS

422- In order to make drugs more accessible to the people, the Minister of Public Health updated the lists of CENAME customers to enable the insertion of new health establishments and better organization of the supply of essential drugs. Besides, actions taken resulted in the following results:

- 50 per cent reduction in the price of the Artesunate-Amodiaquine combinaison used in the treatment of uncomplicated malaria⁷⁸;
- continuous supply of ARVs to increase the number of AAHIV/AIDS patients from 59,960 in 2008 to 75,901 in 2009;
- drawing up a list of about 1,500 drugs the prices of which are likely to be reduced;
- the supply of drugs worth CFA 233 million; and
- increase in the budget for the purchase of drugs for prisoners.

423- As regards the illegal sale of drugs, the Minister of Public Health, in a press briefing on 25 August 2009, signalled the dangers of street drugs. He further called on the population to report any illegal sale of drugs. Operations to seize and destroy street drugs by Committees to curb the illicit sale of drugs enabled the seizure of drugs worth CFA 1.5 billion.

⁷⁸ The current prices in public health establishments range from CFA 70 to CFA 200 depending on the drug.

§2: DISEASE CONTROL

424- Government's action on disease control focused mainly on epidemiological surveillance, control of endemic and non endemic diseases, malaria, leprosy, Buruli ulcer, schistosomiasis and intestinal helminthiasis, HIV/AIDS, ISTs and tuberculosis.

A: Epidemiological Surveillance

425- Cameroon encountered the following epidemics in 2009:

- Influenza A(H1N1) 2009: all the 8 cases, 5 of which were imported were treated without complications. Besides, immunization measures were taken and individual protection material was available at the ports of entry into Cameroon (seaports and international airports) and in health establishments selected for management of possible cases. 25,000 packets of "Tamiflu" were distributed to the ten regions. Bills and flyers were produced and distributed in collaboration with the Ministry of Transport to sensitize passengers and the public; and

- Outbreak of cholera in the North and Far North Regions: 717 cases were reported among which 85 deaths, bringing the rate to 12 per cent. All the cases were treated free of charge thanks to the mobilization and support of central services and development partners such as UNICEF, WHO, the Swiss Doctors without borders.

B: Controlling Non-endemic Diseases

426- There was significant progress made thanks to the increase in resources from CFA 1,200,000 to CFA 450,000,000 allocated for disease control. The resources were used to develop strategic plans and management guides, purchase drugs and equipment, sensitization and screening activities. A high blood pressure and diabetes screening campaign, for example, was organized at the Central Prison, Yaounde.

427- Following a meeting that brought together Ministers of Health of the Central African Subregion on trans-national health, Governments

undertook to conduct epidemiological surveys of five neglected tropical diseases comprising onchocerciasis (river blindness), schistosomiasis, lymphatic filarial, worms, and trachoma. The aim of the surveys is to draw up an integrated map for the efficient control of the diseases.

C: Controlling Endemic Diseases

428- Efforts were made to intensify the control of endemic diseases. In this respect, within the framework of the fight against onchocerciasis, mobilised resources were used for reinforcement of the programme, capacity building of its stakeholders, strengthening of research operations, and the conduct of a rapid mapping survey of the said disease. A Loiasis filariasis survey in the Health District of Akonolinga in the Centre Region enabled the treatment of 5,500 people with Ivermectin.

D: Malaria Control

429- The second phase of the “scaling up simple malaria treatment with artesunate-amodiaquine” financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM) was launched. An agreement was signed worth about CFA 5 billion that the GFATM will grant Cameroon in the next three years to help control malaria. 178,021 long-term insecticide-treated mosquito nets were distributed to pregnant women and children under five years old, while 706 insecticide-treated mosquito nets were distributed to prisoners in the Centre, Littoral and South West Regions. A further 188,150 such nets have already been distributed to other Regions while 174,286 ordinary mosquito nets have been treated with insecticides. 2,677,000 tablets of sulfadoxine-pyrimethamine corresponding to 1,922,766 doses of intermittent treatment were acquired for administration to pregnant women within the framework of malaria prevention within this target group. Two APEs on inter-home spraying to be financed by the Multilateral Debt Relief Initiative (MDRI) for 2007 and 2009 obtained the approval of the CSHIPC for the sums of CFA 1.5 billion and CFA 600,000,000 respectively. Contracts for the supply of inputs for the execution of the said APEs are underway while 11 community relays have already been trained in inter-home spraying.

E: Leprosy Control

430- Leprosy control measures were consolidated to maintain its elimination level already attained by Cameroon, as well as continue the treatment of infected persons and their rehabilitation. Leprosy patients were sensitized during the 56th World Leprosy Day.

F: Buruli Ulcer Control

431- An external evaluation of the programme in the intervention zones of Ayos, Bankim and Ngoantet as well as the capacity building of health staff were carried out with the aim of decentralizing management of the disease. Nurses and community relays were trained in the Health District of Abong-Mbang with the aim of extending the programme. 40 patients underwent plastic surgery with the support of Swiss experts. Cameroon endorsed the Cotonou Declaration to acknowledge this disease.

G: Schistosomiasis and Helminthiasis Control

432- Major objectives were attained with the deworming of 4 million students in the 10 Regions of Cameroon and the signing of a partnership agreement between the Ministry of Public Health, Ministry of Basic Education and the Association of United Councils and Towns of Cameroon.

H: HIV/AIDS and STDs Control

433- HIV/AIDS and STDs control continued in 2009. Thus, 78.06 per cent of health establishments and 98.88 per cent of health districts offered the minimum PTME services. As regards the PMTCT, 481,871 pregnant women were screened and 24,821 of them tested seropositive among who 19,112 took prophylactic Antiretroviral drugs (ART).

14,556 children born of seropositive mothers received prophylactic ARV. 75,901 Persons living with HIV/AIDS (PLWHIV/AIDS), 3,114 of whom are children effectively received ARV treatment free of charge. Although this number goes far beyond estimates, it is still below the needs to be met. New estimates show that in 2009, 164,070 PLWHIV/AIDS are eligible for ARV treatment, 17,337 of whom are children.

Early prevention and treatment of Sexually Transmitted Diseases (STDs) are recommended in the prevention of HIV. Free HIV/AIDS screening has been carried out at Central Prisons, Yaounde and Douala and infected prisoners were given free treatment.⁷⁹

I : Tuberculosis Control

434 -12,724 cases were diagnosed and treated for the first semester and a treatment success of 78% with regard to the control cohort of 25,100 patients diagnosed in 2008. The management of Multidrug Resistance TB (MDR-TB) witnessed a considerable increase with a total of 52 cases already on treatment fully funded by GTZ. At the level of awareness of professionals and populations, a whole week of activities was organised to mark the World TB Day on 24 March 2009 under the theme "I am stopping TB". Free TB treatment was maintained thanks to a grant from the Global Drug Fund⁸⁰. To continue ensuring free treatment of TB patients, two other sources of funding are sought: the HIPC funds to the tune of CFA 120 million and a cash holding at CENAM amounting to CFA 220 million. 5759 prisoners were tested for tuberculosis and 822 (prevalence of 14%) who were found positive are undergoing treatment. Consignments of anti meningitis vaccines were given to prisons in the 3 northern regions and in the Yaounde Central prison.

⁷⁹ 12,434 prisoners were tested for HIV and 1,217 who were found positive (9.78 per cent prevalence) are receiving treatment.

⁸⁰ The said grant ends in February 2010.

§3: MOTHER AND CHILD HEALTH

435- Focus was on capacity building of health staff in order to provide mothers with quality healthcare such as to reduce maternal and infant mortality. In this connection, the following actions were taken:

- a total of 677 health personnel were trained on essential and emergency obstetrics and neonatal care (EONC) in 41 Health Districts;
- a pool of 60 regional trainers in EONC was put in place in the 10 regions of Cameroon;
- 36 health personnel (18 medical doctors and 18 nurses) of 18 Health Districts were trained in obstetric surgery and anaesthesia ;
- 50 religious, political and administrative authorities, media and associations benefited from an advocacy session on obstetric fistulas;
- 6 medical doctors including 3 district medical officers were trained in the management of obstetric fistulas; and
- a campaign to repair obstetric fistulas was held in the East Region during which 62 cases were referred and 58 out of 62 were managed at the Bertoua Reference Hospital.

436- The following activities were carried out within the framework of Health action and Infant nutrition Weeks :

- 4,401,132 children aged 0 to 59 months were vaccinated (94.15 per cent);
- 3,315,076 children aged 0 to 59 months were vaccinated against measles, about 96.5 per cent;
- 3,075,600 children were screened, about 97.27 per cent;
- 4,316,186 children were vaccinated (92.11 per cent) ; and
- 3,426,857 children aged 6 to 59 months received the Vitamin A supplement (10887 per cent).

437- Within the framework of the campaign to control maternal and neonatal tetanus, 1,025,608 women of child-bearing age were vaccinated against tetanus (82 per cent).

438- The following additional vaccination campaigns were organized:

Yellow Fever: 7,509,502 persons aged 9 months and above were vaccinated, representing 100.5 per cent; and

JNV against Polio: 4,512,654 children aged 0 to 59 months were vaccinated, representing 96 per cent.

439- 1,066 Health District staff were targeted within the framework of sensitization and call for family planning and reduction of maternal mortality. Furthermore, a number of normative frameworks and documents on reproductive health were updated and among which the following:

- Strategic Plan of the National Reproductive Health Programme;
- reproductive health service norms;
- Reference Guide on Reproductive Health Counselling Technique;
- Contraceptive Technology Training Syllabus;
- SONEU Training Syllabus;
- DRSP, CSI/CMA, ECD and HD supervision scale on Reproductive Health; and
- translation into English of STD management norms and procedures.

§4: HEALTH PROMOTION

440- In addition to Government's action, civil society organizations such as African Action on Aids (AAA) also support health promotion.

A : Government Activities

441-In health promotion, government activities focused mainly on:

- the search for melamine in 27 milk brands and by-products in 13 establishments in Yaounde and Douala. No trace of contamination was found in the products tested;
- the installation by the Minister of Public Health of the Members of the National Technical Steering and Coordination Committee for food fortification, within the framework of the fight against malnutrition due to micronutrients deficiency on 5 May 2009;
- the supply of dietary inputs and accessories for the management of acute malnutrition in 106 Supplementary Feeding Centres and 11 Therapeutic Feeding Centres in the East, Adamawa and Far North regions;
- the organisation of two missions to monitor the quality of salt supplied by the 2 producers and 5 importers in the city of Douala, within the framework of the fight against iodine deficiency disorders in Cameroon;
- the celebration of the World Breastfeeding Week from 1 to 7 August 2009;
- the drawing up of educative aids for the 1st Edition of the 2009 Health and Nutrition Actions Week for Mother and Child (SASNIM) and the immunisation campaign against polio and yellow fever;
- the vitamin A supplementation in 3,648,000 children from 6 to 59 months during the first edition of SASNIM 2009;
- the drawing up of a simplified mental health guide;
- the training of 24 medical and paramedical staff in the use of mental health guide; and
- the validation of national policy documents and the tobacco control draft law.

B: Civil Society Organizations

442- African Action on Aids (AAA) that operates in the domain of public health launched a campaign dubbed “MA YEM MA BO”⁸¹ or “I KNOW AND DO IT” in 2009 which focuses on the fact that knowledge must absolutely be put into practice especially as regards diseases such as worms that may be prevented by simply drinking potable water and washing hands regularly with soap.

443- The objective of the campaign was to:

- supply Mebendazole tablets to at least 6,000 children;
- enable at least 6,000 children to take vermifuge;
- focus the project on primary school pupils to create a new generation that drinks potable water and washing hands with soap naturally and transmit this good habit to their children;
- increase the number of rural primary schools that understand the socio-economic impact of clean water and clean hands, especially in relation to worms and water-borne diseases;
- increase the number of children who adopt preventive measures throughout the year;
- reduce the number of children who go to health centres and are absent from school because of dirty water and hands; and
- reduce the number of children who die from water-borne diseases and dirty hands, especially worms.

444- Within the framework of the said campaign, 36,000 Mebendazole (vermifuge) tablets, 6,000 snacks, 21 drinking water stations, 21 stations to wash hands with soap, and 6,000 educative documents distributed to 6,000 children. The main target group of the “MA YEM MA BP” campaign was children of the following 21 village primary schools in the Centre and Littoral Regions: Abem, Bogso, Begni, Eboman, Edinguili,

81 In Bulu, a native language of the South Region.

Koum, Manakagna, Pouma, Sonbengue, Ngalla, Nkongkwalla, Nlobole, Nyahoo, Log Bikoe, Nkolngok, Leka, Womkoa, Obala, Talba, Tete and Metondock.

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445- From the foregoing, the Government of Cameroon in collaboration with development partners and local civil society organizations continue to make efforts to promote and protect the right to health. However, it is obvious that much is still to be done to guarantee every Cameroonian the best physical and mental health.

MINJUSTICE

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Chapter 4

RIGHT TO ADEQUATE STANDARD OF LIVING

MINJUSTICE

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446- The right to an adequate standard of living is provided for by Article 11 of the ICESCR⁸² that specifies some of its constitutive elements notably adequate food, clothing and housing. But generally, it is a right to the constant improvement of the conditions of living. In 2009, with a view to ameliorating the living conditions of the masses, Government took measures to check high cost of living, increase water and energy supply and improve on the enjoyment of the right to convenient housing.

SECTION 1: CHECKING HIGH COST OF LIVING

447- Following the social unrest that hit Cameroon in 2008, the President of the Republic prescribed some measures to stamp out food crisis. Although the expected effect was not a complete success, it had greater impact in 2009. It involved enhancing supply in foodstuffs and staple products as well as their rational distribution.

§1: ACTIONS TO INCREASE FOOD SUPPLY

448- These actions concern both plant and animal production.

A: Plant Production

449- During the Ministerial Council of 26 June 2009, the President of the Republic laid emphasis on accelerating growth of the agro-pastoral sector and the consolidation of food security. Considering that the implementation of the agricultural policy falls within the ambit of the Ministry of Agriculture and Rural Development (MINADER), it based its action in 2009 on the following projects and programmes:

- guaranteeing food security for households and the nation;
- supporting food coverage of neighbouring countries taking into account the high demand from the sub-region;

⁸² International Covenant on Economic, Social and Cultural Rights.

- supplying the country with foreign currency through exports;
- contributing in reducing rural unemployment by creating jobs; and
- contributing to social peace and stability.

450- The implementation of these programmes and policies focused on boosting the funding of production units of strategic products through the:

- national programme for roots and tubers development;
- rice farming support project in the Logone Valley;
- national support programme for the maize sector;
- national programme for the development of village palm plantations;
- support project for Irish potato production; and
- programme to re-launch the plantain sector.

451- The agro-pastoral sector still faces major challenges considering that local production remains very low. The key to the problem provoked by food insecurity does not seem to be reduced to production concerns only. The availability, stability and accessibility to agricultural products must be taken into account. The fact that some areas are landlocked renders all the strategies for the provision and regular supply of the main markets inefficient. Agricultural, animal and fisheries production systems are mostly small-scale. Shifting cultivation on burnt land is predominant and organic and chemical fertilisers, improved seeds, plants and other biological materials are poorly used.

B: Animal Production

452- The Ministry of Livestock, Fisheries and Animal Husbandry (MINEPIA) in charge of animal production has implemented programmes based on the following thrusts: continued structuring of producers by sectors and the development of fisheries and aquaculture.

1) Structuring of Producers by Sectors

453- This structuring was done through:

a) The Swine Industry Development Programme (PDFP) under which MINEPIA :

- continued the setting up of 3,450 producer organizations grouped under 10 regional umbrella organizations comprising 29,665 breeders;
- trained 1,855 leaders of organizations and 4,167 breeders on modern management, production, and breeding techniques as well as disease control methods;
- provided grants as capital to breeders;
- distributed genitors and cleaned up piggeries for a total of CFA 570,000,000⁸³ ; and
- helped reduce the prevalence of swine erysipelas and swine fever from 2 per cent in 2008 to 0.2 per cent in 2009 through continued immunization against these diseases.

These actions led to the growth of the hog herds of producers assisted by MINEPIA officers from 218,080 heads in 2008 to 315,000 in 2009 representing a financial gain of about CFA 2.3 billion⁸⁴.

b) The Dairy Sector Development Programme (SDDP) whose fifth and last year activities of the pilot phase in the Adamawa and North West Regions led, among others, to the :

- opening of 75 hectares of fodder fields in both regions ; and
- purchase of a tractor and tilling accessories for farmers in the North West Region worth CFA 50,000,000⁸⁵.

These actions improved milk production to about 5 litres per day by the cows of the breeders who were assisted.

⁸³ About 870,229 Euros

⁸⁴ About 3,811,266 Euros

⁸⁵ About 76,335 Euros

(c) The Non-conventional Livestock Development Support Programme (PAPENOC) in which the population showed keen interest in 2009 led notably to the:

- extension of geographical coverage of the project to allow for the sensitisation of additional 40,000 producers;
- setting up of 300 Common Initiative Groups (CIG);
- capacity building of breeders by the training of 1,500 leaders of producer organisations, 40 officials of regional development organisations and MINEPIA employees on the techniques of non-conventional livestock management; and
- provision of grants in cash and in kind (sires, livestock and transport cages, food supplements and medicines) to 100 groups of breeders worth CFA 75 million⁸⁶.

These actions resulted in the increase of grass-cutter stock from 10,401 heads in 2008 to 12,000 heads of livestock in 2009 that resulted in beef production of 1,000 tons.

(d) The continuous support, counselling and training of farmers through the National Agricultural Extension Programme (PNVRA) allowed for the production of 900,000 tons of beef.

2) Development of Fisheries and Aquaculture

454-During the 2009 financial year, MINEPIA carried out several activities in the fisheries and aquaculture sector, the most significant of which include :

- support of 19 women and youth groups for the financing of micro projects worth CFA 27,000, 000⁸⁷;- continuation and intensification of surveillance activities and the control of fishing areas by the purchase of

⁸⁶ About 228,676 Euros

⁸⁷ About 41,221 Euros

13 engine boats made of glass fibre as well as satellite surveillance and communication equipment worth CFA 120,000,000⁸⁸; and

- continuation of the construction of support infrastructure for fishing development and the purchase of equipment and inputs for Cameroon fishermen installed in the Bakassi and Lake Chad areas worth CFA 350,000,000.⁸⁹

§2: RATIONAL DISTRIBUTION OF FOODSTUFFS AND STAPLE PRODUCTS

455-The rational distribution of foodstuffs and staple products focused on structuring distribution channels, checking and punishing fraud.

A: Structuring Distribution Channels

456-This support was given to both local and international markets.

1) Local Markets

457- Rational distribution on the local market focused on the revival of periodic markets in rural areas and support to the supply of major consumption products in urban areas.

(a) Revival of Periodic Markets

458-In 2009, 10 new periodic markets were revived in the localities of Mekong in the Nyong and Mfoumou Division, Etong Bidjoé in the Lékié Division, Nyazo'o in the Mvila, Akoeman in the Nyong and So'o, Baigom in the Noun, Mpountou in the Haut Nyong, Eminemvom in the Dja and Lobo, Benakuma in Menchum and Andek in Momo Divisions.

⁸⁸ About 183,206Euros

⁸⁹ About 534,351Euros

These rural trade centres in goods and services facilitated the sale of raw food by farmers and enabled them to acquire manufactured goods on the spot.

459-In the Centre Region, 130 village markets were regularly followed-up. Conversely, 60 markets with declining activity were identified in the North West Region. This situation is due to the bad roads, waning interest of councils in the development of periodic markets, lack of ware houses and funding.

(b) Support to the Supply of Major Consumption Products

460-Within the framework of support to the supply of major consumption products, proximity sales at promotional prices as well as model shops were encouraged. The price of a loaf of bread weighing 200g, for example, dropped from CFA 150 to CFA 125. This reduction is not insignificant taking into account the importance of this food stuff in the feeding habit of the urban population.

i. Proximity Sales at Promotional Prices

461-Mobile caravans went through out the country based on the schedule of major events that marked national life. When schools re-opened, books and other supplies were sold directly to consumers at wholesale prices in 3 localities in the South Region, 2 in the Littoral, 6 in the North, 1 each in the West and North West and 40 localities in the Centre Region. Places of worship were equally targeted during religious feasts. The building of the Ministry of Trade, its local services and some regional and local authorities were involved in the proximity sales at the end of each month.

462-However, bad roads prevented these mobile promotional sales caravans from reaching some areas. Thus, major phases were annulled in the North West Region, Faro and Mayo Rey Divisions. In almost all regions of Cameroon, several towns were dropped forthwith for the same reasons.

ii. Deployment of Model Shops

463- The reduction in the high cost of living started in 2008 continued in 2009 with the installation of model shops in Subdivisions of the following Divisions :

- Nyong and Mfoumou (6);
- Upper Sanaga (11);
- Mbam and Kim (5);
- Nyong and So'o (8);
- Mefou and Akono (13);
- Mefou and Afamba (5);
- Mbam and Inoubou (2);
- Lékié (3); and
- Nyong and Kelle (4).

464- These small commercial structures, from which modest consumers often buy, undertook to scrupulously respect the homologated prices of products on their shelves. Besides, a price campaign was carried out at Fokou Shop in Limbe and in super markets in Douala and Yaounde.

465- Some difficulties hampered the full attainment of the objectives of the fight against high cost of living fixed at the beginning of the year, notably with the signing of new memoranda of understanding in January 2009. Throughout 2009, there was scarcity of sugar and zinc. The cost of a kilogramme packet of sugar, for example, increased from CFA 450 to CFA 650 in Garoua and CFA 900 in other divisions of this region. The increased inflation of these two products at the national level was due to the combined effects of insufficient production and the constitution of speculative stocks by major actors in the local distribution chain.

2) International Markets

466- Considering that the internal market is not the only potential outlet for agricultural food products, it was necessary to explore new export avenues. To this end, special emphasis was laid on horticulture (fruits and vegetables) by taking measures to prepare farmers for the negotiation of new contracts. Consequently, trade officials proceeded with the:

- regrouping of producers into council, divisional and regional associations;
- follow-up and supervision of the purchase of fruits and vegetables from Cameroonian producers by a Russian company (Fruits of the World Company);
- establishment of contacts between Cameroonian operators in this domain with those from the United Arab Emirates. Within this scope, the Network of Horticulture Operators of Cameroon (RHORTICAM) went on two special assignments to Dubai; and
- drawing up of an export development project worth CFA 6.5 billion in collaboration with RHORTICAM.

B: Checking and Sanctioning Fraud

467- The overriding role of the State consisted especially in protecting consumers through assiduous control and systematic sanctioning of offences relating to norms (presentation, conservation, and packaging), quality, metrology, price and other related rule.

1) Increased Checks

468- To ascertain that schools and some businessmen in this domain were not indulging in the clandestine and conditioned sale of school supplies and uniforms, the National Taskforce for the Control and Repression of Fraud visited 120 schools, colleges and high schools. It was observed that 90 per cent of the schools checked respected the regulation.

2) Sanctions

(a) Impoundment

469- Different controls initiated by the central and external services led to the impoundment of many expired or overpriced products. These products were, as the case may be, either sold at the homologated prices or destroyed each time it was established that they were unfit for consumption.

(b) Pecuniary Sanctions

470- Apart from the sale and destruction of impounded products, visits of the control and fraud repression services always ended with pecuniary sanctions meted out on unscrupulous operators. At the end of 76 visits by the Regional Taskforce for Controls and Repression for the West Region, to markets, 184 of the 628 formal notices served, resulted in the payment of penalties. In this connection, the Centre Region paid CFA 32,228,122⁹⁰ into the Public Treasury.

471- Government action in this domain met with some setbacks linked to the porosity of our borders with neighbouring countries that has resulted in a trade flux of smuggled goods. Most of the products that are unfit for consumption impounded by the services of the Ministry of Trade came from this underground trade. This trade in the South West and northern Regions led to the re-exportation of rice stocks meant for domestic consumption to neighbouring countries.

To reduce the informal rate in border trade, Government should further enhance collaboration between customs and trade services.

472- Besides access to staple products, access to water and electricity equally constitute an aspect of the right to adequate standard of living.

90 About 49,203 Euros

SECTION 2: WATER AND ELECTRICITY SUPPLY

473-Government efforts consisted in the implementation of programmes to increase water and electricity supply.

§ 1 : ACTIONS TO IMPROVE SUPPLY OF DRINKING WATER

474-Access to drinking water was a real concern for the masses in 2009⁹¹. The situation in Yaounde is quite illustrative of this concern. The diagnosis of the situation reveals that demand for drinking water in Yaounde is higher than supply. Thus, while 100,000m³ are available daily, more than 150,000m³ are required. With this daily water supply to an estimated population of between 1.5 and 2 million inhabitants, the water consumption ratio in Yaounde is 20 to 25 litres per day per person. The difference is even greater with regard to water network connections, which is less than a quarter of the demand is met.

475-To meet this need, Government, with the support of development partners, carried out actions to improve the access rate of urban and rural masses to drinking water. As regards the coverage of rural areas with drinking water, the objective was to attain 50 per cent of the population. Purification concerns were also addressed.

476- The Tables below show the execution of some water projects.

⁹¹ see CT of Monday, 6 July 2009 p. 13, Wednesday, 18 November 2009, p. 9 and Thursday, 19 November 2009, p. 3.

1) Works on Infrastructure and Development of Hydraulic Plants in Rural Areas and Decentralised Services: Funding PIB 2009

REGION	STRUCTURES	WORK PROGRESS	COMPLETION RATE
ADAMAWA	14 wells	Ongoing works	91%.
CENTRE	40 wells, 1 DWS, Rehabilitation of 2 SCANWATER	Several wells already dug.	87%.
EAST	28 wells	Ongoing works	94%.
FAR NORTH	40 Wells	Ongoing works	92%
LITTORAL	20 wells, 5 DWS	Contracts awarded	67%
NORTH	22 wells	Several wells already dug	87%.
NORTH WEST	2 wells, 8 AEP, 1 developed spring, rehabilitation of 9 SCANWATER	Several works already completed	92%.
WEST	17 wells, 5 AEP, 2 developed springs, rehabilitation of 2 SCANWATER	Ongoing works	76 %.
SOUTH	21 wells, 1 AEP, rehabilitation of 2 SCANWATER	Ongoing works	86%
SOUTH WEST	4 AEP, rehabilitation of 3 SCANWATER	Ongoing works	87%

Key:

DWS: Dinking water supply

2) Infrastructure and Development Works : HIPC and MLDI

YEAR PROGRAMME WAS LAUNCHED	STRUCTURES	WORK PROGRESS	COMPLETION RATE
HIPC 2006	220 wells registered	Ongoing works	87%
	10 registered mini AEP	Works completed	100%.
HIPC 2007	333 registered wells	Ongoing works	95%
	10 registered AEP	Ongoing works	80%.
MLDI 2007	233 registered wells	Ongoing works	90%
	31 registered AEP	Ongoing works	80%.
MLDI 2008	98 wells registered in the programme	Contract awarding procedure completed	
	12 registered AEP wells	Contract awarded and signed, Ongoing works	
HIPC 2008	104 registered wells	Ongoing works	65%
	9 registered AEP	Ongoing works	70%
HIPC 2009	87 registered wells	Contract awarded and signed, Ongoing works	
	7 registered AEP	Contract awarded and signed, Ongoing works	

3) AEP Project Douala

EXECUTION	CAMWATER/ MINEE
Cost	Chinese Funding (EXIMBANK CHINA) PIB
Actions carried out	The first phase that will enable, among others, increase in production from 115,000m3/day to about 170,000m3/day is almost completed. Chinese part of major works completed ; all equipment is already on site; construction of the pumping hall of the Bonaberi suppression station ; Massoumbou well : 1 well dug and 2 rehabilitated ;
	Cameroonian party: AES SONEL has started electricity supply works to the firm. completion of works : crossing of pipes over the Wouri river; Planned operation date : beginning of 2010

4) CAMWATER Investment Programme

EXECUTION	CAMWATER MINEE
Cost	Aid granted by certain donor countries and the World Bank worth US\$ 5.2 million for the realisation of 40,000 connections executed by CDE under the supervision of CAMWATER and an independent technical verifier.
Actions carried out	All CAMWATER conditions have been fulfilled. Funds disbursed; Work has effectively begun. <ul style="list-style-type: none"> • 13,000 connections have been effected. • Projections for the 2nd quarter stood at 8,000 connections. Projections stood at 18,000 connections for 2009 distributed as follows : <ul style="list-style-type: none"> - 4,650 for DR-Douala Agglomeration - 4,122 for DR-Yaounde Agglomeration ; - 2,964 for DR-Northern Regions; - 1,272 for DR- Littoral - 1,038 for DR-North West - 1,671 for DR-West - 738 for DR-South West - 1,545 for DR-Centre, South and East

Key. DR: Regional Department

5) Japanese AEP Project

EXECUTION	MINEE
Cost	Japanese gift
Actions carried out	The drilling of 184 wells is near completion Progress of project as at 18 February 2009: <ul style="list-style-type: none"> • 80/84 wells drilled of which 51/51 in the South and 29/33 in the Adamawa; • 73/84 superstructures including 45/51 in the South and 28/33 in the Adamawa; • 54/84 pumps installed including 38/51 in the South and 16/33 in the Adamawa; • 49/84 toolboxes distributed including 33 in the South and 16 in the Adamawa; These works were inspected on 20 February 2009 and the handing over of toolboxes to the village management committees in the presence of the Subdivisional Officer and divisional delegates of MINEE concerned is ongoing.

6- CREPA (Regional Centre for Low Cost Drinking Water) Implementation Project

EXECUTION	MINEE
Funding	Swiss Cooperation; Swedish Agency for International Development and personal funds generated through expertise.
Activities	<ul style="list-style-type: none"> • Construction of pilot structures in Yaounde IV Subdivision at the head office of CREPA; <ul style="list-style-type: none"> - Impluvium (structure for the treatment of collected rain water); - Construction of ecological latrines; organisation of 2 training sessions for masons in the construction of the structure; • Project for the construction of drinking water supply structure with low cost treatment system in Bakassi Peninsula; • Building of drinking water supply and purification infrastructure by UNICEF in 130 schools in the Adamawa and East Regions housing Central African refugees ; • Identification of sites for the launching of an ecological purification project (ECOSAN company) ; and <ul style="list-style-type: none"> • Launching of a project for the construction of ecological latrines (ECOSAN company) and other pilot projects.
GOAL	Promotion of sustainable access to drinking water, basic purification service and change of attitude towards hygiene.

7) The Sanaga Maritime Tap Project

EXECUTION	MINEE
Cost	CFA 200,000,000 TI State of Cameroon
Actions carried out	Rehabilitation of the extension systems of drinking water supply in Dizangue, Pouma and Ngambe in the Sanaga Maritime Division, Littoral Region; Works completed by SNEC, after failure and termination of the contract of two companies: ETEMCO and LAMDA CONSTRUCTION; Identification of major actions necessary for the smooth functioning of equipment but not taken into account initially and which had to be funded by Cameroon.
Observations	The procedure for the award of contract by mutual agreement related thereto with CAMWATER is pending completion.

477-The resumption of investments in the water sector characterised by the execution of the above-mentioned contracts, the ongoing completion of several others, leaves room to envisage a more significant increase in the supply of drinking water during the next few years.

§ 2 : IMPROVEMENT OF ENERGY SUPPLY

478-Actions taken by Government to facilitate access of the masses to energy involved both electrical energy and petroleum products and gas.

A: Electricity Supply

479- Different actions were taken in 2009 to improve on the quality and quantity of electricity supply. These actions involved the boosting of investments in the production and transportation domains, diversification of sources by renewable energy, improvement of access in the rural area and the enhancement of governance in the sector.

1) Investments in Production and Transportation

(a) Increasing Production Capacity

480- The major achievement was the completion of works and inauguration on 15 December 2009, of the heavy distillate power plant at Yassa-Dibamba, at the entrance to Douala from Yaounde, with a capacity of 86 MW. This constitutes a surplus injected into the south interconnected network.

(b) Rehabilitation and Renovation of Existing Structures

481- The rehabilitation and renovation of existing structures, as a whole, involved production, transportation and distribution structures.

482- Pertaining to production, rehabilitation works of the hydroelectric power stations of Edea, Songloulou, Lagdo as well as that of the heavy distillate thermal plant of Limbe continued. Meanwhile, works that serve as back-up security for these plants as well as reservoir dams (Mape, Mbakaou et Bamendjin) were launched.

483- As regards transportation, new HT/AT (High Tension/Average Tension) posts sources were constructed and put into use at Ahala and

Kondengui (Yaounde), Makepe and Ngodi-Bakoko (Douala) and SONARA (Limbe). They guarantee better distribution of electrical charge and improve service quality in these towns.

484-More so, network reliability works continued by the replacement of defective or saturated transformers and isolators in some existing source posts (BRGM Yaounde, Bafoussam, Mangombe, Oyomabang, Bonaberi) and the installation of condenser batteries in other posts (Koumassi and Makepe) to reduce reactive energy.

485-Construction of new average 30 kV tension lines Waza-Kousseri (Far-North) and Kumba-Ekondo Titi (South-West) have started. They aim at linking these localities that are currently supplied with generators to the interconnected network.

486-With regard to distribution, the rehabilitation and extension of electrical networks continued, notably with the replacement of old line props (rotten wooden poles), manual circuit breakers (IACM), defective mechanical AT/LT (Average Tension/Low Tension) protection posts and the reinforcement of the production capacity of isolated power plants.

487-Apart from the renovation, rehabilitation and realisation of micro-structures, the State invests in major structuring projects with a view to contributing significantly in resolving the problem of recurrent and prolonged interruption of electricity services in several localities within the national territory. The diversification of energy sources is equally envisaged.

2) Diversification of Energy Sources

488- Concerning the diversification of energy sources by the exploration of renewable energy, Government action, through the Ministry of Energy and Water Resources involved the exploration of wind energy potential for the production of electrical energy. On this score, on 28 June 2009,

Cameroon signed a Memorandum of Understanding with the Spanish company ECOVALEN ENERGETICA S.L. to carry out prefeasibility and feasibility studies in order to produce wind electricity.

489-To date, four experimental masts have been installed on Mounts Fundong (North-West), Nzüh, Bamboutos and Bana (West). Two others were be installed in the Adamawa Region in April 2010.

490-Wind speed registration shall go on for about 12 months while production will start in February 2011.

3) Improvement of Access to Electricity in the Rural Area

491-As regards rural electrification, uncompleted electrification programmes launched in previous financial years were continued and those of 2009 have begun. They concern the electrification of about 588 localities and comprise projects funded by internal resources (PIB, HIPC and MLDI) and those financed from external funding.

a) Projects Financed through Internal Resources (PIB, HIPC, MDRI)

492-As at 31 December 2009, works had been completed in 178 localities. The Table below contains details on the physical execution.

YEAR	WORK PROGRESS	COMPLETION RATE	REMARKS
HIPC 2006	76 / 78 localities	97.37%.	
HIPC 2007	4 / 79 localities envisaged	5.06%.	
HIPC 2008	4 / 79 localities	5.06%	
HIPC 2009	0/59		Contracts awarded, ongoing
MLDI 2007	29 / 43 localities	8.51 %.	
PIB 2009	113 localities registered		Contracts awarded

493-These are essentially long-term programmes that extend over three to four years. Works started in 2008 continued in 2009 and comprise:

- electrification of 26 localities situated along the Cameroon-Nigeria border in the South West and North Regions financed by the Kingdom of Spain. As at 31 December 2009, 50 per cent of electrification works had been completed along the Bakingili-Idenau road and 30 per cent along the Mamfe-Ekok road as well as in the North Region giving a total execution rate of about 80 per cent;
- electrification of 28 localities in 9 councils situated within the perimeter of the Mount Mandara Development Authority (MIDIMA) in the Far North Region financed by the European Union. As at 31 December 2009, execution studies were completed and the construction of the networks started; and
- peri-urban intensive electrification project in CEMAC countries that envisages the realisation over four years of 20,000 connections in Cameroon's peri-urban areas. The recruitment process of enterprises for connection works in the Mbanga-Pongo pilot zone was launched in 2009.

494- Furthermore, within the framework of the Energy Sector Development Project, the Government of Cameroon negotiated and obtained from the International Development Association (IDA) a credit line worth 39.9 Special Drawing Rights (SDR), about US\$ 65 million.

495-US\$ 45 million of this amount will be channelled to the funding, for five years, of a Rural Energy Fund. The decree to set up this structure was signed and its application will allow for the improvement of governance in this sector.

4) Improvement of Governance

496-In order to improve on governance and the regulation of this sector, a Rural Energy Fund (FER) was set up while the actions of the Electricity

Sector Regulatory Board (ARSEL) were geared towards ensuring the respect of contractual commitments of actors of the sector and the protection of consumers' interests.

a) Setting up of the Rural Energy Fund

497-The Rural Energy Fund was set up by Decree No. 2009/409 of 10 December 2009. Its mission is to federate all rural electrification funds. The FER is the executive organ of the Fund. The Fund has a committee whose mission is to ensure the judicious use of resources and the optimal allocation of subventions granted by the Fund for the development of sustainable access to energy in rural areas based on equity and transparency as well as reliably acceptable technical, economic and financial conditions.

b) Actions by the Electricity Sector Regulatory Board

498-The significant actions of this Board include the popularisation of the regulations for the public supply of electricity by AES-SONEL and the settlement of disputes.

499- The regulations for the supply of electricity by AES-SONEL were approved by Order No. 13/MINEE of 26 January 2009 by the Minister of Energy and Water Resources. This important legal instrument further clarifies the contractual relationship between AES-SONEL and users of electricity other than Huge Consumers (big industrial and commercial consumers). It spells out the general conditions of access to service, the rights and obligations of the parties and sanctions in case of violation. Besides, it specifies the means of appeal in case of dispute. ARSEL carried out a popularisation and sensitisation campaign on this instrument at the level of the ten regional headquarters.

500- Pertaining to the settlement of disputes in 2009, ARSEL received and

examined about 97 petitions from all categories of consumers. They concerned over billing, illegal interruption of electricity, fraud of electrical energy, delays in fixing meters, non reimbursement of deposit at the end of the contract, reparation for damages caused on equipment due to irregular voltage. Ninety three of these petitions were successful.

501- The optimal functioning of ARSEL shall be proof of the effective implementation of the right to energy in the interest of the population who incidentally expect to be better lodged.

SECTION 3 : RIGHT TO ADEQUATE HOUSING

502-In 2009, the right to adequate housing was marked by initiatives taken to increase housing supply, reaffirming the need to take social aspects into account in urban restructuring and renovation and by the enrichment of the legal framework on the legal security of occupation.

§1: INITIATIVES TO INCREASE HOUSING SUPPLY

503-In 2009, the State continued with actions in the domain of housing promotion which included activities by individuals or moral persons to parcel out or cause the parcelling out, the development of lands, the construction or renovation of buildings for sale or on lease to other persons. State actions involved the promotion of both public and private housing.

A: Promotion of Public Housing

504-On 23 December 2009, the Prime Minister, Head of Government laid down the foundation stone of the pilot phase of the programme for the construction of 10,000 houses and the development of 50,000 parcels of land. This phase will be completed by 2013. The pilot phase comprises the building of 1,200 houses at Olembe, at the western entrance of Yaounde. This operation is carried out under the operational

synergy of MAETUR, the Cameroon Housing Loan Fund (CFC) and the Cameroon Real Estate Corporation (SIC).

505-The stakes of the project comprise not only in building the houses as well as the accompanying infrastructure but also giving a strong signal on the effective control by the State, of social housing in Cameroon. In this regard, MAETUR will provide 10 hectares of developed land supplied with water and electricity while SIC will undertake the conception, realisation and commercialisation of houses. The CFC on its part, will provide funding for all the activities of the project.

B : Promotion of Private Housing

506-With regard to the promotion of private housing, Government published two user's manuals in 2009. One deals with access to the profession of real estate developer and the other treats the profession of real estate agent⁹².

507-The objective is to provide potential housing investors and promoters with similar information.

§ 2: SOCIAL ASPECTS

508-Urban planning was at the centre of the celebration, on 11 October 2009, of the World Habitat Day under the theme "Planning our Urban Future." Planning faces environmental, economic, health and social challenges. Town planning enables the anticipation of the development

92 A real estate agent is an individual or moral person who carries out the following duties as profession:

- purchase, sale, lease or sub-leasing of an empty or furnished, built or unbuilt property, or businesses;
- subscription, purchase, sale of shares or shares of housing corporations with the right to take up residence or enter into ownership;
- purchase, or sale of unredemable shares where the social credit comprises a building or a business ; and
- housing management.

of urban space and the reduction of the negative impacts of urban restructuring and renovation especially on the most vulnerable masses. The management of such impact caught Government's attention that recalled the need to take into consideration social aspects in urban restructuring and renovation operations. This concern was addressed by the Yaounde City Council through compensation of victims during the construction and development of structural pathways.

A : Government Reminder

509-In the 2008 Report⁹³, it was noted that Cameroon's housing revealed a high prevalence of ghettos with an unsecured occupation of space that predicted a considerable social impact in the event of any urban restructuring and renovation operations. Based on some restructuring experience carried out in some towns by municipal authorities, notably by the City Council, Yaounde⁹⁴, the Prime Minister, Head of Government recalled at the cabinet meeting of 7 April 2009 the need to take the social aspect into account in urban development measures. Thus, the importance of consultation between the different actors, the obligation to sensitise and to inform as well as the need to envisage reinstallation measures was underscored. On this note, the Minister of Territorial Administration and Decentralization was instructed to head an inter-ministerial working group in charge of defining proper measures for the re-housing of evicted persons.

B : Compensation for Evictions in 2009

510-In 2009, the City Council, Yaounde started construction and development works of structural pathways such as the Olembe-Etoudi road and the Olezoa- Mess des Officiers road. Within the framework of

93 See p. 217.

94 See case of evictions from the Etekat neighbourhood in 2007, Camp Sic Tsinga, the Briquetterie and Ntaba neighbourhoods in 2008.

these operations, persons and structures who constructed places earmarked for roads were either expropriated or evicted. Owners of land certificates or building permits were compensated as stated below:

Olembe-Etoudi Road

- CFA 129,418,240 paid to 100 persons with ownership deeds;
- CFA 73,408,296 paid to beneficiaries in order to exhume and rebury 200 bodies; and
- CFA 89,175,464 paid to owners of filling stations within the project area.

Olezoa- Mess des Officiers Road

- CFA 23,395,250 was paid to 32 persons who were owners of land certificates and/or building permits.

§3 : ENHANCEMENT OF THE LEGAL FRAMEWORK RELATING TO LEGAL SECURITY OF OCCUPATION

511-To complement the many housing promotion initiatives, the legal framework on the legal security of occupation was enhanced on 10 July 2009 with the adoption of two instruments on the sale of land and leasing-accession respectively.

A : Sale of Land

512-Sale of land is governed by Law No. 2009/1726/ 9 of 10 July 2009 that is the subject of Enforcement Decree No. 2009/1726/PM of 4 September 2009. Article 2 provides that the sale of land shall be an agreement between the seller and the prospective buyer on the conveyance of a sale of land, subject to the payment by the prospective buyer of an interim guarantee.

513-The decree provides special indications with regard to a housing sale contract. The instrument provides special protection for the buyer of a

dwelling unit by requiring a notarized contract and by allowing for a gradual signing of the contract and specifying the parties' obligations as well as the transfer of risks.

514-Where the contract on the sale of land concerns a house, it must be preceded by a preparatory contract known as reservation contract. Within the framework of this contract, the buyer is given a time-limit to reflect and the payment of money is carefully protected. In any event, a copy of the contract is addressed to the buyer before it is signed.

515-As regards parties' obligations, the buyer must pay the price and take possession of the building. Sellers on their part must supply the building and issue a reimbursement and completion guarantee, a guarantee for concealed defects and a ten-year guarantee to the buyer.

B: Leasing-accession of a Real Estate Property

516-Leasing-accession of a real estate property on dwelling units was the subject of Law No. 2009/10 of 10 July 2009 followed by Enforcement Decree No. 2009/1727/PM of 4 September 2009. This method of accession to real estate is defined as a contract by which a seller undertakes to convey to a tenant leasing to buy, pursuant to the subsequent manifestation of the latter's intention expressed by registered mail with acknowledgement of receipt, and after a period of free enjoyment, the ownership of all or part of the building, with effect from the date of the exercise of the option, subject to the payment of a fee.

517-Like the land sale contract, the leasing-accession contract must be signed as an authentic deed and subjected to the rules of land law. Apart from this formal condition, the protection of the first-time owner is ensured by identical mechanisms to those presented within the framework of the sale of land, notably, gradual signing of the contract that can be preceded by a reservation contract and followed by the final contract, specifying payments and the completion guarantee provided the contract

is signed before the completion of the building and the reimbursement guarantee.

518-The first-time owner therefore enters into possession of the building but the transfer of ownership is done only after the termination of the option, either at the end of the debt schedule provided for by the contract or the prepayment of the full amount.

519-The legislative trend to lay down real estate promotion continues with the envisaged amendment of the law on co-ownership of built property.

* * *

520- The Cameroon Government made considerable efforts to improve on the living conditions of the masses in 2009. It could be continued by encouraging greater accessibility of the masses to healthy feeding, healthcare, decent and affordable housing, increased investment in the production and supply of water and energy and the extension of the social security system currently undergoing reform.

Chapter

5

RIGHT TO WORK AND
SOCIAL SECURITY

521- Actions on the promotion of the right to work and the consolidation of the right to social security continued in 2009.

SECTION 1: PROMOTION OF THE RIGHT TO WORK

522- Promotion of the right to work aims at the promotion of employment and the improvement of working conditions.

§1: PROMOTION OF EMPLOYMENT

523- Actions by the National Employment Fund (FNE) can be mentioned. In keeping with its mission to increase employment in Cameroon, it enabled 33,174 persons to be employed.

524- As an “employment instrument at the service of all”, the FNE:

- received and counselled 27,016 job seekers of all walks of life;
- trained and financed 5,873 promoters;
- trained more than 6,759 persons;
- integrated about 643 job seekers through the Programme, Employment for Certificate Holders;
- placed 24,051 job seekers on paid employment; and
- enabled 9,123 persons to be self-employed.

525- In 2009, the FNE opened two more branches in Ngaoundere and Bassa (Douala) to get closer to its target public (job-seekers and heads of enterprises) and responded to their employment concerns.

526- It organised its 11th Youth Employment Week from 4 to 7 February 2009 to mark the Youth Day. About 23,000 youths from different social categories were received and sensitised on the importance of taking into account the realities of the job market in their academic orientation.

527- In addition to the many programmes already implemented to increase job opportunities, the FNE constantly reflects and proposes programmes,

pending funding, with the main objective of the professional insertion of different social categories such as :

- Programme for the Insertion of Street Adolescents (PRIPAR);
- Urban Social Employment Programme (USEP) for the creation of proximity jobs in our big towns,
- Support Measures for the Professional Insertion of Disabled Persons (MAIH); and
- Social Programme for the Employment and Insertion of Youths.

528-In October 2009 the FNE organized the workshop World Association of Public Employment Services (WAPES), Africa Zone, in Yaounde under the theme "The Economic Crisis and the Role of Public Service Employment (PSE) in the Implementation of the World Employment Covenant".

529-This covenant aims at creating jobs, protecting workers and stimulating world economic recovery. During this workshop, about twenty foreign countries prepared for the symposium on Decent Work held in Ouagadougou in November 2009 with the support of the International Labour Organisation (ILO).

530-At the end of the Ouagadougou workshop, wherein the FNE participated, resolutions on decent job were taken comprising among others, working conditions, importance of qualification, social dialogue, social protection, minimum salaries with the goal of respecting human rights and ensuring the improvement of working conditions.

§ 2: IMPROVEMENT OF WORK CONDITIONS

531- A number of actions were taken in 2009 to improve the working environment and the framework for the defence of workers' rights.

A : Improvement of the Working Environment

532- The adoption of the health national policy was one of the robust measures taken to improve on the working environment as well as the continued promotion of social dialogue to ensure serenity in enterprises.

1) Adoption of the National Security and Labour Health Policy

533-The Seoul Declaration on Security and Labour Health was adopted in 2008. It reaffirms the principle according to which the right to a reliable and healthy work environment should be recognized as a fundamental human right. This principle is in line with the provisions of Articles 3 and 23 of the Universal Declaration of Human Rights.

534-The National Security and Labour Health Policy was adopted in September 2009 by the National Commission on Security and Labour Health (CNSST) with the aim of endorsing the major guidelines of the Seoul Declaration. Its main objective is to ensure the security and protection of workers' health through prevention actions by the maximum reduction of the causes of risks inherent in professional activities. This document seeks to foster a decent, secure and healthy place of work.

535-It is in this same light that Order No. 51/MINTS/SG/DSST of 6 October 2009 fixes the list of covered industrial illnesses, time-limits during which the assured worker or the employer is responsible as well as work that is liable to provoke them. This instrument is an update of the list of covered industrial illnesses that has been raised from 44 to 99. It takes into account the new work procedures, amendment of work pace and schedule, advent of new types of work, and the emergence of new pathologies that are closely linked to new work procedures and methods. This instrument by the Minister of Labour and Social Security, signed after the opinion of the CNSST, provides for a better coverage of industrial illness by the NSIF and thus contributes to the protection of right to life and the security of the human person as provided for by Article 3 of the Universal Declaration of Human Rights.

2) Promotion of Social Dialogue

536-The promotion of social dialogue between social partners was guaranteed by the institution of a preventive approach through negotiation or the revision of collective conventions and a curative approach by the management of certain social conflicts.

(a) Negotiation or Revision of Collective Conventions

537-Particular emphasis was laid on negotiation or the revision of collective conventions signed in the following domains:

- journalism and related activities;
- polygraphic industries;
- urban and interurban transport;
- banks and financial institutions; and
- 1 st class hospitals.

b) Quelling Social Tension

538-The Minister of Labour and Social Security solved workers` problems through ad hoc tripartite committees set up in the following companies:

- Compagnie financière de l'estuaire (CONFINEST) ;
- Amity Bank;
- Camerounaise des Eaux (CDE) ;
- Cameroon Postal Services (CAMPOST) ; and
- HEVECAM.

539-It should equally be noted that, within the framework of quelling social tension, Order No. 50/MINTSS/CAB to lay down the conditions for the summoning and appearance of parties before the Labour Inspector was signed on 26 October 2009 by the Minister of Labour and Social Security. This instrument that reduces time-limits for summons from 15 to 5 days is in response to the persistent cry by professional and workers organisations concerning the former summons system before the Labour Inspector within the framework of individual settlement of labour disputes.

B: Improvement of the Framework for the Defence of Professional Interests

540-This was done through measures concerning workers' representatives, brainstorming on the protection of servants' rights and the setting up of new labour organizations.

(1) Measures Concerning Workers' Representatives

541- These measures concerned the election and protection of workers' representatives.

(a) Election of Workers' Representatives

542- The elections of workers' representatives instituted by Decision No. 2/MINTSS/SG/DRPS/SDCS of 14 January 2009 were organised throughout the national territory under the supervision of officials of the decentralised services of MINTSS.

543- After the said operations, 8,197 workers' representatives were elected with the following as follows :

- Confédération syndicale des travailleurs du Cameroun (CSTC) (Confederation of Trade Unions of Cameroon) 2,781;
- Confédération des syndicats autonomes du Cameroun (CSAC) (Confederation of Autonomous Trade Unions of Cameroon) 968;
- Union des syndicats libres du Cameroun (USLC) (Union of Free Trade Unions of Cameroon) 827;
- Union générale des travailleurs du Cameroun (UGTC) (General Union of Trade Unions of Cameroon) 333;
- Confédération générale du travail- Libertés (CGTL) (General Confederation of Work-Granting Freedom) 269;
- Confédération des syndicats indépendants du Cameroun (CSIC) (Confederation of Independent Trade Unions of Cameroon) 118;
- Confédération générale du secteur du transport au Cameroun (CGSTC) (General Confederation of Transporters Trade Union of Cameroon) 8;
- Délégués indépendants (Independent Workers' Representatives) 2290; and
- Fédérations autonomes (Autonomous Federations) 589.

544- In order to enhance the negotiation capacity of these social dialogue partners, seminars on the duties of workers' representatives were organised at the regional and divisional delegations for the newly elected

workers' representatives. Their protection is equally guaranteed by proper understanding of their prerogatives.

b) Protection of Workers' Representatives

545-The Labour Code imposes a special procedure for the dismissal of workers' representatives in order to protect their term of office. In 2009, 413 application files for authorisation to dismiss workers' representatives were submitted. After studying them, only 12 authorisations were granted leading to the protection of 401 labour contracts. With regard to the other workers, of the 7,718 individual petitions and 35 collective disputes received by the Ministry of Labour and Social Security, 4,158 full conciliation reports were drawn up.

2) Protection of the Rights of Domestic Servants

546- According to the National Institute of Statistics, there are 65,524 domestic servants in Cameroon comprising mostly women and children. The precarious situation of this category of workers called for greater sensitisation of social actors to respect their rights. For this reason, Government, through the Ministry of Labour and Social Security and the Ministry of Social Affairs, in partnership with the ILO, organised a training workshop in Yaounde, from 25 to 27 November 2009, bringing together civil servants, representatives of NGOs and the civil society, on the theme: "Promotion and protection of the rights of domestic servants and to fight against human trafficking in Cameroon".

547-The objective of the workshop was to build the capacity of participants on the promotion and protection of servants' rights and to fight against human trafficking in Cameroon.

3) New Trade Unions

548- At the request of professional trade unions, 23 new trade unions were authorised to go operational in 2009 as seen in the Table below.

List of registered trade unions in 2009

No.	Region	Name	Domain of Activity	Chairperson	Registration No.	Registration Date	Address
1	Adamawa	Syndicat National des Chauffeurs Professionnels des Transports du Cameroun (SYNCPROTCAM)	Transport	Ibrahima Yaya	SN/I/18	14/04/2009	B.P.144Nga Ngaoundéré
2	Littoral	Organisation Syndicale Patronale des Entreprises de Sécurité du Cameroun (OPESCAM)	Security	Feutcheu Joseph	E4/168	4/03/2009	Douala
3		Syndicat National des Propriétaires d'Auto Ecole du Cameroun (SYNPAEC)	Service	Nyoumssi Dieudonné	E4/169	7/04/2009	Douala
4		Union des Syndicats des Travailleurs des Industries de Transformation du Cameroun (USTIC)	Processing Industry	Noussi Nola André	US/I/102	15/10/2009	
5		Syndicat National des Télé distributeurs par câble du Cameroun (SYNATECC)	Communication	Epouhe Fils	E4/167	3/02/2009	Yaounde BP 4420
6		Syndicat National des Travailleurs de Banques, Etablissement et la Sécurité Sociale du Cameroun (SYNTBEFCISS - CAM)	Bank	Bidias A Mpon André	SN/I/79	4/03/	Yaounde BP 1493
7		Syndicat National des Exploitants de la Faune Vivante du Cameroun (SNEFVCAM)	Breeding	Ndzana Célestin	SN/I/80		Yaounde BP 2427
8		Syndicat Départemental des Travailleurs de l'Enseignement Privé du Nyong et So'o	Private Education	Omboute Bessala Arsène Thierry	SID/80		Mbalmayo
9		Syndicat d'Action pour le	Agriculture	Zeh Ndongo	SID/79		Mbanjock

No.	Region	Name	Domain of Activity	Chairperson	Registration No.	Registration Date	Address
		Progrès et la Justice Sociale des Travailleurs du Secteur Agricole et Activités Connexes de la Haute Sanaga (SAPJUSTSAAC)		Emmanuel			BP 05
10		Organisation Patronale des Syndicats des Transporteurs et Auxiliaires des Transports du Cameroun (OPSTAC)	Transport	Ngana Henri	E4/170		Yaounde BP15851
11		Syndicat Départemental des Personnels de la Santé et de la Pharmacie du Mfoundi (SDPSPM)	Health	Enama Benoît	SID/82	2/7/2009	Yaounde BP 5101
12	Centre	Syndicat National des Chauffeurs et Ouvriers des Transports Urbain et Inter Urbain du Cameroun (SYNCHOUTUICAM)	Transport	Tchoumi Colince	SN/1/82	30/7/2009	Yaounde BP 2516
13		Syndicat National des Travailleurs de l'Energie et de l'Eau (SYNTEEC)	Energy	Ewoukem François	SN/1/83	30/7/2009	Yaounde BP12097
14		Syndicat National des Travailleurs de la Maintenance Ferroviaire (SYNATRAMFER)	Railway Transport	Melingui Ongolo Vincent de Paul	SN/1/84	15/10/2009	Yaounde BP 10029
15		Syndicat National des Travailleurs des Aéroports et de l'Assistance au Sol du services Cameroun	Air Transport	Bakari Ali	SN/1/85	15/10/2009	Yaounde
16		Syndicat National des Transporteurs Terrestres du Cameroun (SYNTTC)	Land Transport	Mohamadou Lamine	E4/171	15/10/2009	Yaounde BP 16534
17		Syndicat des Câbleurs Sous Traitants du Mfoundi (SYNCASTRAM)	Services	Fanga Faba André	SID/84	24/12/2009	Yaounde BP 3181

No.	Region	Name	Domain of Activity	Chairperson	Registration No.	Registration Date	Address
18		Travailleurs de l'Agriculture et Activités Connexes du Mfoundi (SYNDYAACM)		Bilounga			785
19	North	Syndicat National des Mototaxis du Cameroun (SYNMTAC)	Transport	Adamou Beladji	SN/I/78	3/2/2009	BP 80 Garoua
20	North West	Grassfield Inter Urban Transporters Syndicate (GRASIUTRASYN)	Transport	Clement Atanga	SID/78	3/2/2009	BP 826 Bamenda
21	West	Union Départementale des Syndicats Solidaires du Noun (UDSSNOUN)		Njifon Philippe	UDS/03	2/7/2009	Foumban
22	South	Syndicat Départemental des Travailleurs d'Assainissement, Propreté des Villes et Activités Connexes de l'Océan (SYNTRAPVACO)	Services	Njike Mbakou Gustave	SID/85	24/12/2009	BP 840 Kribi
23	South West	Syndicat Départemental des Travailleurs de Raffinage du Fako (SYNDTRARAF)	Extractive Industry	Baboka Banaka Jean-Pierre	SID/83	15/10/2009	BP 625 Limbe

549-The right to work is incomplete without social security. That is why actions were equally taken in this domain.

SECTION 2: RIGHT TO SOCIAL SECURITY

550-In 2009, the right to social security was marked by the deliberations of the Reflection Committee on the Modernisation of Social Security that proposed draft instruments on this issue. While waiting for the adoption of the recommended reforms, actions for the management of illness were taken as NSIF continued to meet its obligations by paying social benefits.

§ 1: MODERNISATION OF SOCIAL SECURITY

551- The Reflection Committee on the Modernisation of Social Security ended deliberations with the following proposals:

- draft bill on social security;
- draft bill on the general framework to set up, and lay down the organisation and functioning of social security mutual associations;
- draft bill on the general framework on health coverage;
- draft decree on the organisation and functioning of the National Insurance Health Fund;
- draft decree on the organisation and functioning of the National Social Security Fund; and
- draft decree on the organisation and functioning of the National State Employee Fund.

552- It should be recalled that deliberations on the modernisation of Cameroon's social security system were based on the following fundamental principles :

- consolidation of achievements; and
- extension of social security to cover persons who were uncovered and new forms of insurance.

553-The deliberations are in line with the social security strategy reform validated in December 1999.

554-Pertaining to staff, persons who were until then uncovered, will in the end benefit from social coverage including especially workers of the informal sector, persons with small businesses, self-employed persons, liberal professions, craft, motto-cycle taxi drivers, breeders, with the institutionalisation of voluntary insurance.

555-As regards new forms of insurance, new services will be offered to Cameroonians such as social health insurance with the setting up, organisation and functioning of the national health insurance fund.

556-Concerning social health action, services are increasingly better executed such as the development of specific aspects on the care of older persons, especially geriatrics.

557-With regard to State employees, civil servants and persons ranking as such, progress is being made towards the setting up, functioning and organisation of a National Fund for the said employees managed according to social security rules and the institution of new accounting principles based on the accounting plans of the Inter-African Conference on Insurance Fund.

§ 2: SHARING OF HEALTH RISK

558-Deliberations on the sharing of health risk continued with the setting up of health mutual associations and the modernisation of the legal and institutional framework since the objective was to have a health credit union for each health district.

§ 3: PAYMENT OF SOCIAL BENEFITS BY NSIF

559-During the 2009 financial year, NSIF continued its major institutional duties comprising recovery of contributions and payment of social benefits.

560- Social benefits effectively recovered from employers witnessed a relative increase. Thus, CFA 64,833,989,67⁹⁵ recovered in 2007, rose to CFA 72,362,474,787⁹⁶ in 2008, and to CFA 76,633,084,364⁹⁷ in 2009.

561- Technical benefits were paid on time and hitch-free. The main worry was the humanisation of reception conditions for pensioners. The technical expenses are indicated in the Table below:

Technical Expenses by Branches

BRANCHES COVERED	AMOUNT
Family Allowances	CFA, 6, 716, 375, 603 ⁹⁸
Professional Risks	CFA 2, 910, 786, 278 ⁹⁹
Old age, disability and Death Pension	CFA 41, 381, 460, 985 ¹⁰⁰
Health and Social Action	CFA 1,610,589,485 ¹⁰¹
Health Establishments	CFA 4,788,590,431 ¹⁰²

562- Furthermore, NSIF initiated significant actions to improve on the quality of service rendered to the insured persons. To this end, a proposal was made to pension beneficiaries who receive a minimum of CFA 150,000¹⁰³ to open a bank account with the advantage that it shall be credited one week before the normal payment date in cash. This option reduces time spent in front of cash desks as well as risks and expenditure related to these operations. In 2009, 16,297 new accounts were opened by pensioners for an estimated global amount of dues of CFA 3,281,906,730¹⁰⁴. During the same period, trial monthly pension payments started in some social insurance centres to the great satisfaction of pensioners.

563- The promotion of employment tends to be a development priority and a challenge for economic growth. That is why it is described in detail in the new growth and employment strategy document.

95 About 98,983,190 Euros

96 About 110,477,060 Euros

97 About 116,997,075 Euros

98 About 10,254,008 Euros

99 About 4,443, 948 Euros

100 About 63,177,803 Euros

101 About 2,458,915 Euros

102 About 7,310,825 Euros

103 About 230 Euros

104 About 5,010,544 Euros

Chapter

6

RIGHT TO A HEALTHY
ENVIRONMENT

564-Cameroon, like other countries in the world, suffers each year from the consequences of climate change. These changes have different effects in various regions of the world. Sometimes they are manifested by a constant rise in temperature and at other times by a drop in rainfall.

565-The international community is unanimous on the fact that these changes stem from the depletion of the ozone layer. To contribute to the drawing up of collective strategies and measures to handle this global phenomenon, Cameroon has participated in all major international meetings where environmental issues were discussed. Thus, it attended the 64th Session of the UN General Assembly during which the threat of human and industrial waste was discussed. It was equally present at the Commonwealth Summit in November 2009 at Port of Spain, (Trinidad and Tobago), during which the reduction of global warming to 2°c was envisaged. Lastly, it participated, in December 2009 in the Copenhagen Summit on climate change where the accords signed woefully failed to meet the expectations of developing countries and specifically countries of the Congo Basin¹⁰⁵.

105 The Copenhagen Accord which the UN took note of, brought together for the first time, all major polluting countries from major industrial and emerging countries in the fight against climate change. However, this accord had limited ambitions and a non binding framework.

Its main points comprise:

- reduction of the average global warming below 2°c in relation to the preindustrial level;
- communication, between now and 31 January 2010, by industrialised countries, of their objectives to reduce the Green House Effect before 2020 and the announcement, by developing countries, of actions they intend to take to reduce theirs;
- commitments by industrialised countries should be « measurable, reportable, verifiable » (MRV Rules) in order to control its authenticity;
- communication, by developing countries themselves, after every two years, of information on their national policies, by offering details for international consultation and analyses in “respect of their national sovereignty”;
- support by an immediate aid of US\$ 30 billion over three years (2010 to 2012) for developing countries to adapt to the impact of warming : priority shall be given to the most vulnerable, notably in Africa and small islands ;
- from 2013 to 2020, developed countries undertake to gradually mobilize up to US\$ 100 billion. These funds will come from public, private, bilateral and multilateral sources including innovative funding; and
- setting up of a Copenhagen « Green Climate Fund » to support projects in developing countries with a view to reducing gas emissions, forests protection and the fight against deforestation, the adoption, capacity building and transfer of technology.

566-At the national level, actions to continue the environmental preservation programme focused on the reinforcement of the legal framework, reforestation, clean-up and waste management campaigns, inspections and the management of environmental litigations accompanied by sanctions.

SECTION 1: CONSOLIDATION OF LEGAL FRAMEWORK

567- Consolidation of the legal framework for environmental protection was marked by the signing of three instruments on the protection of the Ozone Layer, institutional management of both climate change and payment of damages caused by hydrocarbons pollution.

§ 1: THE LEGAL FRAMEWORK OF THE PROTECTION OF THE OZONE LAYER

568- Decree No. 2009/141 to ratify the Treaty on the Amendments of the Montreal Protocol on Substances that Deplete the Ozone Layer (SAO), adopted on 17 September 1997 in Montreal and 3 December 1999 in Beijing, was signed on 18 May 2009. The Montreal Protocol called on State Parties to regulate the use of certain harmful substances such as halogens, carbon tetrachlorides, bromochloromethane in the production of manufactured products.

§ 2: MANAGEMENT OF CLIMATE CHANGE

569- The improvement of the institutional framework for the management of climate change can be perceived with the signing of Decree No. 2009/410 of 10 December 2009 to set up, and lay down the organisation and functioning of the National Observatory on Climate Change. Article 2 of this decree provides that the Observatory is a special type of public administrative establishment pertaining to its missions, organs and financial regime; it has legal status and financial autonomy. Article 4 defines its duties.

Thus, it is among other things, in charge of :

- establishing relevant climate indicators for the follow-up of environmental policy;

- collecting, analysing and putting reference information on climate change in Cameroon at the disposal of both decision-makers of the public and private sectors, as well as, those of different national and international bodies; and
- proposing preventive measures to Government on the reduction of the green house effect as well as measures to reduce and/or adapt to the harmful effects and risks of climate change.

§ 3: COMPENSATION RELATED TO HYDROCARBONS POLLUTION

570- Order No.131/PM of 30 April 2009 sets up the Permanent Committee for the Follow-Up of the International Compensation Fund for Damages by Hydrocarbons Pollution (FIPOL). Article 2 of this Order specifies the duties of the Committee comprising especially :

- receiving and developing strategies with a view to presenting and defending the interests of Cameroon in FIPOL;
- assisting in the implementation of Government directives within the framework of acts aiming at compensating damages caused by hydrocarbons pollution;
- regularly submitting reports on maritime pollution by Cameroon 's hydrocarbons to FIPOLS 's secretariat ;
- sensitising the national community on issues related to hydrocarbons pollution; and
- ensuring the participation of committee members in FIPOL 's statutory meetings.

571-In this vain, a workshop organised by the National Hydrocarbons Company (SNH), International Maritime Organisation (IMO), International Society for Petroleum Industry and the Safeguard of the Environment (IPIECA), and the World Initiative Project for West and Central Africa (GI WCAF) was held in Yaounde from 2 to 5 November 2009. It focused on the prevention of accidental disposals of

hydrocarbons and the limitation of the effects of disposals. Recommendations were made that envisaged the setting up of a platform for concerted actions to solve this problem.

SECTION 2 : CONTINUATION OF REFORESTATION, CLEAN-UP AND WASTE MANAGEMENT CAMPAIGNS

§ 1: REFORESTATION CAMPAIGN

572- The reforestation campaign dubbed Operation Green Sahel continued in 2009. 160,000 trees were planted in Maltam in the Logone and Chari Division, Daïba-Kalfou in the Mayo-Danay Division and Goussor in the Mayo-Kani Division. Each of these tree sites has a surface area of 1,000 hectares.

573- Maroua and its environs were equally involved in this operation. Thus, the Operation "Make Maroua, the University and its Environs Green" that will enable the planting of 6,000 trees was launched by the Speaker of the National Assembly. The site of this activity symbolises the extent of desertification in the Northern part of the country.

§ 2: CLEAN-UP CAMPAIGNS AND WASTE MANAGEMENT

A : Clean-up Campaigns

574- In 2009, several localities of the country were involved in clean-up campaigns such as the Garoua Municipality with the second phase of its operation "Hygiene and Sanitation Days" in August 2009.

575- In 2009, the City Council, Douala, re-launched the programme "Youth Employment" which is another approach to reduce poverty. In this regard, a first set of 299 school dropouts were sent into the field in April 2009. A second set of 261 youths were grouped into five workshops: clearing and painting, cleaning, sensitisation and observation,

uncontrolled bill posting and identification of cable network operators. The first set of youths in the operation cleared, cleaned up and painted several areas in Douala. Thus, an area of 38,000m² was cleared by the workshop in charge of clearing, while the second workshop cleaned up gutters over a distance of 12,750m. The sensitisation workshop identified about 1,400 cases of urban disorder handled by the Department of Regulation and the Fight against Urban Disorder (DIRLUT)¹⁰⁶. In spite of all these efforts made by councils, several pockets of inhygienic areas still exist.

B: Waste Management

576-Waste management and most especially hospital waste management shall be mentioned because it was a topical issue in 2009 due to an incident that occurred in Nkometou situated some sixty kilometres away from Yaounde.

577-Indeed, household and biomedical wastes from the Gyneco-Obstetrics and Paediatrics Hospital, Yaounde (HGOPY) were found in a cocoa farm in Nkometou village leaving the population panic-stricken. Tied up in plastic bags, it was already emitting pungent odour that could “likely result in public health problems for neighbouring masses and pollute the environment by contamination of water bodies, air, soil and subsoil”¹⁰⁷. The Senior Divisional Officer, Mfoundi, addressed a correspondence to the Director General of the hospital requesting him to find solutions to the prejudice suffered by the population. The latter declined his responsibility and held the service provider in charge of the hospital waste management liable.

106 CT of 7 May 2009 p. 31. During the first edition in 2008, a surface area of 347,500 m³ was cleared, gutters of a distance of 87,135m cleaned and 17,503 cases of urban disorder observed.

107 CT of 7 May 2009 p. 31. During the first edition in 2008, a surface area of 347,500 m³ was cleared, gutters of a distance of 87,135m cleaned and 17,503 cases of urban disorder observed.

578- This incident exposed the weaknesses of the hospital waste management system. Inspections of hospitals in Yaounde and the suburbs revealed that procedures relating to the selection and treatment of wastes were undermined. At the HGOPY, the incinerator does not operate full time because its low capacity does not allow it to run for more than five hours per day otherwise it would trigger a more serious problem. As for the Central Hospital, Yaounde, its incinerator broke down several months ago and a stopgap measure was adopted. A 20m deep hole was dug and a tank installed for the burning of biomedical wastes. At the University Teaching Hospital (CHU), the first incinerator had broken down and hospital wastes were treated through makeshift means.

579- A sensitisation mission of medical authorities on biomedical waste management in the Hospital of Ambam, South Region, observed the poor management of dangerous solid and liquid biomedical wastes and recommended a more ecological elimination of wastes to hospital officials.

580- Public authorities should pay special attention to this sector in order to spare the population risks inherent in the poor management of such wastes.

§3: ENVIRONMENTAL INSPECTION

581-In 2009, environmental inspections were carried out on 1,053 structures in the ten regions of the country. After impromptu checks, obsolete pesticides were discovered in 38 stores including :

- 9,728 empty plastic pesticide packagings;
- 849 empty iron/aluminium pesticide packagings;
- 719 contaminated equipment to wit: 394 portable pulverisers ; 264 motorised pulverisers, 1 thermonebulisator and 60 atomisers;
- 738.7 kg and 804.15 litres of insecticides;
- 126 kg and 795 litres of fungicides;
- 5 litres of herbicides;
- 0.5 kg of nematocide ;

- 338.5 litres of acaricide-ovicides;
- 30 litres of resistant activator;
- 3,925 kg of molluscicides; and
- 1,547 kg and 1,466 litres of unknown pesticides.

§4: MANAGEMENT OF ENVIRONMENTAL DISPUTES

582-Environmental disputes were managed both in the forest and environmental sectors.

A: Forest Sector

583-In this sector, several offences relating notably to fraudulent timber exploitation, fraud on exploitation documents, poor keeping of documents, non respect of exploitation technical norms led to various infringements and litigations instituted by the central Administration against several companies between August 2008 and March 2009. Fines collected by the central Administration amounted to CFA 55,860,000.¹⁰⁸

584-The activities of different decentralised services in regional delegations led to the drawing up of infringement reports against businesses that violated forest legislation especially fraudulent use of bill of lading, unauthorised forest exploitation, refusal to obey instructions and timber transportation without bill of lading.

585-Hence, the Regional Delegation, Littoral, settled disputes that generated CFA 8,560,000¹⁰⁹, the Regional Delegation, Far-North settled disputes that produced about CFA 300,000¹¹⁰ and the Regional Delegation, East settled disputes that brought in CFA 2,504,000¹¹¹.

¹⁰⁸ About 85,282 Euros

¹⁰⁹ About 13,070 Euros

¹¹⁰ About 460 Euros

¹¹¹ About 3,820 Euros

B: Environmental Sector

586- Activity in the environmental sector concerned the follow-up of disputes before the courts, notification and management of fines including those challenged, opening up of dispute procedures, and the settlement and closure of disputes.

1) Follow-up of Disputes Before the Courts

587- Some procedures can be mentioned. Indeed:

- several filling stations in Yaounde were arraigned on pollution charges before the trial courts in Yaounde;
- Razel company was prosecuted for refusal of control, while Ketch Maxan, Huilerie SIPOMO, Parquet-Cam, Ets PANGUI, Sté Bun's were prosecuted for lack of an audit;
- EUROIL Limited was prosecuted for different types of pollution;
- DIT S.A., was prosecuted for theft of ozone equipment in Douala;
- SCHLUMBERGER was prosecuted for the importation of dangerous substances to Douala;
- ALPICAM was prosecuted for marine pollution;
- IBC was prosecuted for air pollution; and
- UTA was prosecuted before the Court of Appeal, Ebolowa, for dumping, soil degradation, and for air and river pollution.

2) Notification of Fines

588- The following companies were notified of fines levied against them for lack of EIA (Environmental Impact Assessment)

- Société Forestière WANDJA, Yaounde (CFA 4,000,000)¹¹²;
- la société de Manutention et de Chargement (SOMAC), Douala (CFA 3 000 000)¹¹³;
- la société STBK à Batouri (CFA 8,000,000)¹¹⁴;

¹¹² About 6,106 Euros

¹¹³ About 4,580 Euros

¹¹⁴ About 12,210 Euros

- la Compagnie Forestière du Cameroun, Douala (CFA 12,000,000)¹¹⁵;
- Community Forest, Yokadouma (CFA 3,000,000)¹¹⁶;
- le Groupe SEFAC-SEBAC, Douala (CFA 14,000,000F)¹¹⁷;
- la société PLACAM, Douala (CFA 4,000,000)¹¹⁸;
- le Groupe SEFAC-SEBAC à Douala (CFA 14,000,000F)¹¹⁹;
- la station TOTAL Cameroun S.A (MAGZI), Yaounde (CFA 5,000,000)¹²⁰;
- la société ADIC, Mbandjock (CFA 5,000,000)¹²¹;
- la société Volcanique water, Douala (CFA 2,000,000)¹²²;
- Euroil, Douala (2,000,000)¹²³ ;
- la société Justawe-Bois, Foumbot (CFA 2,000,000)¹²⁴; and
- CANA-BOIS, Nanga-Eboko (CFA 5,000,000)¹²⁵, for refusal of control; and CIG-AES, Nanga-Eboko (CFA 500,000)¹²⁶ for unauthorised exploitation in a community forest.

589- On the whole, CFA 85,000,000¹²⁷ was levied of which CFA 35,000,000¹²⁸ was challenged.

115 About 18,320 Euros

116 About 4,580 Euros

117 About 21,375Euros

118 About 6,106 Euros

119 About 21,375Euros

120 About 7,633 Euros

121 About 7,633 Euros

122 About 3,054 Euros

123 About 3,054Euros

124 About 3,054 Euros

125 About 7,633 Euros

126 About 763 Euros

127 About 129,770 Euros

128 About 53,435 Euros

3) Disputes

590-Litigations were instituted against the following companies for the violation of environmental rules: Euroil Limited, Camrail, Schlumberger, Tradex, Africaine de Liquoristerie, Camerounaise de ferronnerie, Monga-sogedi, Union Camerounaise des Brasseries (UCB), Complexe Métallurgique du Cameroun (CMC), Alubassa and Maxam all based in Douala.

4) Settled or Closed Disputes

591-Disputes referred to the Administration for violation of environmental rules were settled through negotiations.

592-Disputes involving the following companies were not settled through negotiations :

- la société camerounaise de Dépôts Pétroliers (SCDP) CFA 5,000,000F¹²⁹ ;
- AES Sonel (Thermal Power Plant, Logbaba)-Douala CFA 2,000,000¹³⁰; and
- NEO-TP-DOUALA , CFA 2,000,000F¹³¹.

593- Disputes settled through negotiations concerned the following companies :

- TEXACO (Ecole de Police), CFA 1,000,000F ¹³² ;
- la société camerounaise de savonnerie, CFA 1,000,000F¹³³;
- CANA Bois, CFA 1,000,000¹³⁴;
- NEO TP, CFA 2,000,000¹³⁵;

129 About 7,633 Euros

130 About 3,054 Euros

131 About 3,054 Euros

132 About 1,526 Euros

133 About 1,526 Euros

134 About 1,526 Euros

135 About 3,054 Euros

- AES SONEL, CFA 2,000,000¹³⁶;
- Fermencam, CFA 2,000,000¹³⁷; and
- Camrail, CFA 5,000,000¹³⁸.

*

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594-Continued inspections by Forestry and Environmental Control Taskforces on industries and businesses produced concrete results. The volume of litigations, number of disputes settled and the amount of fines paid show Government's determination to curb forestry and environmental delinquency.

However, efforts still have to be made to sensitise the population and different businesses in order to raise greater awareness of the need to protect the environment through citizen-friendly behaviour.

136 About 3,054 Euros

137 About 3,054 Euros

138 About 7,633 Euros

CONCLUSION OF PART TWO

595- Since economic, social and cultural rights are fundamental in guaranteeing human rights, they constitute one of the pillars of Government policy outlined in the Document on Growth and Employment Strategy. However, Government efforts in 2009 notwithstanding, water and electricity supply remained a real concern for the population.

596- The many inconveniences linked to the difficulties of access to decent housing and healthcare further deteriorate the standard of living of the people. The promotion of good governance and the fight against corruption continued. Normative and institutional reforms in this domain should be completed by enhancing and encouraging individual ethical behaviour in daily life.

597- Hopes in the protection of the ozone layer in reducing global warming should be rekindled by actions that protect the masses notably through greater involvement of the latter in the management of environmental issues.

Part Three



CROSS - CUTTING ISSUES

Introduction

598-Human rights do not concern only an abstract entity to which a uniform set of identical principles are addressed. They equally focus on the concerns of man in a given context as well as take into consideration, the specific aspirations of a group that needs special protection measures. This was the same logic used in 2009 to manage issues relating to women and vulnerable groups such as children and disabled persons, the elderly and marginal populations. This Part will deal with activities on the promotion and protection of the rights of these people as well as rights relating to detention conditions that include all generations of rights be they civil and political, economic, social and cultural or the right to a healthy environment to show how the issue is interwoven.

599-This Part will therefore contain the following three chapters:

- detention conditions;
- promotion and protection of the vulnerable; and
- promotion and protection of the rights women.

MINJUSTICE

Report by the Ministry of Justice
On Human Rights in Cameroon
in 2009

Chapter

1

DETENTION
CONDITIONS

Single Section

600-There has been improvement in detention conditions with the continuous implementation of phase 2 of the Programme for the Improvement of Detention Condition and the Respect of Human Rights (PACDET 2) as well as the Project on the modernization of prisons and preparation for the rehabilitation of inmates financed by funds from the Multilateral Debt Relief/Highly Indebted Poor Countries Initiative (MDRI/HIPC).

601-The implementation of PACDET 2 comprises the provision of sleeping equipment to supervision staff (30 beds and mattresses) and inmates (366 bond beds and 732 mattresses), medical equipment to central prisons and their sickbays, 200 classroom benches and teaching aids to the Central Prisons, Douala and Yaounde, as well as 12 megaphones for prisons.

602-There was improvement in healthcare cover with the construction of modern sickbays in Yaounde and Bafoussam as well as the recruitment of 10 Medical Doctors, 30 Nurses and 40 Nurse Aids to increase the staff strength.

603-Twenty-two (22) wells with manual pumps were drilled in some prisons to make up for the shortage in water supply. This measure will soon be extended to all the other prisons.

604-All central prisons have vans to transport detainees. In the headquarters of the ten (10) Regions, detainees are escorted and transported with a lot of humane treatment and security.

605- It is hoped that the building of new prisons will solve the problem of overpopulation in prisons as can be seen in the Tables below. The Tables further show the development of prison population from 2005 to 2009 and show statistics as at 31 December 2009 of the prison population per prison, per region, per adults, per minors and per women.

PRISON STATISTICS FROM 2005 TO 2009

TABLE 1

2005				2006				2007				2008				2009			
M	W	M	T1	M	W	M	T2	M	W	M	T3	M	W	M	T4	M	W	M	T5
20956	604	820	22366	20753	602	707	22062	21327	526	768	23123	22442	750	612	23804	22038	863	467	23368
93.69%	2.70%	3.66%	100%	94.06%	2.72%	3.20%	100%	92.23%	2.27%	3.32%	100%	94.27%	3.15%	2.57%	100%	94.30%	3.69%	1.99%	100%

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Key:

M: Men **W:** Women **M:** Minors **T1:** Total 1 **T2:** Total 2 **T3:** Total 3 **T4:** Total 4 **T5:** Total 5

Prison Statistics per Prison as at 31 December 2009

TABLE 2

Prison	Men	Women	Minors	Total
CP Yaounde	3399	102	186	3687
CP Douala	2889	50	41	2980
CP Bafoussam	1060	21	90	1171
CP Garoua	1223	12	31	1266
CP Maroua	841	14	24	888
CP Ngaoundere	658	04	24	666
CP Bamenda	483	06	37	526
CP Buea	459	03	31	493
CP Ebolowa	326	12	05	343
CP Bertoua	529	10	47	586
MP Abong-Mbang	145	08	13	166
MP Akonolinga	211	14	05	230
MP Ambam	166	02	00	168
MP Bafang	198	04	21	223
MP Bafia	262	03	03	268
MP Bangante	117	04	06	127
MP Batouri	163	06	21	190
MP Banyo	166	00	15	181
MP Dschang	231	03	20	254
MP Edea	228	02	20	254
MP Eseka	254	04	18	276
MP Foumban	196	04	06	206
MP Guider	389	05	03	397
MP Kaele	371	07	09	387
MP Kousseri	389	14	07	410
MP Kribi	318	14	10	327
MP Kumba	488	12	09	509
MP Kumbo	118	00	01	119
MP Mamfe	69	00	07	76
MP Mantoum	51	14	00	65
MP Mbalmayo	430	20	23	473

Key: CP: Central Prison; MP: Main Prison; SP: Secondary Prison

MINJUSTICE

Report by the Ministry of Justice
On Human Rights in Cameroon
in 2009

Prison	Men	Women	Minors	Total
MP Mbanga	293	05	03	301
MP Mbengwi	64	03	05	72
MP Mbouda	322	10	28	360
MP Meiganga	147	02	04	153
MP Mfou	233	15	11	259
MP Mokolo	431	08	31	470
MP Monatele	420	27	24	471
MP Mora	295	01	19	315
MP Nanga-Eboko	241	15	06	262
MP Nkongsamba	470	12	16	506
MP Ndop	96	02	02	100
MP Nkambe	113	00	03	116
MP Poli	72	02	00	75
MP Sa' a	236	14	06	256
MP Sangmelima	224	26	11	261
MP Yaounde	190	00	00	190
MP Tchollire- 1	197	04	09	210
MP Tchollire-2	108	00	00	108
MP Tibati	97	01	05	103
MP Tignere	68	01	06	75
MP Wum	70	04	00	74
MP Yabassi	86	01	00	87
MP Yagoua	444	07	22	473
MP Yokadouma	164	06	06	176
MP Yoko	48	00	00	48
SP Bavenga	14	00	00	14
SP Bazou	23	00	00	23
SP Betare-Oya	30	00	00	30
SP BueaUpperFarms	27	00	00	27
SP Djoum	15	02	03	20
SP Doukoula	33	01	00	33
SP Doume	25	00	00	25
SP Foumbot	126	02	04	132
SP Lomie	14	00	00	14
SP Makary	37	00	00	37
SP Messamena	34	00	00	34
SP Moloundou	10	00	00	10
SP Ndikinimeki	129	00	00	129
SP Ngambe	19	00	00	19
SP Méri	30	00	00	30
SP Moulvoudaye	45	00	00	45
Total detainees	22038	467	863	23368
Total Prisons				72/74
Prison capacity				15250

Category Region	Detainees	Convicts	Overall Total
ADAMAWA	386	449	835
CENTRE	4258	2166	6424
EAST	453	510	963
FAR NORTH	1507	1477	2984
LITTORAL	3221	1031	4252
NORTH	988	1092	2080
NORTH WEST	717	398	1115
WEST	1705	845	2550
SOUTH	678	440	1118
SOUTH WEST	561	502	1063
CAMEROON	14485	8883	23368

PRISON STATISTICS OF MEN AS AT 31 DECEMBER 2009

TABLE 4

Category Region	Detainees	Convicts	Overall Total
ADAMAWA	343	412	755
CENTRE	3944	2078	6022
EAST	420	501	921
FAR NORTH	1340	1429	2769
LITTORAL	3085	990	4075
NORTH	955	1054	2009
NORTH WEST	679	390	1069
WEST	1503	822	2325
SOUTH	625	411	1036
SOUTH WEST	574	483	1057
TOTAL	13468	8570	22038

Source: Department of Penitentiary Administration

PRISON STATISTICS OF MINORS AS AT 31 DECEMBER 2009

TABLE 5

Category Region	Detainees			Convicts			Overall Total
	B	G	T1	B	G	T2	T1 + T2
ADAMAWA	31	1	32	12	00	12	44
CENTRE	186	5	192	49	00	49	241
EAST	28	00	28	6	00	06	34
FAR NORTH	85	2	87	29	2	31	118
LITTORAL	69	00	69	17	00	17	86
NORTH	24	1	25	2	00	2	27
NORTH WEST	31	5	36	5	00	5	41
WEST	156	4	160	11	01	2	162
SOUTH	27	00	27	1	00	1	28
SOUTH WEST	39	00	39	7	00	7	46
CAMEROON	703	18	721	139	03	142	863

Key: B: boys

G: girls

T1: total 1

T2: total 2

Source: Department of Penitentiary Administration.

PRISON STATISTICS OF WOMEN AS AT 31 DECEMBER 2009

TABLE 6

Category Region	Detainees	Convicts	Overall Total
ADAMAWA	11	13	24
CENTRE	122	39	155
EAST	05	03	08
FAR NORTH	80	17	97
LITTORAL	67	24	91
NORTH	08	11	19
NORTH WEST	02	03	05
WEST	42	21	63
SOUTH	26	28	54
SOUTH WEST	05	12	17
CAMEROON	296	171	467

Source: Department of Penitentiary Administration

Chapter 2

PROMOTION AND PROTECTION OF THE RIGHTS OF VULNERABLE GROUPS¹³⁹

¹³⁹ Vulnerable groups or marginalized people comprise ethnic minorities and indigenous people, women, children, adolescents, older persons, disabled persons and persons infected with HIV/AIDS, ESCR Committee, General Comment No. 14 on the right to the highest attainable standard of health (Article 12 of the Covenant), HRI/GEN/1/Rev.9 (Vol. I), p. 93.

606-In 2009, measures were taken to promote and protect the rights of vulnerable groups comprising children, disabled persons, the elderly and marginal populations.

SECTION 1: RIGHTS OF THE CHILD

607-The situation of children in Cameroon caused Government to take measures to promote and protect their rights.

§1: Measures to Promote the Rights of the Child

608-These measures include capacity building and HIV/AIDS control, the building, refurbishing and equipment of institutions, curbing the phenomenon of street children, and campaigns against child rape.

A: Capacity Building and HIV/AIDS Control

609-Government carried out the following activities to build the capacity and increase the output of persons working in this domain:

- evaluation and capacity building of private Child Management Structures by providing them with statistics, admission registers, information on security and admission of children to public and private institutions as well as applicable instruments to promote and protect the rights of the child;
- training of 35 associations in financial management within the framework of Bi-Multi project, and identification of psychosocial needs as well as training in reference procedures for Orphaned and Vulnerable Children (OVC);
- training of teachers during a seminar on HIV/AIDS control in schools organized at the Chantal BIYA International Research Centre on HIV/AIDS and Control (CBIRC). The Ministry of Basic Education, the

CBIRC and UNESCO jointly organized a training seminar for primary and nursery school teachers on how to sensitize pupils and kids on the dangers of HIV/AIDS and how to manage persons living with AIDS;

- organization of a seminar to hand out results of the "Education and integration Strategies of Street Children"; and
- training on juvenile justice.

610-In prelude to celebrations to mark the International Day of the African Child, major activities comprised the preparation of 180 junior parliamentarians for the 11th session of Children's Parliament. The junior Parliamentarians were trained to understand some provisions of the Convention on the Rights of the Child, the existence of the World Prize on the Rights of the Child (WPRC), the role of the junior Parliamentarian, organizations such as UNICEF, and the efforts made by some eminent personalities to fight for the rights of the child.

611-During celebrations to mark the International Day of the African Child under the theme "Africa Fit for Children: Call for Accelerated Action for the Survival of the Cameroon Child", some of the scourges such as lack of drinking water, health problems (especially malaria and HIV/AIDS), lack of education, malnutrition, child labour and sexual abuse especially of the girl child that threaten the African child were discussed.

B: Building, Refurbishing and Equipment of Institutions

612-Construction works, refurbishing and equipment of central services and decentralized services of the Ministry of Social Affairs were carried out. As concerns decentralized structures, focus was on the following institutions :

- *Institution Camerounaise de l'Enfance* (ICE), Betamba: CFA 150,000,000¹⁴⁰;
- Borstal Institute, Buea: CFA 58,000,000¹⁴¹;

¹⁴⁰ About 228,659 Euros

¹⁴¹ About 88,415 Euros

- Centre d'écoute et d'accueil et de transit, Yaounde: CFA 42,000,000¹⁴²; and
- Centre d'Accueil des Enfants en Détresse, Yaounde (CAED): CFA 50,000,000¹⁴³.

613-The first phase of refurbishing works of the *Institution Camerounaise de l'Enfance* (ICE), Bétamba, the Borstal Institute, Buea and the *Centre d'Ecoute*, Yaounde financed by the MDRI funds within the framework of the "Street Children" project are near completion.

C : Curbing the Phenomenon of Street Children

614-In the programme to curb the phenomenon of street children, 469 children between 4 and 18 years old were identified by social centres in Yaounde and Douala. 119 of them have been returned to their respective families, 63 others have been admitted to primary and secondary schools for the 2008/2009 academic year, while another 62 have been placed in different institutions.

D : Campaign against Rape and Incest

615-A survey conducted in 2008 by the *Réseau National des Associations des Tantines* (RENATA) with the collaboration of the Ministry of Public Health showed there were 432,833 victims of rape and incest in Cameroon¹⁴⁴, 14 per cent of whom are very young female minors, while 18 per cent were raped by a family member.

616-In addition to the shock, physical and psychological trauma, 18 per cent of the victims contracted sexually transmitted diseases and 24 per cent were pregnant.

142 About 64,024 Euros

143 About 76,220 Euros

144 CT of 29 May 2009, p. 9

617-The rapid increase in the scourge drew the attention of development partners especially the GTZ that decided to sponsor a national sensitization campaign for two (2) years with the following main objectives:

- cause victims to report sexual violence,
- improve their medical and psychosocial management, and
- ensure that authors of such horrible acts are punished.

618-The first phase of the campaign that will end in May 2011 was launched on 28 May 2009 in the presence of the Minister of Justice, Minister of Public Health, Minister of Youth Affairs, Minister of Women's Empowerment and the Family and the Minister of Basic Education as well as members of the diplomatic corps and representatives of international organizations and the civil society.¹⁴⁵

619-Following this serious call by the civil society, the issue of the upsurge of rape and incest was on the agenda of the annual meeting of Heads of Court of Appeal organized in October 2009.

620-By proposing a multisectoral action to curb sexual abuse that involves especially the support of social workers, health staff and judicial staff, senior officials of the judiciary acknowledged the central role of their corps in curbing such social phenomena. The obstacles that hinder their action were identified and they comprise especially the disparity between civil and criminal instruments, national and international law, and restrictions in the commencement of prosecution.

621-At the end of the meeting, it was agreed that the Minister of Justice should sign a circular to exhort Judicial and Legal Officers to effectively apply legal provisions and make a better appreciation of the facts of these matters.

¹⁴⁵ Ibid. p. 9

§2: Measures to Protect the Rights of the Child

622-Measures were taken to strengthen the protection of the rights of the child through juvenile justice, transformation of institutions and collaboration with stakeholders.

A: Juvenile Justice

623-The table below shows court sanctions on offences against children.

Court of Appeal	Courts	Types and number of offences	Total number of matters	Remarks
FAR NORTH	Yagoua (CFI/HC)	Indecency to minor (ITM) and sexual intercourse: 3 ITM and rape: 1	4	ITM and rape case was tried (accused discharged), and among the three other cases, two are for preliminary inquiry and one is pending.
	Kaélé (CFI/HC)	ITM and rape: 2 Aggravated kidnapping by force or fraud: 1	3	One of the ITM cases was tried (7 years imprisonment) and the other is pending.
	Mokolo (CFI/HC)	ITM and rape: 1 Indecency: 3 ITM and sexual intercourse: 1	5	ITM and rape case was tried (2 years imprisonment) and the other cases are for preliminary inquiry.
	Kousseri (CFI/HC)	ITM and rape (or attempted): 4 ITM and kidnapping: 1 ITM and sexual intercourse: 2	7	One of the ITM cases was tried (12 months imprisonment) and the other case was adjourned; one of the rape cases was tried (5 years imprisonment), the other two are for preliminary inquiry and two are pending.
	Maroua (CFI/HC)	Indecency to Minor and rape: 2 ITM: 17 ITM and rape and incest: 1 Kidnapping by force or fraud: 1	21	Among the ITM cases, six were tried (imprisonment ranges from 8 months to 10 years), four are adjourned, three for preliminary inquiry and four others pending. The kidnapping case is under trial, those of ITM and rape are pending, while that of ITM, rape and incest is for preliminary inquiry.
	Mora (CFI/HC)	ITM : 2	2	The two cases were tried (5 and 6 years imprisonment respectively).

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Court of Appeal	Courts	Types and number of offences	Total number of matters	Remarks
NORTH	Garoua (CFI/HC)	ITM and sexual intercourse: 5 ITM and rape: 2 ITM and kidnapping: 1 Corruption of youth: 1 Kidnapping by force or fraud: 1	10	All the cases have been tried.
	Guider (CFI/HC)	ITM and sexual intercourse: 3 ITM: 1	4	All the cases have been tried.
	Tchollire (CFI/HC)	ITM and sexual intercourse and incest: 1 ITM and rape: 1 ITM and sexual intercourse: 2	4	All the cases have been tried.
NORTH WEST	All the courts	ITM: 1 ITM and rape: 4 ITM and sexual intercourse: 14 Rape: 5 Kidnapping: 2 Trafficking: 1	27	All the ITM and sexual intercourse cases are pending ; one ITM case is pending ; among the ITM and rape cases, there is one acquittal, one pending and two sentences (one year imprisonment) ; there are 5 cases of rape 4 of which are pending and one already tried ; among the kidnapping cases, there is one acquittal and one pending; the case on child trafficking is pending.
LITTORAL	Douala-Bonanjo	Corruption of youth: 1 Kidnapping and Corruption of youth: 1 Kidnapping: 1 ITM: 2	5	All the cases are pending
	Douala-Ndokoti	ITM: 7 Kidnapping: 7 Corruption of youth: 8	24	11 cases are pending ; 14 have been tried among which 4 on kidnapping, 5 on indecency and 5 on Corruption of youth.

Court of Appeal	Courts	Types and number of offences	Total number of matters	Remarks
EAST	Batouri (CFI/HC)	Assault on minor: 2 Rape and Kidnapping: 1 Kidnapping: 1 Arrest, illegal detention , Kidnapping and assault on minor: 1 ITM and sexual intercourse: 2	7	One of the cases on assault on minor was tried (18 years imprisonment); in the rape and kidnapping case, the court declared its lack of jurisdiction while the case of kidnapping was tried (the accused was acquitted), and the case of illegal detention of minor was not tried in full due to the death of the accused; one case of indecency was tried.
	Bertoua (CFI/HC)	Kidnapping: 1 ITM: 3 ITM followed by rape: 2 ITM and sexual intercourse: 2	6	The two ITM cases were tried (5 years, 3 years and 16 months imprisonment). The kidnapping case was tried (3 years imprisonment); two cases of ITM and rape were tried (5 years and 2 years imprisonment); the ITM and sexual intercourse case was tried (10 years and 2 years imprisonment).
	Yokadouma (CFI/HC)	ITM and sexual intercourse: 14	14	7 cases were tried (imprisonment ranged from 10 years to 7 months); there was one acquittal.
ADAMAWA	Ngaoundéré (CFI/HC)	ITM: 1 ITM and sexual intercourse: 4 ITM and rape: 6	11	The 4 cases of ITM and sexual intercourse were tried and imprisonment ranged from 8 years to 18

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Court of Appeal	Courts	Types and number of offences	Total number of matters	Remarks
				months.
	Banyo (CFI/HC)	ITM and sexual intercourse: 3 Kidnapping: 7 Corruption of youth: 2 ITM and rape: 2	14	Two cases are pending and the others have been tried (imprisonment ranges from 10 years to 6 months); there were 4 discharge and acquittal
	Tibati (CFI/HC)	ITM and sexual intercourse: 2 ITM and rape: 1 Kidnapping: 3	6	One kidnapping case was tried and the accused discharged.
	Tignere (CFI/HC)	Indecency and sexual intercourse	1	One conviction in default (one years imprisonment suspended for 3 years).
	Meiganga (CFI/HC)	ITM: 7 Kidnapping: 1	7	Three cases were tried (imprisonment ranges from 15 months to 6 months).
CENTRE	Akonolinga (CFI/HC)	Corruption of youth: 1 ITM and rape: 1 Kidnapping: 1 ITM and sexual intercourse: 3	6	In the case of corruption, the court declared its lack of jurisdiction. The 3 cases of ITM and sexual intercourse were tried (60 to 24 months suspended sentence). The ITM and rape case was tried (imprisonment of 60 months).
	Mfou (CFI/HC)	ITM and sexual intercourse: 4 ITM and rape: 6	10	Two ITM and sexual intercourse cases have been tried (3 years and 15 months imprisonment). The six ITM and rape cases have been tried (imprisonment

Court of Appeal	Courts	Types and number of offences	Total number of matters	Remarks
				In the kidnapping cases, there is one pending and one acquittal. The accused in the corruption of youth case was acquitted.
	Ebolowa (CFI/HC)	ITM and rape: 3 ITM and sexual intercourse: 22 Rape: 5	25	In the ITM and rape cases, there are 2 acquittals and one conviction; among the ITM and sexual intercourse cases, there is one acquittal, 16 pending and 5 convictions; in the cases of rape, there are two cases of acquittal and three cases pending.
	Kribi (CFI/HC)	ITM and sexual intercourse: 3 ITM and rape: 7	10	2 cases of ITM and sexual intercourse are pending and one tried. Among the cases of ITM and rape, some are pending and one conviction.
	CFI Ambam	ITM and sexual intercourse: 4	4	3 cases of ITM and sexual intercourse are pending and 1 conviction

B: Institutional Transformation and Collaboration with Stakeholders

624 Government carried out the following actions in collaboration with the other stakeholders :

- transformation of the *Centre d'Accueil et d'Observation* (CAO), Bépanda, Douala to a Re-education Centre for Minors, and for young persons who break the law;
- validation of the Guide on the psychosocial support of children in emergency situation, within the framework of the Cameroon-UNICEF cooperation; and
- preparation and forwarding of reflection documents such as matrices, common actions, terms of reference (TDRs) and joint draft circulars to partners comprising the Ministry of Transport, Ministry of Basic Education, Ministry of Women's Empowerment and the Family, Ministry of Public Health, and Ministry of Public Service and Administrative Reform.

625-The focus on children did not shadow the rights of disabled persons who equally need special attention.

SECTION 2: PROMOTION AND PROTECTION OF DISABLED PERSONS

626-In 2009, Government continued to promote and protect the rights of disabled persons.

§1: Promotion Measures

627-Capacity building, access to public buildings, restructuring and building of infrastructure were some of the measures taken by Government to promote the rights of disabled persons.

A : Capacity Building

628-The following measures were taken with regard to capacity building:

- tricycles, wheel chairs, white canes and hearing aids worth CFA100,000,000¹⁴⁶ were distributed to disabled persons;
- support to trainees of the Bobine d'Or Training Centre of Disabled Women, Ekounou during and after the training; and
- training of disabled persons in secretarial duties and the Internet, 30 of whom were trained at the Institut Africain d'Informatique (IAI-Cameroon) and 22 at the Cardinal Paul Emile National Centre for the Rehabilitation of Disabled Persons, Etoug Ebe.

B : Access to Public Infrastructure

629-Considering the difficulties encountered by disabled persons in getting access and circulating in public buildings, Government in 2009 validated

146- About 153,846.15 Euros

a practical guide on access by disabled persons to public buildings. Thus, toilets for disabled persons were built in the central services of the Ministry of Social Affairs.

630-The Ministry of Higher Education integrated disabled persons into the higher education system by building two halls of residence adapted to their needs in the campus of the University of Yaounde I, Ngoa-Ekele. In these institutions, there are rooms specially conceived for disabled students. At the University of Yaounde II, Soa, a hall of residence named 'Bâtiment du Dialogue des Cultures' conceived to meet the specific needs of disabled students has been inaugurated.¹⁴⁷

C: Restructuring and Construction of Public Buildings

631-The following actions were taken in this domain:

- transformation of the National Rehabilitation Centre for Disabled Persons (CNRH), Etoug-Ebe, Yaounde into a public administrative establishment with administrative and financial autonomy by Decree No. 2009/96 of 16 March 2009 which raised it to the Cardinal Paul Emile LEGER Rehabilitation Centre for Disabled Persons; and
- continuation of construction work of the Rehabilitation Centre for Disabled Persons, Maroua with the support of the Italian NGO "AIAS d'AFRAGOLA" that provided CFA 50,000,000¹⁴⁸ as quid pro quo funds for hygiene and sanitation, electricity, drinking water, and follow-up of the construction works.

§2: Protection Measures

632-Efforts to protect disabled persons continued in 2009 and culminated in the promulgation of Law No. 2010/2 of 13 April 2010 on the promotion and protection of disabled persons.¹⁴⁹

¹⁴⁷ At the validation of this report, the President of the National Association of Associations and Institutions of and for Disabled Persons of Cameroon welcomed the initiative of MINAS and hoped it will be an example worth emulating.

¹⁴⁸ About 76,923.07 Euros

¹⁴⁹ The 2010 Report will examine it in details.

633-In addition to Government activities, the National Association of Associations and Institutions of and for Disabled Persons of Cameroon carried out actions on capacity building of its members as well as conducted a survey on violence against disabled children and youths. The survey lasted for six months and took a sample of 210 persons 25 per cent of whom are persons with amputated members or with motor disability, 25 per cent with visual disability, 5 per cent with mental disability, 20 per cent with hearing disability, 15 per cent albinos, and 10 per cent persons healed of leprosy. Results of the survey are yet to be published.

SECTION 3 : PROMOTION AND PROTECTION OF OLDER PERSONS

634-Government took the following measures to promote and protect the rights of older persons :

- national analysis and exploitation of data collected on older persons throughout the national territory;
- continued reflection on the concept of "The Universality of Aging" as a virtual forum for discussion between generations on the occasion of celebrations on 1 October 2009, of the International Day of Older Persons under the theme "Celebrating the 10th Anniversary of the International Year of Older Persons: Towards a Society for All Ages.";
- organization of a series of meetings on the application of the policy and action plan on aging in Cameroon; and
- ongoing development of a social information system with a social map on the problems of aging.

SECTION 4 : PROMOTION AND PROTECTION OF THE RIGHTS OF MARGINAL POPULATIONS¹⁵⁰

635-Government continued to take actions to curb social exclusion and consolidate the socio-economic integration of social classes within the framework of the promotion and protection of their rights.

§ 1: Promotion

636-The following actions were taken to promote the rights of marginal populations :

- continued drafting of the instrument to set up a National Solidarity Fund (NSF);
- implementation of Government communication through broadcast of the programme "Vision Sociale" on CRTV radio; and
- vulgarization, within the framework of celebrations to mark the different international days, of instruments and procedures on the social protection of underprivileged persons through the organization of training and communication campaigns. In this connection, the first official edition of the International Day of Indigenous People on 9 August 2009 under the theme "Underprivileged people, cultural diversity and riches : Development Assets in a context of Globalization."

§ 2: Protection

637-The following actions were carried out in this sector: financial assistance and logistics, cooperation and development of human resources and infrastructure, bilateral cooperation activities, and civil society organizations activities.

¹⁵⁰ In General Comment No. 14 on the right to the highest attainable standard of health (Article 12 of the Covenant) of the Committee on ESCR, vulnerable or marginalized groups comprise ethnic minorities and indigenous people, women, children, adolescents, older persons, disabled persons, and persons infected with HIV/AIDS.

A- Financial Assistance and Logistics as well as Cooperation with Development Partners

638-Actions carried out within this framework and psychosocial assistance aim to grant effective autonomy to marginal populations.

1- Financial Assistance and Logistics

639-Support worth CFA 300,000,000¹⁵¹ was provided to vulnerable persons and marginal people of Cameroon on the occasion of the 4th Day of Social Action. The package comprised financial and material support, school and medical supplies as well as prizes for excellence.

640-Within the framework of celebrations of the 2nd edition of the International Day of Indigenous People, the Minister of Social Affairs handed gifts comprising agricultural tools, school supplies, sewing machines and food products to the Bakas and Mbororos of the East Region.

2- Cooperation with Development Partners

641-Cooperation with development partners produced the following results :

- allocation of subsidies to Private Social Services, NGOs and associations that cater for marginal populations worth CFA 30 million¹⁵²;
- signing on 13 May 2009 of a Memorandum of Understanding between MINFOF and MINAS to relinquish the implementation of the Pygmies Development Plan within the framework of Forest and Environment Sector Strategy to the Ministry of Social Affairs; and

151 About 763,359 Euros.

152 About 46,153.84 Euros

- signing on 19 August 2009 of a partnership agreement between MINAS and SOPECAM on social communication with a view to changing behaviour aimed at the social integration of vulnerable people.

B- Bilateral Cooperation Activities

642-Counterpart funds worth CFA 80,000,000¹⁵³ were used to continue the implementation of activities in the rural, education and agricultural sectors through the following :

- establishment of a consultation platform between the Bakas and the Bantu which is already operational in Djoum, Mintom and Oveng;
- involvement of local authorities in the consultation platform; and
- drawing up of a mobilization plan of forest resources.

643-In the education sector, 300 benches were given to nursery schools in Djoum and Mintom, and equipment distributed to schools that have admitted Baka children.

644-In the sector of agriculture and non-wood forest products, 9 communities were trained and their members set up cocoa and palm nurseries while 9 Common Initiative Groups (CIG) and 1 association (ADEBAKA) were legalized.

645-Within the framework of the implementation of the Pygmies Development Plan, a campaign to interview and identify pygmies in order to establish and issue them official documents was carried out in 2009 in the Dja and Lobo Division and the Ocean Division in the South Region (Baka concentration area).

646-At the end of the campaign on 14 August 2009, about 2,000 birth certificates and 1,000 national identity cards were established and issued

¹⁵³ About 121,951 Euros.

to the pygmies identified.

C- Activities of Some Civil Society Organizations

647-Two civil society organizations (Plan Cameroon and the Mbororo Social and Cultural Development Association (MBOSCUDA)) were exemplary in their support to the promotion of marginal populations in 2009.

1- Activities of Plan Cameroon

648-In 2009, Plan Cameroon focused on promoting the schooling of Mbororo-Fulani girls whose level of full-time education is very low. In order to attain its objectives, Plan Cameroon set up a programme of action dubbed Ambassadors Girls Scholarship Programme (AGSP) for the promotion of young girls.

649-Thus, AGSP recruited staff to monitor children both in their schools and homes.

650-28 guides were deployed in the North West and East Regions as mediators between pupils and school officials or parents.

651-This project enabled the academic monitoring of 52 pupils in the East Region and 205 pupils in the North West Region with the collaboration of the MBOSCUDA the objective of which is to promote and protect the rights of the Mbororos.

2- Activities of MBOSCUDA

652-In 2009, MBOSCUDA provided the following assistance to Mbororo-Fulani rural communities and farmers:

- facilitating amicable settlement of disputes (2 cases);
- counselling victims of human rights violation (107 cases);
- assisting victims of human rights violation in drafting complaints (107);
- facilitating the issuance of land titles (8 cases);
- sensitizing communities on civic responsibilities (165 campaigns that targeted 3,244 persons); and
- denouncing all forms of human rights violation to the appropriate structures.

653-MBOSCUDA further carried out a community education campaign during which 165 community education visits were carried out in the Region and the following topics were discussed:

- early marriage;
- how to obtain land titles;
- HIV/AIDS;
- citizenship; and
- management of disputes between farmers and cattle breeders.

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654-Government continued, with the support of other partners, the promotion and protection of the rights of the child, disabled persons, older persons, and marginal populations. To further guarantee such rights, it will be necessary for Cameroon to ratify the Convention on the Rights of Disabled Persons that entered into force in May 2008.

Chapter

3

PROMOTION AND
PROTECTION OF THE
RIGHTS OF WOMEN

655-Consolidation of the legal framework on the promotion and protection of the rights of women was the most significant action that Government carried out in 2009. It further took other measures geared towards the full empowerment of women.

SECTION 1: CONSOLIDATION OF THE LEGAL FRAMEWORK ON THE PROMOTION AND PROTECTION OF WOMEN'S RIGHTS

656-The promotion and protection of women's rights were consolidated in 2009 with Cameroon's membership of the Protocol to the African Charter on Human and People's Rights on the Rights of Women known as the Maputo Protocol. The Protocol which was topical in religious circles in Cameroon especially the Catholic Church was the topic of a paper presented by the Director of Human Rights and International Cooperation at the Ministry of Justice during the annual meeting of Heads of Court of Appeal organized in October 2009. The Protocol will be discussed briefly in this report for a better understanding of its meaning and scope.

§1: THE MAPUTO PROTOCOL

657-The Maputo Protocol is a regional legal instrument adopted on 11 July 2003 in Maputo, Mozambique by the African Union under the leadership of the African Commission on Human and People's Rights. It entered into force on 25 November 2005 and ratified by the President of the Republic on 28 May 2009.¹⁵⁴

658-In keeping with the international Human Rights Law, the Maputo Protocol is in conformity with the national law in force by reaffirming the traditional civil, political, economic, social and cultural rights of women. Some of the rights have been consolidated while others reinforced with the aim of wiping out gender inequality in family management,

¹⁵⁴ Decree No. 2009/143 of 28 May 2009.

institutionalization of political equality, more involvement of women in the decision-making process, the drawing up and implementation of development programmes.

659- The innovations brought by the Maputo Protocol with the emergence of new rights deserve some analysis.

660- The new rights that emerge from the Maputo Protocol may be classified into the following three categories: protection of women against violence, prohibition of poor treatment of women, and the right of women to control reproductive functions.

A: Protection of Women against Violence

661- The Maputo Protocol specifies norms to protect women against all forms of physical and psychological violence in time of peace and in time of armed conflicts. That is why in time of armed conflicts, rape and other forms of sexual exploitation of women are considered war crimes, genocide or crimes against humanity and must be punishable as such.

662- Emphasis is laid on sexual violence by considering undesirable or forced sexual intercourse in marriage as a threat to the physical and psychological integrity of women (Article 2 (a)).

B: Prohibition of Poor Treatment of Women

663- Practices that endanger the life, health, education, dignity, and physical integrity of women¹⁵⁵ such as female genital mutilation, scarification, breast ironing, and widowhood rites are prohibited.

¹⁵⁵ Article 1 of the Protocol defines “women” as persons of female gender including girls

664- More so, the Protocol provides for the right of widows to inheritance and custody of their minor children (Articles 20 and following) as well as the rights of elderly women and women with disabilities (Articles 22 and 23).

C: Right of Women to Control Reproductive Functions

665- The content of the right to health has been updated in the Maputo Protocol by highlighting the right of women to control reproductive functions and more specifically the recognition of a legal right to medical abortion which is in line with the Cameroon law on abortion (Section 339 of the Penal Code).

666- In fact, Article 14 (2) (c) of the Maputo Protocol on the right to health and control of reproductive functions authorizes medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus.

667- The objective of the Maputo Protocol which is to ensure the physical, moral and material development of African women, faced sociological difficulties concerning especially the interpretation of the above-mentioned provisions that gave rise to polemics.

§2: Polemics on the Right to Medical Abortion

668- The polemics were started by Catholic Christians and followed by Government's clarification.

A: Position of the Catholic Church

669- After the ratification on 28 May 2009 of the Maputo Protocol by the President of the Republic, newspaper articles started reporting protests

by Cameroon Bishops. In reaction to that, His Grace, Victor TONYE BAKOT, the then Chairman of the National Episcopal Conference of Cameroon, in a press release published by the national daily Cameroon Tribune of 18 June 2009, declared, "The Bishops of Cameroon as a corps have not yet expressed their opinion on the document and so no one should talk on their behalf."

670-Later, at the 34th general assembly of the National Episcopal Conference of Cameroon, the Bishops of Cameroon adopted and published a Declaration on 27 June 2009 which in substance, states that the Church approves the will of the law to protect women against all forms of social injustice and abuse. "However, Article 14 of the Maputo Protocol really endangers life at birth by granting women excess reproductive rights. In other words, this Article is an open door to legalising abortion in Africa; we condemn it... This law is repugnant to the Cameroon law which prohibits abortion and its legalisation."¹⁵⁶

671-Following this official position of the Catholic Church in Cameroon, the faithful of Douala Diocese, in answer to the call by Cardinal Christian TUMI, the then Archbishop of Douala, organized a silent march on 11 July 2009 in protest against the ratification of the Maputo Protocol by Cameroon, which ratification according to them, "makes way for a difficult survival of the family by encouraging abortion in Article 14."

672-This protest march ended with a mass celebrated by Archbishop coadjutor Samuel KLEDA during which he declared that "no reason can justify abortion or infanticide, for they are terrible crimes," and further exhorted the faithful to read the Bible to know and understand God's will. Lastly, the two bishops of Douala, accompanied by the Senior Divisional Officer of Wouri Division, went to the office of the Governor of the Littoral Region and submitted to the Secretary-General of the Region, a petition and a letter addressed to the President of the Republic.¹⁵⁷

¹⁵⁶ Declaration published in the daily newspaper, Le jour No. 484 of 13 July 2009.

¹⁵⁷ CameroonTribune of 13 July 2009, Le Jour No. 484 of 13 July 2009.

673- The reaction of the Catholic Church gave Government the occasion to clarify public opinion on the context and scope of ratification of the Maputo Protocol.

B: Government's Clarification

674- In a press conference on 23 September 2009 and carried by Cameroon Tribune of 24 September 2009, the Minister of Women's Empowerment and the Family explained why Cameroon ratified the Maputo Protocol.

675- She declared, "The Maputo Protocol is in line with the Head of State's blueprint project for the society and, consequently, with the policy orientations thereto. Its ratification is a further indicator of the continuous harmony between the national policy and the development directives of the international community."

676- The Minister indicated that the Protocol is an instrument that will further strengthen our national legal arsenal without being repugnant to the legal instrument in force, and increase the possibilities of eliminating discrimination against women which hinders them from enjoying their fundamental rights.

677- She lamented the fact that some schools of thought held that Cameroon has decriminalized voluntary abortion while others thought that the law enshrines homosexuality. However, she recalled the legal provisions that punish such offences.

678- Lastly, she said the Maputo Protocol had been ratified in application of a law adopted by the National Assembly tabled by the people of Cameroon.

679-Later, the Ministry of Women's Empowerment and the Family organized a national campaign to explain the new legal instrument, including a press briefing, a televised round table, radio programmes, production and distribution of 2,000 flyers.

680-Comments on the Maputo Protocol did not distract Government from its traditional duties of promoting and protecting women's rights in collaboration with partner structures.

SECTION 2: GOVERNMENT ACTIVITIES TO PROMOTE WOMEN AND THE FAMILY

681-Actions carried out by Government through the Ministry of Women's Empowerment and the Family targeting women, girls, prostitutes, widows and families focus on three main aspects comprising social promotion of women, family development, and the economic promotion of women and the family as well as actions for the institutionalization of the gender approach.

§1: Social Promotion of Women

682-Actions carried out for the social promotion of women yielded the following results:

- an update of the National Action Plan to fight Female Genital Mutilation (FGM) with focus mainly on:
 - sensitization of both victims and actors of the phenomenon;
 - calling on opinion leaders and public authorities on the issue;
 - multi-form support to the actors and their socio-professional reconversion; and
 - the psychological management of victims;
- celebration of the second International Day Against FGM on 6 February 2009. It was an occasion to sensitize and hand out material and financial support to persons carrying out the circumcision;

- management by counsellors, of about 2,000 women and some men who are victims of violence;
- training of 86,000 women and young girls in 57 Women's Empowerment Centres (WEC) in hotel management and catering, ICTs, management of agro pastoral projects, and other income-generating activities (IGA);
- financing of 1,263 productive micro projects worth CFA 284,175,000 from HIPC resources;
- sensitization of young girls on deviant and immoral behaviour such as infanticide, abortion, alcohol consumption, drug consumption, indecent dressing, prostitution;
- training of free girls in dignifying jobs and organizing them in Common Initiative Groups (CIG);
- organization of a training session from 6 to 11 October 2009 in Bertoua, for 58 young mothers on reproductive health and the fight against sexual abuse;
- an inventory of organizations on women's empowerment and the family with a view to restructuring them into networks and production branches;
- follow up of 150 files of widows in need of legal, psychological or financial support;
- celebration of the International Women's Day on 8 March 2009 under the theme "Women and Men united to end violence against women and girls";
- celebration of the International Day of the African Woman on 21 July 2009 under the theme "Fighting the exploitation of women and girls";
- drawing up and validation of the National Strategy for the Fight Against Gender Violence in collaboration with the United Nations Fund for Population Activities (UNFPA); and
- conducting studies with the support of the UNFPA to identify new measures on gender equality and equity. The studies made it possible to produce a Guide on preparation for family life.

§2: Family Development

683-Activities on family development produced the following results:

- material and financial support to needy persons and families the amounts of which varied according to the nature of the problem examined;
- organization in May 2009 of a seminar on mastering the family action plan and "Listening" for officials of central and decentralized services of the Ministry of Women's Empowerment and the Family as well as officials of specialized technical units;
- distribution of 10,000 flyers on "Listening";
- allocation of school and medical supplies to children from low income families and person living with HIV/AIDS;
- allocation of 52 financial and material supplies to births of more than one child (triplets, quadruplets, quintuplets);
- support to the collective celebration of 1,032 marriages in the Adamawa, Centre, East, Littoral, North West, West, and South Regions;
- organization of "Adult School" sessions with the collaboration of councils on different themes such as education on responsible parenthood, conjugal life, HIV/AIDS prevention, Human Rights promotion, promotion of peace and dialogue, good governance and the fight against corruption;
- organization on 5 March 2009, of a discussion workshop bringing together men and women, on the causes and consequences of violence as well as strategies to remedy them; and
- celebration of the International Day of the Family on 15 May 2009 under the theme "Mothers and Families: Challenges in a Changing World".

§3: Economic Promotion of Women and the Family

684-The results obtained in this domain are on the promotion of partnership and capacity building of women.

A: Partnership Development

685-The following actions were carried out to develop partnership:

- production of leaflets on female entrepreneurship; and
- training of 41 female company managers on management by objectives within a context of economic hardship during two seminars organized by the International Labour Office (ILO) in collaboration with the Interprofessional Group of Cameroon (GICAM) from 28 to 31 July 2009 in Douala and from 11 to 14 August 2009 in Bafoussam.

B: Capacity Building

686-The following results were obtained in the capacity building of women:

- production and distribution of teaching aids to Women's Empowerment Centres;
- sensitization of 6,150 women throughout the national territory, on management of associations, drawing up of a plan of action of an association, hygiene and management of water points, online multimedia production, ICTs, hotel management, soap production, techniques in drying and smoking of foods, processing of food products, mushroom production, cultivation of onions, poultry and pig farming, embroidery, serigraphy, and dyeing;
- celebration of the International Day of the Rural Woman on 15 October 2009 under the theme "The Rural Woman at the centre of Innovation"; and
- distribution of agricultural material to women's groups in the Far North, East, Centre Regions, with the support of the Ministry of Agriculture and Rural Development (MINADER), Institut Africain d'Information (IAI-Cameroun), Société de Développement du Cacao (SODECAO), Cotonnière Industrielle du Cameroun (CICAM) and Société Sucrière Camerounaise (SOSUCAM).

§4: Continued Institutionalization of the Gender Approach

687-Since the gender approach requires measures to improve on it, a number of actions were carried out in 2009. Some were completed while others are ongoing and comprise :

- training of Gender Focal Points in public and private administrations;
- budgeting for gender issues;
- drawing up a gender integration guide; and
- training of 15 officials of Higher Education Schools, 40 radio programme officials, 40 community relay officers, and 40 officials of decentralized services of ministries on Gender integration into school curricula during two workshops organized with the support of UNFPA in Kribi from 8 to 9 October 2009, Bertoua and Garoua from 11 to 18 November 2009.

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688-The promotion and protection of the rights of women according to the definition of the Maputo Protocol¹⁵⁸ is a progressive process that calls on all the stakeholders to ensure their effective implementation. Significant progress was made in the promotion and protection of the rights of vulnerable classes although much is still to be done.

158 Article 1 (g) “Women” persons of the female gender including girls.

CONCLUSION OF PART THREE

689-From the above developments, it is obvious that more effort has been made to improve detentions conditions especially as concerns health, transportation of detainees and management of prisons.

690-Cameroon's ratification of the Maputo Protocol is a major step towards the improvement of the legal condition of women in Cameroon.

691-The social protection of children focused on curbing scourges like HIV/AIDS, the phenomenon of street children, rape and incest as well as on the improvement of the quality of child management institutions.

692-The setting up of the *Centre de Re-education pour Mineurs*, Bepanda raises hope for a better supervision of children who break the law, in accordance with the United Nations rules.

693-The disability approach is progressively integrated into town management policies especially on access to education and to public buildings.

694-The importance of consolidating a link between generations underlined the social inclusion actions for the elderly.

GENERAL CONCLUSION

695- In conclusion, Cameroon has, after some years of silence, renewed dialogue with United Nations and African organs in charge of ensuring the implementation of conventions. Observations, findings and recommendations made after the defence of reports before some organs as well as its self evaluation have enabled Cameroon to have a clearer vision of the work done so far and what is still to be done in some domains to obtain sustainable development, the end product of human rights.

696- Disciplinary and judicial measures taken to curb impunity by persons in charge of implementing the law are to assure citizens of the firm determination of the State to preserve the right to life and personal security. Judicial reforms and the establishment of case law are increasingly taking Cameroon closer to international norms on the right to fair trial. The supervision of the exercise of freedom of communication and religion as well as activities of human rights defenders who are "the voice of the voiceless" shows the attention the State gives to the responsible expression of the rights guaranteed.

697- Considering the progress made in the implantation of decentralization and consolidation of democracy, the people must be more involved in the management of public affairs.

698- Actions taken and continued by Government in 2009 for economic, social and cultural development of the people of Cameroon are laudable

and should be consolidated, diversified and sustained so that the results will be more palpable by “creditors of rights”. Significant efforts are still to be made by both public authorities and all the social stakeholders to consolidate the culture of moral integrity and probity in conduct, proof of good governance. Formal and informal education of human rights is therefore recommended.

699- The special focus on health and transportation of detainees as well as prison infrastructure has significantly improved detention conditions. If the programmes undertaken are funded, Cameroon prisons may get closer to international standards.

700- The measures for the implementation of the CEDAW Committee recommendations and ratification of the Maputo Protocol show the determination of the Government of Cameroon to promote gender equality for better development of women as full partners of the development of the country. However, these undertakings should be translated into actions.

701- All the actions carried out in 2009 to preserve human capital represented by children who are the future of Cameroon and to protect marginal and vulnerable groups should continue so as to have a society that takes into account the capacities and aspirations of all its components.



ANNEX

This report was validated during a workshop, organized on 14 and 15 July 2009 by the Ministry of Justice with the participation of the following representatives from ministries, the court and civil society organizations:

Administrative Structures and Jurisdictions:

Supreme Court

Ministry of Territorial Administration and Decentralization

Ministry of Social Affairs

Ministry of Agriculture and Rural Development

Ministry of Commerce

Ministry of Communication

Ministry of Defence

Ministry of Urban Development and Housing

Ministry of Energy and Water Resources

Ministry of Livestock, Fisheries and Animal Husbandry

Ministry of Employment and Vocational Training

Ministry of Environment and Nature Protection

Ministry of Secondary Education

Ministry of Higher Education

Ministry of Forestry and wildlife

Ministry of Women's Empowerment and the Family

Ministry of External Relations

Ministry of Labour and Social Security
Ministry of Public Health
Ministry of Transport
State Secretariat of Defence in charge of Gendarmerie
General Delegation of National Security
General Directorate of External Research
National Social Insurance Fund (NSIF)
National Employment Fund
City Council, Yaounde

Independent Administrative Structures

National Anti-Corruption Commission (CONAC)
National Commission on Human Rights and Freedoms (NCHRF)
National Financial Investigation Agency (ANIF)

Civil Society:

African Action Against Aids (AAA)
Afrique Future
Cameroon Islamic Cultural Association (ACIC)
Cameroon National Episcopal Conference (CENC)
Cameroon Workers Confederation Syndicate (CSTC)
Christian Association for the Abolition of Torture (ACAT-Littoral)

Council of Protestant Churches in Cameroon (CEPCA)
Development Institute for Training and Cooperation (IFCD)
League for the Education of the Woman and the Child
New Human Rights-Cameroon (NDH-Cameroon)
Transparency International, Cameroon
Mbororo Social and Cultural Development Association (MBOSCUDA)
Centre for the Environment and Development
National Association of Associations and Institutions of and for Disabled
Persons

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