

## LIST OF ACRONYMS AND ABBREVIATIONS

AAA:	African Action on Aids
ACAT:	Christian Association for the Abolition of Torture
ACDIC:	Citizen Association for the Collective Defence of Rights
ADB:	African Development Bank
ADC:	Authentic Developers Corporation
ADF:	Alliance for Democratic Forces
AER:	Rural Electricity Agency
APF:	Alliance of Progressive Forces
AGIR:	Support for the Management of Profitable Initiatives and Professionalization in Higher Education
ANIF:	National Financial Investigation Agency
ARCH:	Associated Rehabilitation Centre for the Handicapped
ARSEL:	Electricity Sector Regulatory Board
ART:	Article
ARV:	Anti Retro Viral
BMP:	Bachelors -Masters- Doctorate
CA:	Court of Appeal
CAO:	Computer Assisted Cartography
CBC:	Commonwealth Business Council
CAMWATER:	Cameroon Water Utilities Corporation
CCC :	Complexe Chimique du Cameroun
CCIMA:	Chamber of Commerce; Industry; Professions and Craft
CDBF:	Budgetary and Financial Disciplinary Board
CDU:	Cameroon Democratic Union
CEDAW :	Convention on the Elimination of All Forms of Discrimination against Women
CEMAC :	Central African Economic and Monetary Community
CENAME :	National Centre for supply of Drugs and Essential

	Medical Consumables
CEPAB :	Centre for the Promotion of Craftsmen of Bafoussam
CEPCA :	Council of Protestant Churches in Cameroon
CETIC :	Government Technical Secondary School
CFC:	Cameroon Real Estate Corporation
CFI:	Court of First Instance
CIMENCAM:	Cimenteries du Cameroun (Cameroon Cement Company)
CFA:	African Financial Community Franc
CNRH:	National Centre for the Reeducation of Handicapped Persons
CNLS:	National Aids Control Committee
CONAC:	National Anti-corruption Commission
CPC:	Criminal Procedure Code
CPDM:	Cameroon Peoples Democratic Movement
CPI:	Corruption Perception Index
CRM:	Multi-Media Resource Centre
CRTV:	Cameroon Radio and Television
CSPH:	National Hydrocarbons Price Stabilization Fund
DECC:	Department of Examinations
DGSN:	General Delegation of National Security
EDC:	Electricity Development Corporation
ELECAM:	Elections Cameroon
ENAM:	National School of Administration and Magistracy
ENAP:	National School of Penitentiary Administration
ENIET:	Technical Education Grade I Teachers Training College
ENS:	Higher Teachers Training College
ENSET:	Advanced Technical Teachers Training College
FEICOM:	Special Council Support Fund
FESPACO:	Pan African Cinema Festival
FESPAM:	Pan African Musical Festival of Brazzaville
FHUJUC:	Association of Female Bailiffs
FNS:	National Solidarity Fund
FODDEC	Cocoa and Coffee Sector Development Fund
FSNC:	Cameroon National Salvation Front
GCE:	General Certificate of Education.
GDP:	Gross Domestic Product.
GICAM:	Interprofessional Group of Cameroon.

GMI:	Mobile Intervention Force
GSS:	Government Secondary School
GTZ:	Deutsche Gesellschaft für Technische Zusammenarbeit (German Technical Co-operation)
HC:	High Court
HIPC-I:	Heavily Indebted Poor Country Initiative
HRM:	Human Resource Management
HSS:	Health Sector Strategy
HYSACAM:	Hygiene et Salubrite au Cameroun (Hygiene and Sanitation Cameroon)
IAI:	African Institute of Computer Sciences
ICJ:	International Court of Justice
ICCPR:	International Covenant on Civil and Political Rights
ICESCR:	International Covenant on Economic, Social and Cultural Rights
ICT:	Information and Communication Technology
IFCD:	Development Institute for Training and Cooperation
IRM	Magnetic Resonance Imaging
IHC:	Integrated Health Centre
ILO:	International Labour Organisation
IMO:	International Maritime Organisation
IMPM:	Institute for Medical Research and the Study of Medicinal Plants
INC:	National Institute of Cartography
INGO:	International Non-Governmental Organisation
IRIC:	International Relations Institute of Cameroon
IVET:	Part-Time Teachers of Technical Education
KPDC:	Kribi Power and Development Company
LEFE:	League for the Education of the Woman and the Child
LCC:	League for Cameroon Consumers
MAGZI:	Industrial Areas Development and Management Authority
MASA:	African Arts and Concerts Forum
MBOSCUDA:	Mbororo Social and Cultural Development Association
MCA:	Millennium Challenge Account
MDG:	Millennium Development Goals
MDP:	Movement for Democracy and Progress

# MINJUSTICE

Report by the Ministry of Justice on  
Human Rights in Cameroon in 2008

MDRI:	Multilateral Debt Relief Initiative
MINADER:	Ministry of Agriculture and Rural Development
MINAS:	Ministry of Social Affairs
MINCOM:	Ministry of Communication
MINCOMMERCE:	Ministry of Commerce
MINDAF:	Ministry of State Property and Land Tenure
MINDUH:	Ministry of Town Planning and Housing
MINEDUB:	Ministry of Basic Education
MINEE:	Ministry of Energy and Water Resources
MINFI:	Ministry of Finance
MINEFOP:	Ministry of Employment and Vocational Training
MINEP:	Ministry of Environment and Nature Protection
MINEPIA:	Ministry of Livestock, Fisheries and Animal Husbandry
MINESEC:	Ministry of Secondary Education
MINESUP:	Ministry of Higher Education
MINERESI:	Ministry of Scientific Research and Innovation
MINFOF:	Ministry of Forestry and Wildlife
MINFOPRA:	Ministry of Public Service and Administrative Reform
MINJEUN:	Ministry of Youth Affairs
MINJUSTICE:	Ministry of Justice
MINPESSA:	Ministry of Small and Medium-Sized Enterprises and the Economy
MINPLAPDAT:	Ministry of Economy, Planning and Regional Development
MINPROFF:	Ministry of Women's Empowerment and the Family
MINREX:	Ministry of External Relations
MINSANTE:	Ministry of Public Health
MINTAD:	Ministry of Territorial Administration and Decentralisation
MINTOUR:	Ministry of Tourism
MIPROMALO:	Mission for the Promotion of Local Material
MP:	Legal Department
MP:	Progressive Movement
MUBASE:	Buyam-Sellam Solidarity Fund
MT:	Military Tribunal
MTEF:	Medium-Term Expenditure Framework
NCHRF:	National Commission on Human Rights and Freedom

NEC:	National Education Centre
NEF:	National Employment Fund
NEO:	National Elections Observatory
NEP:	National Employment Policy
NGO:	Non-Governmental Organisation
NGP:	National Governance Programme
NSIF:	National Social Insurance Fund
NOSUCA:	National Sugar Company
NMWP:	Network for More Women in Politics
NUDP:	National Union for Democracy and Progress
OBC:	Cameroon Baccalauréat Board
ODS:	Ozone Depleting Substances
OHADA:	Organisation for the Harmonisation of Business Law in Africa
OVC:	Orphans and Vulnerable Children
ONEP:	National Drinking Water Corporation
OPEC:	Organisation of Petroleum Exporting Countries
PAD:	Ports Authority, Douala
PACDET:	Programme for the Improvement of Detention Condition and the Respect of Human Rights
PACE:	Pan-African Epizooty Control Project
PADER:	Rural Employment Development Project
PADES-BAKA: ment	Support Programme for the Socioeconomic Develop- of the Baka People
PNS-OEV:	Support Programme for the Insertion and Reinsertion of Vulnerable Persons
PAMOFPE:	Improvement Programme for the Supply of Vocational Training for Employment
PANEJ:	National Action Plan for Youth Employment
PANGIRE:	National Action Plan for the Integrated Management of Water Resources
PAN/LCD:	National Action Plan for the Fight against Desertification.
PC:	Penal Code
PASE:	Education System Support Programme
PDSE:	Electricity Sector Development Plan
PGE:	Environment Management Plan

PGD:	Postgraduate Diploma
PIAASI:	Integrated Support Project for Stakeholders of the Informal Sector
PIB:	Public Investment Budget
PIPE:	Priority Investment Programme for Employment
PO:	Professional Organisation
PMUC:	Pari Mutuel Urbain Camerounais
PNDP:	National Programme for Participatory Development
PNS:	National Support Programme
PNS-OVC:	National Support Programme to Orphans and Vulnerable Children
POPC:	Rural Workers Party in Cameroon
PRECESSE:	Energy Sector Project for Environmental and Social Capacity Building
PRO-ACTP:	Support Programme for the Technological and Professional Component of Higher Education
PSFE:	Forest and Environment Sector Strategy
PRSP:	Poverty Reduction Strategic Paper
RDB:	Regional Development Bodies
RIE:	East Interconnection Network
RIN:	North Interconnection Network
RIS:	South Interconnection Network
RPAC:	Post Harvest Loss Reduction Project
SABC:	Société anonyme des Brasseries du Cameroun
SAR/SM:	Rural Craft and Home Economics Sections
SAD:	Strategic Action Day
SC:	Supreme Court
SCDP:	Cameroon Petroleum Storage Company
SHDDP:	Small Holder Dairy Development Project
SIC:	Cameroon Housing Corporation
SDF:	Social Democratic Front
SME:	Small and Medium-Sized Enterprises
SMI:	Small and Medium-Sized Industries
SNEC:	Cameroon National Water Corporation
SNH:	National Hydrocarbons Corporation
SOCATUR:	Société Camerounaise de Transports Urbains (Cameroon Urban Transport Company)

SONEL:	National Electricity Corporation of Cameroon
SONEU:	Urgent Obstetric and Neonatal Care
SPM:	Société des plantations de Mbanga
SYNAME:	National System for Drug Supply
TBS:	Gross Rate of Children in Full-Time Education
UDHR:	Universal Declaration of Human Rights
UFZ:	University Free Zone
UNESCO:	United Nations Education, Scientific and Cultural Organisation
UNFPA:	United Nations Fund for Population Activities
UNICEF:	United Nations Children's Fund
UNIFEM:	United Nations Development Fund for Women
UPC:	Union for the Populations of Cameroon
UPR:	Union for the Republic
WTO:	World Trade Organisation



## Preface

*This is the fourth report of the Ministry of Justice on human rights in Cameroon. Like the previous three reports published in 2005, 2006 and 2007 respectively, its objective is to inform the national and international communities of the legal and practical measures taken by Government and other stakeholders to promote and protect human rights.*

*The protection of human rights was particularly underscored by the sad events arising from demonstrations against high cost of living in February 2008. Some national and international NGOs criticized the management of these events by public officials, especially the poor handling of the right to life, the right not to be subjected to torture and other inhuman or degrading treatment, as well as the right to fair trial. Most of these criticisms are unjustified and often reveal either ignorance of the legal rules that govern the maintenance of order and criminal matters in Cameroon or simple bad faith.*

*Of course, we do not claim that the forces of law and order may have not committed some blunders. But we reject the view that human rights were entirely overlooked and, that human rights violations were ordered, tolerated and perpetrated by Cameroon authorities. With regard especially to the trials carried out at the wake of the arrests of persons accused of destruction and plunder as well as other acts that jeopardized smooth social order, it is worth mentioning that they were conducted in strict respect of Cameroon's Criminal Procedure Code (CPC), that is "considered to be protective of human rights."<sup>1</sup>*

*Whatever be the case, respect of human rights is not and shall never be a long quiet river. Crises are inevitable and the river may overflow its banks. What is important is for us to remain focused. This implies that whenever alleged cases of human rights violations are reported, inquiries should be conducted and sanctions taken if necessary. This has been Government's objective for many years under the strong impetus of the President of the Republic, Head of State. Neither bad faith, that systematically undermines progress made in this domain, nor shortcomings inherent in every human endeavour, can derail Government from this*

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<sup>1</sup> See Sub-regional Centre for Human Rights and Democracy in Central Africa, Report by the Secretary General to the UN General Assembly, Doc. A/63/367 of 1 September 2008, §5.

*objective which perfectly ties in with the values that are dear to our entire country. In this vein, all human rights promotion and protection are enshrined in the Preamble of the Constitution and Government strives within available means to respect them in the daily lives of all persons under its authority.*

*It is hoped that this report shall be an objective account of actions carried out in this domain, and that it shall clarify issues to people with a noble intent and expose to the national and international communities, persons who in pursuit of goals other than the protection of human right prefer to remain blind and deaf.*

**AMADOU ALI**

**VICE-PRIME MINISTER, MINISTER OF JUSTICE,  
KEEPER OF THE SEALS**

Introduction

# 1

## General Considerations



**1-** The aim of this report remains the same like those of the preceding ones: to render account on progress made as well as shortcomings observed in the promotion and protection of human rights.

**2-** Although human rights were tried and tested during the sad events of February 2008, Government never failed to respect them. The Courts tried persons accused of violence, banditry, looting and destruction during these events. It performed its duty with celerity and in accordance with legal procedures that were lauded by some and denounced by others as it is always the case with court judgments. The Head of State, in most cases, used his sovereign power of clemency to set several convicts free.

**3-** On its part, the National Assembly independently adopted a bill to amend the Constitution of 1996. The grounds for the amendment presented by Government are contained in this report.

**4-** These two major thrusts of human rights events in Cameroon should not mask others on the promotion and protection of these rights taken by Government to effectively ensure its obligation to respect and cause the human rights of persons placed under the jurisdiction of the State to be respected. These include:

- fight against the impunity of persons in charge of law enforcement;
- enhancement of the legal and institutional framework to guarantee the right to fair trial;
- enhancement of the framework of the right to communication;
- protection of refugees;
- fight against corruption and the embezzlement of public funds;
- improvement of the standard of living;
- environmental protection;
- improvement of detention conditions;
- protection of the marginal populations; and
- fight against all forms of discrimination especially against women.

**5-** Apart from the two main phases mentioned above, these are the basic components of this report which provide further information on human rights progress in Cameroon.

**6-** To this end, progress on judicial proceedings commenced during the previous years and stated in the preceding reports is mentioned.

**7-** Information on the legal and institutional framework of the promotion and protection of human rights as well as seminars, workshops and conferences relating thereto are, as in the past, included.

## **International Legal Commitments**

**8-** In 2008, Cameroon undertook new commitments by signing and ratifying some international conventions.

## **a) Conventions Signed**

- On 30 June 2008, the African Union Convention of 11 July 2008 on Preventing and Combating Corruption;
- On 30 June 2008, the Protocol of 8 July 2004 of the OAU Convention of 1999 on the Preventing and Combating Terrorism; and
- On 1 October 2008, the UN Convention of 13 December 2006 relating to the Rights of Persons with Disabilities and the Optional Protocol Relating thereto;

## **b. Conventions Ratified**

- Ratification, by Decree No. 2008/110 of 12 March 2008, of the Convention on Cooperation and Mutual Legal Assistance between CEMAC Member States of 28 January 2004; and
- Ratification by Decree No. 2008/178 of 22 May 2008, of the UNESCO Convention of 17 October 2003 for the Safeguarding of the Intangible Cultural Heritage.

## **Reports Forwarded to some UN Committees**

**9-**It is worth noting that in fulfilment of its obligation to present initial and periodic reports in accordance with a certain number of conventions ratified, the State of Cameroon forwarded the following reports to the High Commissioner for Human Rights:

- Periodic Report to the Committee for the Elimination of all Forms of Discrimination Against Women<sup>2</sup>;
- Cameroon's Periodic Report to the Committee against Racial Discrimination (1997-2008), (15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> Reports);
- 4<sup>th</sup> Periodic Report to the Committee against Torture;
- 4<sup>th</sup> Periodic Report to the Human Rights Committee; and
- 1st and 2nd Periodic Reports to the Committee on Economic, Social and Cultural Rights.

**10-**Within the framework of the preparation of Cameroon's passage before the Universal Periodic Review instituted by Resolution 60/25 of 15 March 2006 of the UN<sup>3</sup> General Assembly, Government's Report relating thereto was prepared by the Ministry of Justice and validated by all state institutions and stakeholders involved and forwarded to the High Commissioner for Human Rights<sup>4</sup>.

## **Seminars, Workshops and Training**

**11-**In collaboration with the Government of Cameroon, the UN Centre for Human Rights and Democracy in Central Africa organized the following seminars and workshops in Cameroon:

February 2008: training workshop for journalists on sexual violence;

<sup>2</sup>This Report was forwarded to the UN High Commissioner in March 2007. It had to be defended before the Committee for the Elimination of all Forms of Discrimination against Women on 21 October 2008 but it was adjourned to, and effectively took place on 28 January 2009.

<sup>3</sup>This examination took place on 5 February 2009 before the working group of the Human Rights Council after the transmission of the national report of 19 November 2008.

<sup>4</sup>See Report under reference A/HRC/WG.6/4/CMR/1 of 2 December 2008.

- in partnership with the Cameroon Association for Human Rights, Democracy and Peace, a seminar on the rights of detainees and targeted Cameroon's police force as well as experienced civil society organizations in April 2008;
- in partnership with the Cameroon Association of African Women a seminar on the theme "Child Slavery and Labour" on 11 April 2008;
- in partnership with the Islamic Educational, Scientific and Cultural Organization (ISESCO), a training seminar on the teaching of human rights in primary and secondary schools for education professionals in May 2008; and
- a training seminar, in Bamenda, on human rights approach for journalists of Cameroon's public and private media, on the 4 and 5 June 2008;
- training workshop for 25 journalists from the written press, public and private audiovisual media on July 2008 on human rights journalistic approach;
- during the celebration of the international day against torture on 26 July 2008, a conference, in partnership with the British High Commission and the NGOs CRAT and ACAT, on the theme « Let's Eradicate Torture in Detention Centres.» This conference was held in the Nkondengui Prison;
- in partnership with CEEAC, a seminar for experts on child slavery in Central Africa on 6 and 7 October 2008. Cameroon Government experts were invited among others,.

**12-** It should be noted that each month, the Centre trains probationers from the Centre for the Enhancement of Techniques for the Maintenance of Order (CPTMO) and the Centre for the Further Training of the Judicial Police (CPPJ) on human rights and the importance of respecting them in the daily discharge of their duty.

**13-** The National Commission on Human Rights and Freedoms (NCHRF) on its part organized the following workshops:

- technical validation workshop on the plan of action for the promotion and protection of human rights in Cameroon from 17 to 18 June 2008 in Yaounde.
- training workshop for focal points on the submission of reports to treaty bodies from 8 to 9 October 2008 in Yaounde;
- training workshop for Judicial and Legal Officers, Lawyers and auxiliaries of justice on human rights from 14 to 15 October 2008 in Yaounde; and
- training of Regional Pedagogic Inspectors from the Ministry of Basic Education (MINEDUB) and the Ministry of Secondary Education (MINESEC) on the use of the teaching scheme and teacher's guide to teach human rights.

**14-** ACAT-Littoral on its part organized:

- from 20 to 21 February 2008 at its headquarters in Douala, a national forum on regional human rights observatories at the end of which a Natio-

nal Human Rights Observatory was set up;

- on 30 September 2008 in Douala in collaboration with the US Embassy in Cameroon, a lecture forum on the theme: "A Comparison of the American and Cameroonian Judicial Systems: Cameroon's Criminal Procedure Code"; and

- on 12 December 2008 in Douala and Yabassi during the celebration of the 60th Anniversary of the Universal Declaration of Human Rights, two conferences on the theme: *"Dignity and Justice for All"*.

**15-** NDH-Cameroun organized for the youths of the Centre, West and Littoral Regions:

- in collaboration with the platform of the civil society for democracy, a workshop on Cameroon's election law under the aegis of ELECAM, on 4 and 5 December 2008; and

- an induction seminar on the Constitution of the Republic of Cameroon from 7 to 8 December 2008.

**16-** IFCD organised in Yaounde:

- a national workshop on the structuring of the national platform for the control of discrimination against women in Cameroon from 21 to 23 August 2008; and

- the national participatory appropriation approach days on the teaching of human rights in the university for participatory development in Cameroon from 21 to 23 December 2008.

## **Methodology**

### **Data Collection**

**17-** Like the 2005, 2006 and 2007 Reports, the report is the fruit of collaboration between the Ministry of Justice, other ministries and related bodies that produced written and sometimes oral contributions in their respective sphere of competence. They comprise the:

Ministry of Territorial Administration and Decentralisation;

Ministry of Social Affairs;

Ministry of Culture;

Ministry of Defence;

Ministry of Energy and Water Resources;

Ministry of Livestock, Fisheries and Animal Husbandry;

Ministry of Commerce;

Ministry of Economy, Planning and Regional Development;

Ministry of Basic Education;

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 Empowerment and the Family;

Ministry of Scientific Research and Innovation;

Ministry of External Relations;  
Ministry of Labour and Social Security;  
Ministry of Public Health;  
Ministry of Transport;  
National Gendarmerie; and  
General Delegation of National Security.

**18-** The independent administrative bodies mentioned below equally contributed to the drawing up of the report:

NCHRF;  
CONAC; and  
ANIF.

**19-** The following NGOs and associations working in the domain of human rights also contributed especially by providing a descriptive report of their activities:

ACAT-Littoral;  
African Action against Aids (AAA);  
Afrique Future;  
National Human Rights Observatory; and  
Transparency International Cameroon.

### **Focus on 2008 Data**

**20 -** This report is based essentially on 2008 data. However, when necessary, cross-references are made in footnotes to elements contained in the 2005, 2006 and 2007 Reports and to some extent to 2009 data with the view to providing updated information at the time of publication.

### **Participatory Approach**

**21 -** Progress made in drawing up the 2007 Report has been consolidated. In fact, at the data collection phase, the civil society made its contribution in writing especially on the activities of its affiliated NGOs and associations. More so, its remarks on all measures taken by the State were duly recorded in footnotes. To this end, the Ministry closely associates the civil society in the promotion and protection of human rights which, it should be reiterated, is primarily incumbent on the State.

#### **Structure of Report**

**22 -** The structure of this report is similar to that of 2007. It is divided into three parts:

Part One : Protection of Civil and Political Rights;  
Part Two : Protection of Economic, Social and Cultural Rights ; and  
Part Three : Cross-cutting Issues on the Protection of Human Rights



Part one

# 1

## PROTECTION OF CIVIL AND POLITICAL RIGHTS



## INTRODUCTION

**23-**The promotion and protection of civil and political rights in Cameroon in 2008 was reflected by the continuation of the fight against the impunity of staff responsible for the implementation of the law. Given that such a fight must be carried out within the strict respect of the rules of procedure, it must absolutely conform to the principles of fair trial that should be mastered by stakeholders of criminal justice whose intellectual ability must be built.

**24-**For the above actions to be visible, it is necessary to ensure that the press should be able to reports on the activities of stakeholders. To this end, particular attention is given to actors of this sector who contribute to freedom of communication. A striking example of this is the fact that the press abundantly reported on the events of February 2008 during which human rights defenders were very active. Such activism triggered discussions on the role and protection of human rights defenders in Cameroon.

**25-**The extraction of an Equato-Guinean asylum seeker and the influx of Chadian refugees in Cameroon in 2008 drew attention to the issue of refugees.

**26-** The issue of constitutional reform which often led to heated debates was concluded in 2008. Accordingly, the amendments contained therein are examined. Although discussions focused on the limitation or not of the term of office of the President of the Republic, it should be noted that the adoption of Elections Cameroon (ELECAM), whose members were appointed in 2008, is an institutional innovation. The putting in place of this institution and new developments observed in the decentralization process as well as the consolidation of democracy will surely improve the right to participate in the management of public affairs through elections.

**27-** All these issues raised above shall be tackled under the following chapters:

**Chapter One:** Fight against Impunity;

**Chapter Two:** Right to Fair Trial;

**Chapter Three:** Freedom of Communication;

**Chapter Four:** Human Rights Defenders;

**Chapter Five:** Refugees;

**Chapter Six:** Adoption of Constitutional Reform; and

**Chapter Seven:** Right to Participate in the Management of Public Affairs.

# Chapter 1

## FIGHT AGAINST IMPUNITY



**28-**The protection of the right to life, security, physical, corporal and moral integrity of persons is expressed daily by the control of the impunity of personnel likely to violate them through their duties. Personnel who are most concerned include the forces of law and order, penitentiary administration staff, administrative and traditional authorities.

**29-**The control of impunity starts by the popularization and promotion of human rights. It is followed by disciplinary and/or judicial measures as well as sanctions inflicted on offenders.

## **SECTION 1: POPULARIZATION**

**30-**In 2008, measures were taken at the level of the National Gendarmerie, central services, territorial command and special services to enhance the promotion and protection of human rights. These measures relate especially to the:

sensitization of the Gendarmerie personnel on the strict respect of instruments especially those relating to citizens' rights such as :

- the Law No 90/53 of 19 December 1990 Relating to Freedom of Association;
- Law No 90/54 of 19 December 1990 Relating to the Maintenance of Law and Order;
- Law No 90/55 of 19 December 1990 to Lay Down Regulations Governing Public Meetings and Processions;
- Law No. 2005/7 of 27 July 2005 on the CPC;
- Decree No. 2007/199 of 7 July 2007 to regulate general discipline in the defence forces;
- publication of the CPC especially Book II, Parts I and II on the Investigation and Prosecution of Offences; and
- control and impromptu visits of Gendarmerie premises by hierarchy and reminding them of the provisions of Section 132 bis of the Penal Code on the repression of torture.

**31-**Personnel of the National Gendarmerie were sensitized specifically on their abusive issue of summonses to the population. In fact, they were reminded that a summons is not binding. It is simply an invitation to appear addressed to a person who has the latitude to honour same or not. It was recommended that only brigade commanders should issue summonses.

**32-**Where in spite of such sensitization reprehensible acts were committed, proceedings were instituted and their authors sanctioned.

## SECTION 2: PROCEEDINGS AND SANCTIONS

**33-**For a better approach, disciplinary measures are separated from judicial measures.

### §1: DISCIPLINARY MEASURES

**34-**The following disciplinary and protective measures were taken against National Gendarmerie and Police personnel in 2008.

#### Police

**35-**The Table below summarises disciplinary measures published in the national daily, Cameroon Tribune:

No.	Name	Unit	Offence and Date of Commission	Sanctions and protective measures
1.	Etoundi Longin ASP, 2 <sup>nd</sup> Class	Provincial Delegation of National Security, East, Bertoua	Dishonesty; tarnishing the image of the Police Force by extorting funds from a colleague and third parties (acts committed in May and September 2006)	Suspended from duty for 3 months
2.	Adama Mongolo, Police Inspector, 1 <sup>st</sup> Class	Public Security Police Station, 6 <sup>th</sup> District, Yaounde	Dishonesty; tarnishing the image of the Police Force by fraudulent withdrawal of exhibit during judicial inquiry (acts committed in July 2008)	Suspended from duty for 3 months
3.	Meyomesse Dieudonné, Police Constable, 2 <sup>nd</sup> Class	Department of Sports and Social Services (Music Service)	Dishonesty; tarnishing the image of the Police Force by extorting funds from a colleague (acts committed in August 2006)	Suspended from duty for 3 months
4.	Semen Semen Séverin Arsène, Police Constable, 2 <sup>nd</sup> Class	Mobile Intervention Unit, North West, Bamenda	Disrespectful behaviour, notorious insubordination, continuous and persistent bad faith at duty and repeated violation of instructions (Acts committed in 2008)	Suspended from duty for 3 months
5.	Zeh Doua Jules Patrick, Police Constable, 2 <sup>nd</sup> Class	Operational branch of territorial surveillance, Foumban	Disrespectful behaviour, notorious insubordination, systematic and repeated absence from duty	Suspended from duty for 3 months
6.	Oleme Guy, Police Constable, 2 <sup>nd</sup> Class	Mobile Intervention Unit, Centre	Violation of instructions by participating in an unauthorized patrol and irregular use of a harrow that caused material damage on a user of the public highway (Acts	Suspended from duty for 3 months

		committed at Nkoabang on the night of 30 to 31 July 2008)	
7. Menzouo Simon, Superintendent of Police	Head, Provincial Department of Judicial Police, East, Bertoua	Serious dishonesty committed in the exercise of his functions and embezzlement of seized property (Acts committed on 17 January 2008)	Suspended from duty for 3 months
8. Onana Mekong Félix, ASP 2 <sup>nd</sup> Class	Bureau Head for Archives, Department of Territorial Surveillance	Non respect of instructions, failure to carry out order, untoward behaviour, insolence and	
		disrespectful gesture to a superior, persistent and continuous bad faith at work, incitement to indiscipline and disobedience (Acts committed in March 2008)	Suspended from duty for 3 months
9. Atangana Pierre Noel, ASP 2 <sup>nd</sup> Class	Special Police Station, Kadey, Batouri	Persistent and continuous bad faith at work, revolt and rebellion, incitement to indiscipline and disobedience (Acts committed by the non execution upon expiry of a sanction of 15 days suspension without salary pursuant to Decision No. 278/DGSN/CAB/DSCS of 19/11/2007)	Suspended from duty for 3 months
10. Ndam Ibrahim, Inspector of Police, 1 <sup>st</sup> Class	General Delegation of National Security, Yaounde	Dishonesty, and serious compromise tarnishing the image of the Police Force by the irregular arrest of a refugee (Acts committed on 8 October 2008)	Revoked from the national security with suppression of pension rights
11. Ndam Amadou, Police Constable, 2 <sup>nd</sup> Class	General Delegation of National	Dishonesty, and serious compromise tarnishing the image of	Revoked from

		Security, Yaounde	the Police Force by the irregular arrest of a refugee (Acts committed on 8 October 2008)	the national security with suppression of pension rights
<b>12.</b>	Etim Rose Enewan, Senior ASP	Police Medical Centre, Yaounde	Extortion of property (Acts committed in 2004 and October 2006)	Suspended from duty for 3 months.
<b>13.</b>	Fouda Yene Lucien, Police Constable, 2 <sup>nd</sup> Class	Department of Frontier Police	Extortion of funds (Acts committed in 2007 and 2008)	Suspended from duty for 3 months
<b>14.</b>	Oumarou Moussa, Inspector of Police, 1 <sup>st</sup> Class	Public Security Police Station, 9 <sup>th</sup> Police District, Douala	Excessive dishonesty in the exercise of his duty as sworn officer in charge of road accidents (Acts committed in January 2005 and May 2007)	Suspended from duty for 3 months.
<b>15.</b>	Ngouot Soulankand Samuel, ASP, 2 <sup>nd</sup> Class	Mobile Intervention Unit, South, Ebolowa	Extortion of funds and notorious insubordination	Suspended from duty for 3 months.
<b>16.</b>	Efagon Armand Dicko Aristide, Inspector of Police, 1 <sup>st</sup> Class	Department of Human Resources, General Delegation of National Security, Yaounde	Blackmail, harassment, racketeering and extortion of funds from expatriates (Acts carried out on 22 August 2008)	Suspended from duty for 3 months.
<b>17.</b>	Emini François Noël Bertrand, ASP, 1 <sup>st</sup> Class	Department of Human Resources, General Delegation of National Security, Yaounde	Blackmail, harassment, racketeering and extortion of funds from expatriates (Acts carried out on 22 August 2008)	Suspended from duty for 3 months
<b>18.</b>	Mbeleck Mbang Phillipe, ASP, 1 <sup>st</sup> Class	Police Station, International Airport, Nsimalen, Yaounde	Extortion of funds in the execution of his functions (Acts committed in 2007 and 2008)	Suspended from duty for 3 months
<b>19.</b>	Chekah Samson Manah, Police Constable, 2 <sup>nd</sup> Class	Department of Public Security (Protection Service), DSN, Yaounde	Extortion of funds from ordinary passport applicants (Acts committed in October 2007 and July 2008)	Suspended from duty for 3 months
<b>20.</b>	Ngale Bille Ngeke Joseph, Police Constable, 2 <sup>nd</sup> Class	Department of Public Security, General, Yaounde	Extortion of funds from ordinary passport applicants (Acts	Suspended from duty for 3

	Delegation of National Security	committed in October 2007)	months.
<b>21.</b> Kalla Nsombo Alfred, Police Constable, 2 <sup>nd</sup> Class	Company for the Protection of Diplomats (CSD), General Delegation of National Security	Extortion of funds from ordinary passport applicants (Acts committed in October 2007)	Suspended from duty for three (3) months
<b>22.</b> Nlong Jean Danie Police Inspector, 1 <sup>st</sup> Class	National Advanced Police School, Yaounde	Repeated serious dishonesty; disrespectful behaviour, notorious insubordination (Acts committed in August 2007 and August 2008)	Suspended from duty for three (3) months

Source : DGSN

## B- National Gendarmerie

**36-**The Table below contains some sanctions taken against members of this corps:

Name	Class	Unit	Offences and Dates Committed	Sanctions
Megouya Joel	G/M	Mobile Squad No. 40-PM 402, Bertoua	Armed threat and firing in the air against the manager of FIFFA a micro finance establishment	15 days imprisonment
Lao Victor	ADJT	Chief of Gendarmerie Post, Azomekout	Assault on neighbour on 18 March 2008	12 days of detention and relieved of his duty
Doko Boul	ADJT	Dimako Brigade	Manslaughter and assault on 21 July 2008	12 days of detention; prosecution before the Military Tribunal (detention in military prison, Yaounde)
Abatcha Oumarou Raoul	ESO	Practical Training, East Legion	Assault (fracture of Mohamadou Abba's tibia and	Proposed sanction forwarded to

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		fibula) during a patrol on 28 August 2008 at Garoua Boulai	CECIG, Yaounde
Mouchipou MDL Njoya	Salapoumbe Brigade	Assault on two citizens with a firearm on 21 September 2008	12 days of detention and relieved of his duty
Oloma Bikoe MDL/C Martin	Territorial Brigade, Batouri	Arrest, poor treatment and false arrest of a minor for 3 hours on 19 October 2008	12 days of detention and relieved of his duty
Garga A/C Christophe	Chief Gendarmerie Post, Kika	Unjust treatment of his subordinate by causing the suspension of his salary for 5 months	12 days of detention, judicial file before the Military Tribunal
Nimpa Donkeng MDL St_phane	Akwa North Brigade	Torture	12 days of detention and request for judicial proceedings
Haman Chetima A/C-M Bahori	Research Brigade, Garoua	Serious professional service offence (false arrest leading to release upon the payment of CFA 110,000)	20 days of detention
Mba Nnanga A/C	Garoua Brigade	Serious professional service offence (abusive remand in custody and poor detention conditions of a minor of 11 years resulting in an imaginary escape) on 14 February 2008	20 days of detention

## Legend

GM: Gendarme Major

ESO: Student Sub-officer

**MDL: Squadron Sergeant-Major**

**Adj: Warrant Officer**

**A/C: Chief Warrant Officer**

**A/C-M: Chief Major Warrant Officer**

## **§2: JUDICIAL MEASURES AND/OR SANCTIONS**

**36-** Before the situation in 2008 is given, it is necessary to indicate the progress of certain matters mentioned in 2007.

### **A- Matters Mentioned in the 2007 Report**

#### **Court of Appeal, Adamawa Region**

##### **CFI, Banyo**

The People Vs Oumarou Yaya, 3rd Class Traditional Ruler of Mbamti-Ndipele, prosecuted for threats. The Court found him not guilty and acquitted him for lack of evidence<sup>5</sup>.

#### **Court of Appeal, North**

##### **CFI, Garoua**

- The People Vs Ngwan Austin, Assistant Superintendent of Police (ASP), prosecuted for assault and destruction as co-offender with a civilian. By Judgment No. 284/cor of 11 March 2008, the court declared its lack of jurisdiction *ratione loci* and referred the matter to the Legal Department to better prepare its case that went on appeal. The Court justified its lack of territorial competence on the grounds that because the ASP benefits from privileged jurisdiction provided for by Section 634 (2) of the CPC, he could not be tried in Garoua.

- The People Vs Euguene Malgoire <sup>6</sup>, former Commissioner of Police, Emmi-Immigration, Garoua, charged with swindling, false arrest, provided for and punishable under Sections 74, 281, and 291 of the Penal Code. The court declined jurisdiction for the same reasons as above.

#### **Court of Appeal**

The People Vs Baina Dedaidandi <sup>7</sup>, Village Head of Dore-Tongo. By letter of 10 January 2007, Mr Toumbarou Djoda, Advocate in Ga-

<sup>5</sup> See 2005 Report p. 39

<sup>6</sup> See 2007 Report, page 36

<sup>7</sup> See 2005 Report p.35 §25

roua, briefing counsel for BAINA Dedaidandi, appealed against a judgment of the HC, Benoue delivered on 16 August 2006 that sentenced his client in absentia to 10 years imprisonment and ordered him to pay a fine of CFA 200,000 for false arrest as well as assault.

After execution of the warrant of arrest issued against the above-named, the Court ordered the withdrawal of the process and appointed, at his request, Wanso Robert, nurse at the military Hospital, Garoua, as his representative.

The record of proceedings that was forwarded to the registry of the CA, North Region was listed for hearing on 21 September 2007.

After adjournments, the CA by Judgment of 17 October 2008, ruled in default of all the parties, declared the appeal inadmissible because it was time-barred, ordered Baina Dedaidandi to pay costs of CFA 137,242, issued a warrant of arrest against him in case of default and confirmed the arrest warrant issued by the trial court.

The People vs Tobourma, Police Constable, prosecuted for oppression and theft.<sup>8</sup>

## **B- The Situation of Judicial Files in 2008**

**37-** Cases mentioned below are divided into those under the jurisdiction of military tribunals and those under civil courts.

### **1. Military Tribunals (MT)**

The following proceedings are under prosecution by military tribunals:

#### **MT, Douala**

- The People vs Kemda Pascal, Sergeant, prosecuted for threats. By Judgment No. 23/8 of 12 March 2008, he was convicted and sentenced to 1 year imprisonment;
- The People vs Bitep Dieudonne, Gendarme, prosecuted for false arrest. By Judgment No. 33/8 of 1 April 2008, he was convicted and sentenced to 6 months imprisonment;
- The People vs Malla Menzeme Claude Armand, Service man, 2nd Class, prosecuted for capital murder. By Judgment No. 46/8 of 22 April 2008, he was convicted and sentenced to death;
- The People vs Mayou Koundjoun, Chief Warrant Officer, prosecuted

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<sup>8</sup> The last known date of adjournment is 24 April 2009

for oppression. By Judgment No. 34/8 of 10 April 2008, he was convicted and sentenced to 7 months imprisonment;

- The People vs Ndedema Solo, Squadron Sergeant-Major, prosecuted for abuse of service. By Judgment No. 144/8 of 14 August 2008, he was convicted and sentenced to 6 months imprisonment;

- The People vs Owona Alphonse, Sergeant, prosecuted for attempted murder. By Judgment No. 61/8 of 25 April 2008, he was convicted and sentenced to 10 years imprisonment;

- The People vs Messi Engoulou and Edou, respectively Chief Squadron Sergeant-Major and Squadron Sergeant Major, prosecuted for illegal detention and destruction. By Judgment No. 111/8 of 24 June 2008, they were each convicted and sentenced to 2 years imprisonment;

- The People vs Ngassam Charles and Tiako Ngamdjui, respectively Chief Warrant Officer and Gendarme, prosecuted for oppression and false arrest. By Judgment No. 96/8 of 12 June 2008, they each were convicted and sentenced to 5 years imprisonment;

- The People vs Toukam Bernard, Gendarme Major, prosecuted for illegal detention. By Judgment No. 106/8 of 24 June 2008, he was convicted and sentenced to 6 months imprisonment;

- The People vs Tchokote Emmanuel, Warrant Officer, prosecuted for destruction, oppression and assault. By Judgment No. 132/8 of 2 July 2008, he was convicted and sentenced to 3 years imprisonment;

- The People vs Yambeu Michel Squadron Sergeant-Major, Garba Justin, Tonye Janvier and Shu Simon, Gendarmes Major, prosecuted for murder. By Judgment No. 173/8 of 22 September 2008, they were each convicted and sentenced to 5 years imprisonment; and

- The People vs Tetka Jean Felix and Aboudi Gabriel, respectively Chief Warrant Officer and Corporal, prosecuted for false arrest and torture. By Judgment No. 182/8 of 23 September 2008, they were each convicted and sentenced to 5 years imprisonment.

## **MT, Buea**

- The People vs Zokadouma Jean, Chief Warrant Officer, prosecuted for illegal detention. By Judgment No. 10/8 of 31 January 2008, he was convicted and sentenced to 6 months imprisonment;

- The People vs Messi Owono, Melingui Ndzomo and Zang Sylvain, 2nd Class Servicemen, prosecuted for threats. By Judgment No. 53/8 of 7 May 2008, they were ordered to pay a fine of CFA 25,000 each;
- The People vs Kuven David and Njournou Joel, Chief Squadron Sergeant-Majors, prosecuted for oppression and assault. By Judgment No. 60/8 of 12 June 2008, they were convicted and sentenced to 9 months imprisonment each; and
- The People vs Epale Jean Marie, Chief Warrant Officer, prosecuted for false arrest. By Judgment No. 68/8 of 3 July 2008, he was convicted and ordered to pay a fine of CFA 100,000.

## **MT Garoua**

- The People vs Ngoulou Mbida, Sergeant, prosecuted for murder. By Judgment No. 17/8 of 14 January 2008 he was convicted and sentenced to 1 year imprisonment;
- The People vs Jean Sira, Chief Sergeant, prosecuted for manslaughter. By Judgment No. 18/8 of 14 January 2008, he was sentenced to 6 months imprisonment;
- The People vs Ngassou Francis, Warrant Officer, Melingui Alexis, Sergeant, and Ndjerabe Manuel, Chief Corporal, prosecuted for assault. By Judgment No. 23/8 of 7 February 2008, they were convicted and sentenced to 6 months imprisonment each;
- The People vs Ndjondo Audjokou, Squadron Sergeant-Major, prosecuted for false arrest. By Judgment No. 127/8 of 4 September 2008, he was convicted and sentenced to 6 months imprisonment; and
- The People vs Njifendjou Mamouda, Chief Warrant Officer, Sola Pierre, Warrant Officer and Atangana Jean Marie, Gendarme Major, prosecuted for false arrest, oppression and manslaughter. By Judgment No. 132/8 of 15 September 2008, they were convicted and sentenced to 6 months imprisonment.

## **MT Bafoussam**

- The People vs Yinda Ambono Effiem and Mosbou Francois, Gendarmes, prosecuted for assault occasioning death. By Judgment No. 101/8 of 13 August 2008, he was convicted and sentenced to

6 months imprisonment;

- The People vs Bouba Derezou, Gendarme, prosecuted for oppression and false arrest. By Judgment No. 109/8 of 4 September 2008, he was sentenced to a fine of CFA 50,000;
- The People vs Zengue Martin, prosecuted for assault occasioning death. By Judgment No. 118/8 of 8 October 2008, he was convicted and sentenced to 5 years imprisonment; and
- The People vs Boula Jacques, Warrant Sergeant-Major, prosecuted for assault occasioning death. By Judgment No. 122/8 of 22 October 2008, he was convicted and sentenced to 5 years imprisonment.

## **MT, Yaounde**

- The People vs Ayissi Atangana Gerard, Chief Squadron Sergeant-Major, prosecuted for false arrest. By Judgment No. 152/8 of 22 April 2008, he was convicted and sentenced to 10 years imprisonment;
- The People vs Edouka Epanda Bertrand, Squadron Sergeant-Major, prosecuted for torture. By Judgment No. 318/8 of 12 August 2008 he was convicted and sentenced to 10 years imprisonment; and
- The People vs Jiogou Moliere, Squadron Sergeant-Major, and Abdoulaye Champagne, Gendarme Major, prosecuted for false arrest. By Judgment No. 282/8 of 15 July 2008, they were convicted and sentenced to 10 years imprisonment each.

## **2: Proceedings before Ordinary Courts**

### **A- Court of Appeal, Adamawa Region**

#### **CFI Ngaoundere**

- The People vs Abou Sambo Pierre, MDLC, prosecuted for unlawful detention. This matter is pending hearing and determination;
- The People vs Koueni Deungoue Nestor, General Education Higher School Teacher and Service Head for Examinations, prosecuted for false arrest. The matter is pending hearing and determination;
- The People vs Nkoue Likah, Regional Delegate for Labour and Social Security, prosecuted for refusal to render service. This matter is pending hearing and determination;
- The People vs Bobbo, Agriculture Technician, and Hamadjoda Ibrahim, prosecuted for false arrest. A no-case ruling was delivered by the

Examining Magistrate.

## **CFI, Banyo**

- The People vs Ndamvuiegougou Elise (trader) and Mbeauache Nazarius (policeman), prosecuted for threats, rebellion, pollution, assault, oppression and false arrest. The suspects were found not guilty and acquitted; and
- The People vs Engonga Eugene, Administrative Clerk and Bureau Head for Transport Allowance, prosecuted for assault, oppression and false arrest. The matter is pending hearing and determination.

## **CFI, Tibati**

- The People vs Iya Aboubakar, Marma Village Head, prosecuted for calumny, defamation and abuse. The matter is pending hearing and determination; and
- The People vs Djaouro Sali, Masse Village Head, prosecuted for disturbance of quiet enjoyment and threats. The matter is pending hearing and determination.

## **CFI Tignere**

- The People vs Issa Maounde alias Djaouro Issa, Third Class Traditional Ruler, convicted and sentenced to 10 years imprisonment, suspended for 3 years for false arrest and ordered to pay costs; and
- The People vs Hamidou, Inspector of Police, 2nd Class, and Allah Ondoum Leger Bruno, Police Constable, prosecuted for oppression and accessory. The matter is pending hearing and determination.

## **Court of Appeal, Centre Region**

### **CFI, Yaounde, Centre-Administratif**

- The People vs. Mana Ekani Marie Georgette, Assistant Superintendent of Police, prosecuted for accessory in invasion of residence<sup>9</sup>;
- The People vs. Belinga Paul Armand, Auctioneer, prosecuted for defamation<sup>10</sup>;
- The People vs. Ngong Chongong Joseph, Lieutenant of the Gendarmerie Force, prosecuted for oppression<sup>11</sup>;
- The People vs. Tsoung Koumedjale Eva Marquis, Bailiff, prosecuted for accessory in invasion of residence<sup>12</sup>;
- The People vs. Mahamat Nour Salah, Civil Administrator, prosecuted for invasion of residence<sup>13</sup>;

<sup>9</sup>The last known date of adjournment is 22 July 2008.

<sup>10</sup>The last known date of adjournment is 18 August 2009.

<sup>11</sup>The last known date of adjournment is 10 June 2008.

<sup>12</sup>The last known date of adjournment is 8 April 2009.

<sup>13</sup>The last known date of adjournment is 8 June 2009.

- The People vs. Oma Mengue Jacques Désiré Non-Commissioned Officer of the Armed Forces, prosecuted for threats<sup>14</sup>;
- The People vs. Biyick Thomas and Mekongo Etonga, Bailiff and Senior Court Registrar respectively, prosecuted for misleading public services and concealment of proceedings;<sup>15</sup>
- The People vs. Awouda Zoa Elie, Police Constable, prosecuted for threats;<sup>16</sup>
- The People vs. Biolo Essomba Denise, Bailiff, prosecuted for misleading public services and other offences. This matter is pending preliminary inquiry;
- The People vs. Mah Ebénézer, Bailiff, prosecuted for threats<sup>17</sup>;
- The People vs. Mfom Félix Yumze, Police Superintendent, prosecuted for threats and invasion of residence<sup>18</sup>;
- The People vs. Anong Adibime Pascal, former Minister of Lands and Land Tenure, prosecuted for oppression and favouritism<sup>19</sup>;
- The People vs. Ebene Albert Léopold and Others, Police Superintendent at the Judicial Police Regional Delegation, prosecuted for oppression<sup>20</sup>;
- The People vs. Tsimi Evouna Gilbert, Government Delegate at the City Council, Yaounde, prosecuted for oppression and refusal to render service<sup>21</sup>;
- The People vs. Ndongo André Marie, Divisional Delegate of Lands and Land Tenure, Mfoundi, prosecuted for oppression. The Court declared the charge inadmissible for failure to pay deposit;
- The People vs. Essame Patrick, Police Superintendent at the Special Railway Police Station, prosecuted for oppression<sup>22</sup>;
- The People vs. Edja Antoine, Brigade Head at the Divisional for Centre Taxation, Tongolo Yaounde, prosecuted for oppression<sup>23</sup>;
- The People vs. Jean David Bile, former General Manager of AES Sonel and Others, prosecuted for oppression<sup>24</sup>;

<sup>14</sup> The last known date of adjournment is 4 June 2008.

<sup>15</sup> The last known date of adjournment is 21 August 1980.

<sup>16</sup> The last known date of adjournment is 10 October 2008.

<sup>17</sup> The last known date of adjournment is 24 December 2008.

<sup>18</sup> The last known date of adjournment is 18 August 2009.

<sup>19</sup> This matter has been listed for hearing on 23 October 2009.

<sup>20</sup> The last known date of adjournment is 12 December 2007.

<sup>21</sup> The last known date of adjournment is 27 March 2008. During the hearing and determination of this matter, an

<sup>22</sup> The last known date of adjournment is 12 June 2008.

<sup>23</sup> The last known date of adjournment is 19 March 2009.

<sup>24</sup> The last known date of adjournment is 17 January 2008.

- The People vs. Ebodé Antoine Roger, Nurse at the Regional Branch of SNEC Yaounde, prosecuted for refusal to render service<sup>25</sup>;
- The People vs. Efolie Mbondi Raoul, Inspector of Police at the 9th District Police Station for Public Security, prosecuted for oppression <sup>26</sup>;
- The People vs. Mbassi Modeste François, Notary Public, prosecuted for oppression. He was found guilty, convicted and sentenced to 6 months imprisonment and ordered to pay costs and the sum of CFA 3,631,728 as compensation for injury;
- The people vs. Kome Amos Njikang, Medical Doctor, prosecuted for abortion and unintentional killing;<sup>27</sup>
- The People vs Tapa Justin Lebrun, Bailiff in training, prosecuted for invasion of residence;<sup>28</sup>
- The People vs Biyick Thomas, Bailiff, prosecuted, for invasion of residence;<sup>29</sup>
- Nguengang Foulefack Darius Guy Landry, Bailiff in training, prosecuted for the invasion of residence;<sup>30</sup>
- The People vs. Dang Esther, Super Scale Authorised Representative, prosecuted for false report, defamation and false pretences;
- The People vs. Nama Ottou Gaston, Inspector of Police; prosecuted for trespass<sup>31</sup>;
- The People vs. Ateba Ateba Jean Didier, Serviceman, prosecuted for invasion of residence, threats, theft and misappropriation<sup>32</sup>;
- The People vs. Mengué, Assistant Superintendent of Police, prosecuted for oppression and favouritism. The charge was declared inadmissible for failure to pay deposit and for the lack of identification of the accused;
- The People vs. Messi, Warrant Officer, 1st Class of the Gendarmerie, prosecuted for oppression and favouritism. The charge was declared inadmissible for failure to pay deposit and for lack of identification of the accused;
- The People vs. Temgoua Kasse Claude, State Employee, prosecuted for trespass<sup>33</sup>;
- The People vs. Edo'o Ghislain, Inspector of Police, prosecuted for

<sup>25</sup>The last known date of adjournment is 4 June 2009.

<sup>26</sup>The last known date of adjournment is 10 December 2008.

<sup>27</sup>The last known date of adjournment is 18 September 2009.

<sup>28</sup>The last known date of adjournment is 21 August 2009.

<sup>29</sup>The last known date of adjournment is 21 August 2009.

<sup>30</sup>The last known date of adjournment is 21 August 2009.

<sup>31</sup>The last known date of adjournment is 19 May 2009.

<sup>32</sup>The last known date of adjournment is 21 April 2009.

<sup>33</sup>The last known date of adjournment is 11 August 2009.

oppression, favouritism and destruction<sup>34</sup>;

- The People Dong Matcham, State Employee, prosecuted for practice of witchcraft and threats. The criminal proceeding was declared inadmissible for failure to pay deposit and lack of identification of the accused;
- The People vs. Sofack Jean Claude, Serviceman, prosecuted for threats, abuse, assault and destruction. He was found not guilty and acquitted for want of evidence;
- The People vs. Donfack Léopold, Gendarme, prosecuted for threats, abuse, assault and destruction. He was found not guilty and acquitted for want of evidence;
- The People vs. Kang Athanasius Kedze, Gendarme Officer, prosecuted for fabrication of evidence, refusal to exonerate from blame, abuse and false report. He was found not guilty and acquitted for want of evidence;
- The People vs. Adama Modi, Inspector of Police, prosecuted for oppression, assault, destruction and false pretences. The charge was declared inadmissible for failure to pay deposit;
- The People vs. Mboa Ondoua Claude, Inspector of Police, prosecuted for accessory in false pretences, fraud and extortion of disposition or signature. The charge was declared inadmissible for failure to pay deposit;
- The People vs. Ngwet Nicolas, Police Constable, Fomekon G. and Lontsi, prosecuted for false pretences and misappropriation. They were found not guilty and acquitted;
- The People vs. Essomba Nyolo Auguste, Inspector of Police, prosecuted for oppression. The Court ordered stay of judgment pending hearing and determination of the matter before the Military Tribunal;
- The People vs. Mba Tonga Sollo Ndzie Solange Romance, Advocate, prosecuted for issuing a cheque without cover<sup>35</sup>;
- The People vs. Mama Fouda Andre, Minister of Public Health, prosecuted for trespass<sup>36</sup>;
- The People vs. Alouan Gilles Jules, Inspector of Police, prosecuted for false arrest<sup>37</sup>;
- The People vs. Nkoto Emame David, General Manager of CAMTEL,

<sup>34</sup>The last known date of adjournment is 10 December 2008.

<sup>35</sup>The last known date of adjournment is 18 September 2009.

<sup>36</sup>The last known date of adjournment is 21 August 2009.

<sup>37</sup>The last known date of adjournment is 28 August 2007.

prosecuted for corruption, favouritism, refusal to render service and oppression<sup>38</sup>;

- The People vs. Ebodé François, Inspector of Police, prosecuted for oppression, torture, procuring influence and other offences<sup>39</sup>;

- The People vs. Louis Paul Motaze, Minister of the Economy, Planning and Regional Development, prosecuted for defamation. He was found not guilty and acquitted for want of evidence;

- The people vs. Anong Adibimé Pascal, former Minister of Lands and Land Tenure, prosecuted for oppression<sup>40</sup>;

- The People vs. Ndilé Albert, Inspector General (MINFI), prosecuted for false report, corruption and accessory. The Court gave official notice to the victim for his nonsuit;

- The People vs. Ndongo André, former Divisional Delegate of Lands and Land Tenure, Mfoundi, prosecuted for oppression and favouritism<sup>41</sup>;

- The People vs. Efolo Mbondi Raoul, Inspector of Police, prosecuted for oppression and assault<sup>42</sup>;

- The People vs. Adja Antoine, Tax Inspector, prosecuted for oppression, theft and destruction<sup>43</sup>;

- The People vs. Mana Ekani Marie T., Assistant Superintendent of Police, prosecuted for signature in blank, fraudulent retention and forgery<sup>44</sup>;

## **CFI, Ekounou -Yaounde**

- The People vs. Ousmala Daouda, Police Constable, prosecuted for usurpation of function and dangerous activities. He was found guilty, convicted and sentenced to 3 months imprisonment;

- The People vs. Yaya Mahondé, Police Superintendent, prosecuted for threats and oppression. The Court declined jurisdiction on grounds of privileged proceedings;

- The People vs. Nlate Francis, Assistant Superintendent of Police, prosecuted for threats and misappropriation. The Court declined jurisdiction on grounds of privileged proceedings;

- The People vs. Ayibena Honoré, Assistant Superintendent of Police,

<sup>38</sup> The last known date of adjournment is 21 August 2009.

<sup>39</sup> The last known date of adjournment is 21 August 2009.

<sup>40</sup> The last known date of adjournment is 19 May 2009.

<sup>41</sup> The last known date of adjournment is 21 April 2009.

<sup>42</sup> The last known date of adjournment is 11 August 2009.

<sup>43</sup> The last known date of adjournment is 11 August 2008.

<sup>44</sup> The last known date of adjournment is 9 March 2009.

prosecuted for blackmail<sup>45</sup>;

- The People vs. Mbassa Souta Melviu, Assistant Superintendent of Police, prosecuted for oppression. The Court declined jurisdiction on grounds of privileged proceedings;
- The People vs. Owona François, Civil Servant of the Police Force, prosecuted for usurpation of qualification. He was found guilty, convicted and sentenced to 5 months imprisonment and ordered to pay a fine of CFA 25,000 and costs;
- The People vs. Abessolo Roger, Civil Servant of the Police Force, prosecuted for oppression. The matter is pending hearing and determination;
- The People vs. Ngassam Nzia, Inspector of Police, prosecuted for false pretences and other offences. The matter is pending hearing and determination;
- The People vs. Nyamsi Jean Pierre, Serviceman, prosecuted for disturbance of quiet enjoyment<sup>46</sup>;
- The people vs. Ngono Marie, Prison Warder, prosecuted for detention and traffic in narcotics. The matter is pending hearing and determination;
- The People vs. Mbogui Essah, Gendarme, prosecuted for false pretences. The matter is pending hearing and determination; and
- The People vs. Andang André, Gendarme, prosecuted for usurpation and false arrest<sup>47</sup>.

## **CFI, Eseka**

- The People vs. Pkeou Michel, Sergeant, prosecuted for assault and abuse<sup>48</sup>;
- The People vs. Nke Lebogo, Police Constable Major, prosecuted for assault and torture<sup>49</sup>;
- The People vs. Ndjem Simon Pierre, Gendarme Major, prosecuted for accessory in misappropriation. At the hearing of 10 August 2008, he was found guilty, convicted and ordered to pay a fine of CFA 20,000 as well as damages of CFA 100,000;

<sup>45</sup> The last known date of adjournment is 9 July 2009.

<sup>46</sup> The last known date of adjournment is 28 August 2007.

<sup>47</sup> The last known date of adjournment is 23 July 2008.

<sup>48</sup> The last known date of adjournment is 23 July 2009.

<sup>49</sup> The last known date of adjournment is 23 July 2009.

- The People vs. Nkot Mboua Emmanuel, Registry Administrator (Registrar-in-Chief at Bangangte), prosecuted for disturbance of quiet enjoyment and destruction<sup>50</sup>;
- The People vs. Engom Dieudonné, Colonel, prosecuted for disturbance of quiet enjoyment and destruction<sup>51</sup>;
- The People vs. Kobla Nyemeck, Senior Registrar (Registrar-in-Chief, CFI, Eseka), prosecuted for refusal to render service and oppression<sup>52</sup>;
- The People vs. Okale Atembouni Grégoire, Registry Clerk, prosecuted for favouritism<sup>53</sup>;
- The People vs. Fansi Dieudonné, Warrant Officer of the Gendarmerie, prosecuted for oppression, false arrest and assault. At the hearing of 13 July 2007, the Court declined its jurisdiction *ratione materiae* with regard to the offence committed by Gendarme Officers while carrying out their duties and requested the civil party to better prepare his case;
- The People vs. Minka Joseph, Superintendent of Police, prosecuted for oppression, assault and threats. The Court declared the charge inadmissible for failing to present the original copy of the direct summons and to pay the deposit;
- The People vs. Lebog Boniface, Judicial and Legal Officer, prosecuted for accessory in destruction and disturbance of quiet enjoyment. By an interlocutory ruling, the Court declined jurisdiction concerning Lebog Boniface and reserved costs.

## **CFI, Bafia**

- The People and Massembele Maurice vs. Ngolong Mathias, Gendarme Officer in service at the Ombessa Gendarmerie Brigade, prosecuted for violence, assault, false arrest and misleading public services<sup>54</sup>;
- The People and Ntang Paul Emile vs. Ngolong Mathias, Gendarme

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<sup>50</sup> The last known date of adjournment is 1 November 2009.

<sup>51</sup> The last known date of adjournment is 10 December 2009.

<sup>52</sup> The last known date of adjournment is 19 March 2009.

<sup>53</sup> The last known date of adjournment is 29 March 2009.

<sup>54</sup> The last known date of adjournment is 22 July 2009.

Officer in service at the Ombessa Gendarmerie Brigade, prosecuted for oppression<sup>55</sup>;

- The People and Yakana Essiba Georges vs. Ngando Daniel, Gendarme Officer in service at the Gendarmerie Brigade, Ombessa, prosecuted for oppression. The Court found the accused guilty and ordered him to pay a fine of CFA 50,000.

## **CFI, Mfou**

- The People vs. Atangana Protais, former Mayor of Mfou, prosecuted for oppression and fraudulent retention<sup>56</sup>;

- The People vs. Atangana Protais, former Mayor of Mfou, prosecuted for oppression, dangerous carriage of arms, breach of seals, destruction and invasion of residence<sup>57</sup>;

- The People vs. Ndzana Jean, Divisional Controller of Finance, prosecuted for refusal to render service and oppression<sup>58</sup>;

- The People vs. Ze Jean Joseph, Ngah Mbarga Joseph and Zang Dimanche Claude, Inspector of Police, Superintendent of Police and Inspector of Police respectively, prosecuted for favouritism and oppression, false pretences and accessory in false arrest<sup>59</sup>;

- The People vs. Zoa Marcelline, Land Registrar for Mefou and Afamba, prosecuted for oppression<sup>60</sup>;

- The People vs. Nitchou Jean Paul, Land Surveyor of Mfou, prosecuted for oppression, refusal to render service and fraudulent retention<sup>61</sup>;

- The People vs. Embolo Ndoman, Moutchou Moïse and Mpomo Milla Henri, Provincial Delegate of Lands and Land Tenure, sworn Land Surveyor of Mfou and Land Surveyor respectively, prosecuted for refusal to render service and favouritism, interest in an act, oppression and forgery<sup>62</sup>;

- The People vs. Nitchou Jean Paul, Land Surveyor of Mfou, prosecuted for the concealment of proceedings. This matter is pending preliminary inquiry.

<sup>55</sup> The last known date of adjournment is 22 September 2009.

<sup>56</sup> The last known date of adjournment is 10 August 2009.

<sup>57</sup> The last known date of adjournment is 10 September 2009.

<sup>58</sup> The last known date of adjournment is 10 September 2009.

<sup>59</sup> The last known date of adjournment is 20 August 2009.

<sup>60</sup> The last known date of adjournment is 20 August 2009.

<sup>61</sup> This matter is pending determination on 9 July 2009.

<sup>62</sup> This matter is pending determination on 9 July 2009.

## **CFI, Nanga-Eboko**

- The People vs. Assistant Superintendent of Police, 2nd Class, prosecuted for murder. This matter is pending preliminary inquiry;
- The People vs. Amougou Essissima, Police Constable, 2nd Class, prosecuted for assault<sup>63</sup>.

## **CFI, Mbalmayo**

- The People vs. Bayo Charles, Senior Inspector of Police at Zoetele, prosecuted for oppression and assault <sup>64</sup>.

## **Court of Appeal East Region**

### **CFI, Batouri**

- The People vs TABOU TAFOUET, Police Constable, prosecuted for assault, oppression and invasion of residence. The accused was found guilty of invasion of residence and oppression. The Court requalified the charges from assault to violence and the accused was found guilty. He was convicted to pay a fine of CFA 4,000 and damages of CFA 38,850.

## **Court of Appeal, Littoral Region**

### **CFI, Douala-Bonanjo**

- The People vs Mani Marthe, Land Conservator, prosecuted for refusal to render service;<sup>65</sup>
- The People vs Dayas Mounoume, Managing Director of Ports Authority, Douala, prosecuted for disturbance of service;<sup>66</sup>
- The People vs Nguezem Jean, recovery worker at the Main Taxation Centre, Douala V, for oppression;<sup>67</sup>
- The People vs Fampou Kamtchoum Jacques, worker in service at Sub-Divisional Council, Douala II, prosecuted for oppression;<sup>68</sup>
- The People vs Baneck Moïse, worker in service at the Urban Council, Douala, prosecuted for oppression;<sup>69</sup>
- The People vs Paul Kana Ebanga, Judicial Expert, Co-liquidator of First Oil Cameroun S.A., prosecuted for oppression;<sup>70</sup>
- The People vs Crescence Nganti, Judicial Expert, Co-liquidator of First Oil Cameroun S.A., prosecuted for oppression;<sup>71</sup>

<sup>63</sup> The last known date of adjournment is 25 August 2009.

<sup>64</sup> The last known date of adjournment is 22 September 2009.

<sup>65</sup> Adjourned to 15 January 2009 for identification of the accused.

<sup>66</sup> Adjourned to 12 February 2009 for identification of the accused.

<sup>67</sup> Matter adjourned to 5 February 2009 for identification of the accused.

<sup>68</sup> Matter adjourned to 12 February for hearing.

<sup>69</sup> Matter adjourned to 5 February 2009 at the request of the accused.

<sup>70</sup> Matter adjourned to 5 March 2009 for identification of the accused.

<sup>71</sup> Matter adjourned to 5 March 2009 for identification of the accused.

- The People vs Ngalle Miano Jean Paul (Advocate) and Moussinga Bapes Jacqueline (Notary Public), prosecuted for complicity and oppression;<sup>72</sup>
- The People vs Etoke Joel, Notary Public, prosecuted for oppression; and<sup>73</sup>
- The People vs Gabala Desire, Managing Director, Nestlé Cameroun prosecuted for disturbance of service. At the hearing of 4 September 2008, the accused was found not guilty and acquitted for lack of evidence. The civil party appealed the decision.

## **HC, Mungo**

- The People vs Ella Ondoua Ambroise Rodrigue, former Divisional Delegate for Forestry, Mungo, prosecuted for the embezzlement of attached property, interest in an act, oppression, false evidence and aggravated theft<sup>74</sup>.

## **CFI Nkongsamba**

- The People vs Mbock Mbock Michel, Police Constable in service at the Public Security Police Station, Meiganga, prosecuted for torture<sup>75</sup>;
- The People vs Tatchum Andre, Deputy Treasurer of the Nkongsamba Councils, prosecuted for oppression and unlawful detention<sup>76</sup>; and
- The People vs Kepseu Nguejouo Alain Leopold, worker at the Nkongsamba Council, prosecuted for oppression and unlawful detention.<sup>77</sup>

## **CFI Mbanga**

- The People vs Aboubakar and Abessolo Jean Didier, respectively Tax Inspector, Head and Treasurer of the Taxation Divisional Centre (CDI), Mbanga, prosecuted for oppression<sup>78</sup>;
- The People vs Songa Daniel, Village Head of Poula in Penja, prosecuted for accessory in false arrest<sup>79</sup>; and
- The People vs Abessolo Jean Didier (Treasurer of CDI Mbanga) and three other unidentified persons, prosecuted for accessory in oppression.

<sup>72</sup> Matter adjourned to 22 January 2009 for service on the accused and hearing.

<sup>73</sup> Matter adjourned to 5 March 2009 for identification of the accused.

<sup>74</sup> Matter adjourned to 24 February 2009 for service on the accused.

<sup>75</sup> Matter adjourned to 3 March 2009 for service on the accused.

<sup>76</sup> Matter adjourned to 16 January 2009 for service on the parties and hearing.

<sup>77</sup> Matter adjourned to 16 January 2009 for service on the parties and hearing.

<sup>78</sup> Matter adjourned to 24 February 2009 for service on the parties and hearing.

<sup>79</sup> Matter adjourned to 17 February 2009 for hearing

## C- Court of Appeal, North Region

### CFI, Guider

- The People vs DAWÉ, Inspector of Police, accused of torture. During the hearing of 5 May 2004, the CFI, Guider convicted and sentenced him to one year imprisonment and a fine of CFA 20,000. The accused appealed on 7 March 2007 and the matter is pending determination before the Court of Appeal<sup>80</sup>.

## D- Court of Appeal, West Region

### CFI, Dschang

- The People vs Lienou Jean Pierre, Divisional Delegate of Labour and Social Security for Menoua, prosecuted for refusal to render service. In September 2007, Tiaze Jean Marie, Takoudjou Augustin and ten other retired teachers of the Bafoussam Diocese who are residing in Dschang, seised the Divisional Delegate for conciliation with their former employer (the Catholic Education Secretary) on a labour matter. After summoning their opponent twice, the delegate recorded in writing his decision to halt his conciliation attempt and not to issue a certificate of non conciliation in execution of the strict orders of the Minister of Labour and Social Security<sup>81</sup>;

- The People vs Olinga Amba Joachim<sup>82</sup>, support staff at the CDI Dschang, prosecuted for oppression. Mr Meli Jean Claude declared that on 11 May 2006 his home made baking oven that went operational on 1 May 2006 was sealed by Olinga Amba Joachim for failing to pay taxes. He was requested to pay CFA 170,000 on 15 May 2006 which he did to this State Worker in the presence of several witnesses without receiving a receipt. His business premises were never unsealed because it was claimed that he did not pay his taxes; and

- The People vs Evo'o Abeme Ferdinand, Squadron Sergeant-Major, prosecuted for oppression, unlawful detention, and attempted corruption. On 3 February 2008 at Dschang, Noudem Temgoua Germain, motorcyclist, was intercepted by Evo'o who asked for his documents. The documents were presented and after failing to receive a tip, the gendarme officer withheld the them<sup>83</sup>.

<sup>80</sup> The last known date of adjournment is 15 April 2009.

<sup>81</sup> Heard and determined on 23 January 2009.

<sup>82</sup> Adjourned to 23 February 2009.

<sup>83</sup> Heard and determined on 3 February 2009.

## **CFI, Foubot**

- The People and Yemga Paulin vs Yangai Ruben, Inspector of Police, prosecuted for defamation. On 24 June 2007, Yangai Ruben surfaced in a drinking place in Foubot and claimed that Yemga Paulin had assaulted him and poured palm wine on him on the night of 18 June 2007. Taken forcefully to the Police Station, the latter proved with bus tickets that at the time of the purported incident, he was in Yaounde. He petitioned the Examining Magistrate and claimed for damages. By Judgment No. 27/COR of 28 March 2008, Yangai Ruben was found guilty and sentenced to 4 months imprisonment, suspended for 4 years and a fine of CFA 70,000. The judgment is final.

## **E- Court of Appeal, North West Region**

### **CFI, Mbengwi**

- The People vs Fon<sup>84</sup> NJI Patrick Fomuki, prosecuted for destruction, convicted and sentenced to a fine of CFA 1 and ordered to pay costs of CFA 150,000.

### **CFI, Ndop**

- The People vs Ondoua Ondoua Pamphile (Gendarme Major), prosecuted for assault and insults. The matter is pending hearing and determination; and

- The People vs Nyongho Isaac (Taditional Ruler), Akfua Cyprian, Nyongho and Nsom Simon, prosecuted for disturbance of quiet enjoyment. They were sentenced to 6 months imprisonment and a fine of CFA 50,000 each.

## **F- Court of Appeal, South**

- The People vs Behondo Luc, Traditional Ruler of Wamie Village (Kribi), prosecuted for landed property scam. He was found guilty, convicted and sentenced to 6 months imprisonment and ordered to pay damages of CFA 2,000,000 to the victim;

- The People vs Eko Roosevelt, Traditional Ruler of Lobe Village (Kribi), prosecuted for landed property scam and destruction. He was acquitted;

- The People vs Nlend Phillipe Albert, Baillif (Kribi), prosecuted for false declaration, destruction, invasion of residence, disturbance of quiet enjoyment and complicity in attempted false pretences.

<sup>84</sup> Name of traditional ruler in the North West and South West Regions.

He was found not guilty of false declaration, destruction, invasion of residence, disturbance of quiet enjoyment and complicity in attempted false pretences. On the contrary, he was found guilty of complicity in assault and sentenced to a fine of CFA 40,000 suspended for 3 years and to pay CFA 30,000 to the civil party as compensation;

- The People vs Chief Squadron Sergeant-Major Voukeng, prosecuted for assault during a forceful arrest. The Court declared its lack of jurisdiction and forwarded the matter to the Procureur General of the Court of Appeal for the South;

- The People vs Mouri Ngouo Thomas, Traditional Ruler, prosecuted before the CFI, Kribi for invasion of residence, abuse, threats, calumny and defamation. The matter is pending hearing and determination;

- The People vs Mboa André, general education teacher at Kribi, prosecuted for threats and unlawful detention. The matter is pending hearing and determination;

- The People vs Mashouer Alain, technical higher school teacher, prosecuted for invasion of residence, witchcraft, assault and threats. The matter is pending hearing and determination before the CFI, Kribi;

- The People vs Eya'a Paul, Traditional Ruler of Assok II, prosecuted for witchcraft. The matter is pending hearing and determination before the CFI, Kribi;

- The People vs Ella Charles, Customs Clerk, prosecuted for false arrest, unlawful detention and breach of trust. The matter is pending hearing and determination;

- The People vs Ngotto Albert, council worker, prosecuted for oppression and other offences. The matter is pending hearing and determination;

- The People vs Bemba Mandengue and Nlend Phillipe respectively Notary Public and Bailiff, prosecuted for oppression and other offences. In 2005, Nlend Phillipe, according to the victim, posted false billboards at his domicile within the framework of the attachment of real property. More so, he concealed the eviction decision, barricaded a house that is not covered by the attachment after gaining access thereto. As for Bemba Mandengue, she sold the building in dispute ins-

pite of the notification served on her of the stay of execution deposited at the registry of the Supreme Court. The matter is pending hearing and determination;

- The People vs Belinga Gabriel Joel Bela (Inspector of Police), Mvondo Charly Moise (Police Constable) and ETO Metou Georges (Police Constable), prosecuted for corruption, oppression, arrest and accessory in false arrest. On 28 February 2008, the above-mentioned persons caused Ayiku Kwes Prosper (Ghanaian) and Teufack Florence (Cameroonian) in possession of valid photocopies of their attestations, to alight from a public transport bus. They were remanded in custody at the police post, searched and deprived of an amount of pound sterling worth CFA 320,000, a mobile phone and a charger. The accused were found guilty, convicted and sentenced to 5 years imprisonment and CFA 200,000 and a warrant of arrest issued against them. They appealed against this decision;

- The People vs Belinga Gabriel Joel Bela (Inspector of Police), Mvondo Charly Moise (Police Constable) prosecuted for corruption, oppression, arrest and complicity in false arrest. The accused were found guilty, convicted and sentenced to 5 years imprisonment each and a fine of CFA 200,000. They appealed against the decision;

- The People vs Atangana Andr\_ Roger (Inspector of Police), prosecuted for false arrest, oppression and corruption. He was convicted and sentenced to 3 years imprisonment. The decision is final;

- The People vs Zoua Mbal Ngatopmabom (Inspector of Police), Thomuson Aye Ebo'o (Inspector of Police) and Simon Aim\_ (Police Constable), prosecuted for false arrest, oppression and complicity in corruption. The matter is pending before the CFI, Ambam;

- The People vs Nsi Meyia Rolland (Teacher), prosecuted for oppression and assault. He was found guilty, convicted and sentenced to a fine of CFA 150,000. The decision is final;

- The People vs Evina Assako Pierre (Inspector of Police), prosecuted for oppression, unlawful detention, violence and destruction. The matter is pending hearing and determination before the CFI, Ambam;

- The People vs Anoke Atoke Gaston (Police Constable 2nd Class), prosecuted for attempted oppression, unlawful detention and usurpation of qualification. He was found guilty, convicted and sentenced in default to one year imprisonment and a warrant of arrest issued

against him;

- The People vs Toche Kamga Louis Jacques (Superintendent of Police) prosecuted for false arrest, torture, oppression and extortion of funds. On 18 February 2008, he stopped a vehicle and took it forcefully to the police station. He assaulted the driver and requested the sum of CFA 30,000 from each occupant in order to set them free. By an interlocutory judgment, the Court accepted an exception based on privileged jurisdiction and forwarded the procedure to the State Counsel. The Prosecution appealed against the decision;

- The People vs Djeukam Joseph (State Agent), prosecuted for oppression, arrest and false arrest. The matter is pending hearing and determination;

- The People vs Tsoungui Thomas Rene (Major Police Constable) and Nkpwelle Benoit (Police Constable), prosecuted for complicity in unlawful detention. They were found guilty, convicted and sentenced to one year imprisonment and a fine of CFA 25,000. The decision is final; and

- The People vs Melongo Jean Louis (Police Constable), prosecuted for oppression. He illegally searched a residence on 8 July 2008. The matter is pending examination.

## **G- Court of Appeal, South West Region**

### **CFI, Ndian**

- The People vs Chief Squadron Sergeant-Major Tchoua, prosecuted for torture. The matter is pending inquiry at the Gendarmerie Company, Mundemba.

### **CFI, Buea**

- The People vs Chief Warrant Officer Nzana, Brigade Commander, prosecuted for extortion of funds and torture. The matter is pending inquiry at the Gendarmerie Company, Mundemba.

### **HC, Fako**

- The People vs Ndzie Ngoa Jules, Police Constable, prosecuted for assault. The matter is pending hearing and determination.

### **CFI, Limbe**

- The People vs Salle Samuel, (ASP), Mesube Joseph, Tchietyob Jonathan, (Police Constable), prosecuted for unlawful detention. The matter is pending hearing and determination.

## **CFI, Mamfe**

- The People vs Chief Squadron Sergeant-Major Mbeng Mathias, prosecuted for trespass. The matter is pending hearing and determination; and
- The People vs Chief Warrant Officer Okafie N., prosecuted for oppression. The matter is pending hearing and determination.

## **CFI, Tombel**

- The People vs Warrant Officer Beng Felicias Sih, prosecuted for assault and defamation.

**38-** In conclusion, the fight against impunity continues through the actions mentioned above and shall be intensified with the involvement of all. This will be possible only through mastery of the rule of law whose popularization guarantees the right to fair trial.



# Chapter 2

## RIGHT TO FAIR TRIAL



**39-**The citizen has a fundamental right to have recourse to the Courts. This right guarantees the protection of the other rights. In this regard, the quality of the judiciary is essential to ensure the Rule of Law. This concern was expressed through the concept of fair trial that comprises both the requirements relating to the organization and functioning of the judiciary as well as guarantees provided to litigants to present their claims. To this end, in 2008, apart from re-assessing the implementation of the CPC, emphasis was laid on the organization and functioning of the Judiciary. Discussions were held on the enhancement of customary courts as a means of facilitating access to justice and the military judicial organization reform was completed.

## **SECTION 1: ASSESSMENT OF THE APPLICATION OF THE CPC**

**40-**The assessment of the application of the CPC since its entry into force in 2007 was the main theme of the Heads of Court of Appeal meeting organized from 28 to 31 October 2008 in Yaounde. The application of the CPC produced both positive and negative effects.

### **§1: POSITIVE ASPECTS**

**41-**The positive aspects in the application of the CPC were seen both in the organisation and functioning of the judiciary and the preservation of the rights of litigants.

A – Improvement on the Organisation and Functioning of the Judiciary

**42-** Such improvement can be found as concerns the consolidation of the position of the judge and to some extent, the respect of the principle of due process.

**43 –** As concerns the position of a judge, the Code made it possible to consolidate the neutrality of the judge who discovers the case file only in court and the criminal record of the defendant only after the court finds him guilty. To ensure the viability of information contained in the criminal record, discussions focused on the improvement of the system provided for in sections 574 to 584 of the CPC.

**44-** As regards the second point, there was improvement in the administration of justice through the concertation between the heads of the Legal Department and the Bench for the entry of matters on the cause-list, notification to the accused and the Legal Department of the list of witnesses and effectively summoning. It was further observed that there was a quick determination of matters in which the defendant pleads guilty. Besides, the ef-

fective writing of judgments before delivery reduced the bottlenecks deplored in the former system and enabled a rapid execution of court decisions. On this aspect and more specifically, the recovery of fines and court charges, there was a sharp rise in the ten Courts of Appeal from 2.67 per cent in the year before the entry into force of the CPC, to 14.13 per cent in the year of its entry into force and 20.46 per cent the following year.

## **B – Preservation of the Rights of Litigants During Hearing**

**45** - The positive aspects observed hear include the strict respect of the principle of due process and the release of a defendant notwithstanding the appeal lodged by the Legal Department. Besides docks have been built for defendants to spare them standing for too long. Such comfort contributes to the serenity of the hearing.

**46-** Besides such positive aspects, there were more negative aspects.

### **§2 NEGATIVE ASPECTS**

**47** - The negative aspects may be classified under the following four groups: aspects relating to the different interpretations of some provisions and application mechanisms of the Code, aspects relating to difficulties in application and the lack of mastery of the concepts of the accusatorial system of the criminal trial, aspects relating to insufficiencies and silence of the Code, and aspects relating to the insufficiency of attendant measures.

#### **A: Different Interpretations of Some Provisions and Application Mechanisms of the Code**

**48** - Magistrates are not unanimous in the interpretation of some provisions of the CPC and the application mechanisms on the following:

- whether the admission or rejection of evidence should be by an interlocutory judgment or by simple declaration;
- the plea of guilty provided for in Sections 365 and 366, where the defendant pleads not guilty. According to some magistrates, it should be by simple declaration and to others, by an interlocutory judgment;
- issuance of a committal order following a remand in custody. Some magistrates believe in the strict application of Section 397 by issuing a committal order, while others think the remand in custody should continue to be effective;
- deduction of the period of remand from the duration of imprisonment in de-

fault where the accused is sentenced only to a fine. Section 563 provides, "this deduction shall be made by the President of the Court at the time he signs the imprisonment warrant." A number of judges do not carry out such formality. Such negligence results in regrettable consequences to the detriment of the accused who often remains in undue custody, in enforcement of the imprisonment warrant, in spite of the time spent in remand in custody;

- the automatic release of the accused in case of offence committed flagrante delicto where the matter is adjourned in application of Section 301. This Section refers to the Court but some judges think that they do not need the submissions of the Legal Department before taking the decision, while others call on the Legal Department to make its submissions on the appropriateness of releasing the accused;

- the probative value of secondary evidence (certified true copy of the original) admitted by Section 314, in the absence of primary evidence. The problem arises from the multiplication of case files in case of appeal, for the documents in the case file are forwarded to the Court of Appeal in uncertified photocopies;

- the distinction between hearing and the first court session as concerns the notification of the list of witnesses to the opposing party (Section 414). In fact, hearing may start after several court sessions and it is rare to start hearing at the first court session. Nevertheless, the trend is to require the communication of the list of witnesses before the first court session whereas the Code talks of hearing;

- the difficult combination of Section 6 of the Law of 29 December 2006 to lay down Judicial Organisation with Section 388 of the CPC, on the obligation to write out the judgment in full before delivery and that of delivering the judgment either immediately or in the next fifteen days after hearing;

- the omission by some judges to apply Section 366 of the CPC by giving the accused three (3) options provided for the presentation of his defence. Some judges apply it in such a laconic manner that the accused does not understand the advantages of choosing one option and not the other;

- poor handling of the record book by the President of the Court (Section 338). It was observed that some judges take down notes on pieces of paper to later transfer them in the record book in their offices after the court

session. In some cases, the notes do not reflect the hearing. Other judges admit evidence without entering them in the record book and in case of loss of such evidence, there is no proof that the evidence ever existed;

- appeals by the accused lodged against committal orders issued by the Examining Magistrate, in violation of Section 269 that exhaustively enumerates the appealable rulings of the Examining Magistrate. It was observed that some courts, in violation of the said provisions, stay determination of a matter due to an appeal lodged against a committal order by a defendant who is already facing trial, and the Inquiry Control Chamber has had to declare such appeals admissible, referred the matter to itself and tried it on the merits;

- the controversial application of the provisions of Section 365 (3) in case of more accused persons can be observed at two levels :

first, the nature of the decision by which the judge discharges the accused against whom facts have not been established. Some judges make a simple verbal declaration and exclude the discharged accused from the trial. Meanwhile, in the absence of a court decision, the other party cannot seek remedy at law. Other judges determine the matter by an interlocutory judgment whereas an accused is discharged only after a matter has been determined on the merits.

Second, there is the management of the absence of a co-accused. In fact, the departure of the said accused further complicates hearing in situations where the charges against the other accused depend on the prosecution of the person discharged;

- the failure of judges to respond by separate rulings to exceptions as a matter of public policy and rather verbally answering arguments and observations made in writing by the parties, makes it impossible for the said parties to seek remedy at law.

## **B: Application Difficulties and Lack of Mastery of the Concepts of the Accusatorial System of Trial**

**49** - The difficulties in the application of the Code and the lack of mastery of the accusatorial system are at the origin of the following main inconveniences:

- a)** The small number of judgments delivered due to several adjournments, the complexity of the procedure that is still not well understood by judicial

and legal officers, lawyers and litigants. It is observed, for example, that lawyers overuse their time, and the parties that are not assisted by counsel adapt to the procedure with a lot of difficulty because they have been too used to the civil system where the Legal Department and the judge conduct proceedings without effectively involving them. An example of such poor output is the Court of Appeal, Centre Region that had, from 1 January to 15 October 2008, delivered only 391 judgments in simple offences, and 98 in criminal matters as against 1,016 and 112 respectively during the same period in 2006: that is, before the entry into force of the CPC.

**b) Increase in judicial delays are related to the:**

- handling of the record book by the judge who at the same time presides over the session even in a panel. Such requirement is a source of delay, for, the President must at the same time ensure order in the court room in the absence of the forces of law and order who are reluctant to perform such duty, listen to the parties to understand, as well as take down notes;
- obligation of all the members of the panel to be present in court (Section 485) causes a number of adjournments due to the absence of one of them;
- short period of fifteen (15) days granted the judge to deliver judgment after hearing is closed (Section 388), is difficult to respect in complex matters; and
- lack of human resources and infrastructure does not enable the multiplication of court sessions to reduce the number of matters on the cause-list.

**c) Increase in the number of adjournments is due to the following:**

- the lack of full understanding by the registry staff in drawing up the cause-list. The lateness in drawing up the cause-list results in the fact that the representative of the Legal Department receives the said cause-list at the last minute and does not have enough time to assemble its administrative files and be ready for the court session. Conversely, this situation is an opportunity for some judges to continue to study the case file before the court session which is in violation of the law;
- the automatic appointment of counsel for all indigent accused persons in criminal matters as provided for by the 'Code d'Instruction Criminelle' whereas Section 417 (2) of the CPC provides for the appointment of such coun-

sels only to persons prosecuted for felonies punishable with death or loss of liberty for life. The counsel so appointed are reluctant to appear in court to defend the said accused persons, and this causes a number of adjournments to enable them to appear in court;

- the failure of victims to appear in court whereas they have the originals of evidence in their possession. Such attitude makes the establishment of evidence by the Legal Department difficult;

- the failure of the parties to produce the list of witnesses before the court session makes it impossible to summon them;

- the reluctance of Judicial Police Officers and medical officers to appear in court to bedefend their reports and medical certificates respectively that are disallowed in court in case of contention.

## **C: Shortcomings and Silence of the CPC**

**50** - Since no human work is perfect, the application of the CPC has revealed the following shortcomings and silence that actors of justice handle more or less satisfactorily:

- a judgment delivered in two court sessions; this system enables the accused to escape the enforcement of judgments even if they are fines, by their failure to appear in court where the matter was adjourned for judgment after the court finds him guilty, all the more so as a very little number of matters are henceforth determined immediately because judges are bound to write out the judgment in full before delivering it and to deliver same in full and in open court;

- the multiplication of case files by the Appellant in case of appeal: Section 8 of Law No. 2006/15 of 29 December 2006 on judicial organisation provides that the Public Treasury shall advance funds, and where necessary, bear all expenses incurred by the Legal Department including the cost of multiplying the case file for appeal where such appeal is lodged by the Legal Department. Section 23 of the same law provides that the costs of reproduction of a case file fixed by the President of the court must be paid at the registry by the Appellant ten (10) days after notification of the ruling fixing it. Complications arise from the fact that no instrument defines the Treasury service in charge of paying the said costs. Besides, such require-

ment reduces the rights of a large number of poor litigants seeking remedy at law; and

- the frustration of representatives of the Legal Department, except those of the Supreme Court, as a result of their geographical position in the court room. This position is at the origin of the scorn over their role by lawyers and litigants whereas they represent general interest.

## **D: Insufficiency of Attendant Measures**

**51** - The insufficiency of attendant measures in some domains makes it difficult to obtain the expected results. The following aspects are clearly illustrative:

- the less viable oral evidence on which the Legal Department relies mainly. This situation arises from the high risk of corruption of witnesses by those in favour of whom they appear and who pay their transport fares. Furthermore, it is due to the fact that very few courts have witness rooms;
- the lack of experts for deaf-mute trials;
- the poor collaboration of bailiffs in the service of summonses to the parties and the witnesses due to the difficulties in the payment of their emoluments;
- the absence of specialized centres for the custody of minors that obliges courts to send them to prison yards; and
- the non payment of honorariums to assessors in matters of juvenile delinquency that reduces their presence in court, the effect of which is the delay in determining such matters.

**52** - At the end of the discussions following the presentation of exposés during the Heads of Court of Appeal Meeting, the impact of the CPC application on the conduct of court sessions raised concerns to which the following answers and suggestions were given:

- 1- In the spirit of the CPC, it is the President who keeps the record book. The other members of the panel may only take down personal notes and ask questions;
- 2- The delivery of the court decision on finding an accused guilty must be followed by the sanction. It is one and the same process. The delivery of the sanction should not be adjourned;
- 3- Judicial and Legal Officers should remember that freedom is the role and

detention the exception and apply the provisions of the CPC in matters of release on bail, given that:

- the tendency for Judicial and Legal Officers to generalise detention is a practice resulting from corruption that should be fought fiercely;
- there is need for an interaction between the prison and the Legal Department for the follow-up of case files and procedures;

4- Judgments may be delivered immediately in relatively simple matters;

5- It is necessary to promulgate and implement the instrument on court charges that have been increased. This will cover the expenses made by Judicial Police Officers during their appearance in court as witnesses;

6- In the event of more than one option (plead guilty and plead not guilty), the judge may adjourn the matter for judgment after a plea of guilty hearing is closed; then open a plea of not guilty hearing so as to close both hearings at once;

7- The Legal Department that represents the society must during hearing, seek to establish the truth;

8- The party that needs a document may seek it from the registry against payment of registry fee;

9- The Registrar-in-Chief may use the equipment available at the Legal Department for the multiplication of case files in the event of appeal by the Legal Department;

10- The secondary evidence need not be certified by the Registrar-in-chief;

11- The list of inmates should include both persons with a final sentence or on remand and persons imprisoned in default;

12- Judicial and Legal Officers should work towards enabling the parties to take oath in accordance with their customs; space should be provided to enable Muslims, for example, to perform their ablutions; and

13- The judge is seised in rem and in personam he may not involve persons other than those in the suit.

**53** - Although there are a number of negative aspects, procedures in courts are, on the whole, increasingly being understood by judicial actors and accepted by litigants whose rights are protected by the examination-in-chief, cross-examination, and re-examination processes, for henceforth,

every litigant may actively participate in his trial.

**54** - Besides, quantitative and qualitative output will certainly increase with the first special recruitment of 195 Judicial and Legal Officers and 120 Registrars of the Court authorized by the Head of State over a period of three (3) years beginning from the 2008 financial year. Training seminars and workshops on different issues were organised for the capacity building of staff.

## **SECTION 2: ENHANCEMENT OF CUSTOMARY COURTS**

**55**- In order to bring the Courts closer to litigants, Heads of Court reflected on the enhancement of customary courts that could help in reducing the workload of Courts. To this end, they reviewed the prevailing situation and then proposed solutions.

### **§1: PREVAILING SITUATION**

**56**- Customary law is applied differently in English-speaking (Former West Cameroon) and French-speaking (Former East Cameroon). However, some provisions are common to both systems, notably the application of customs that are not contrary to public policy, the possibility of appeal and the reduction of costs.

**57** - For the moment, 6 Alkali Courts and 79 Customary Courts were identified in former West Cameroon, 90 "Tribunaux du Premier Degré" and 272 Customary Courts in former East Cameroon, giving a total of 447 traditional courts throughout the national territory.

**58** - It can be observed that these courts, whose jurisdiction covers only small administrative units without going beyond the subdivision, outnumber CFIs whose jurisdiction covers the subdivision. There are 67 of them for 306 Sub-Divisions and 54 Districts<sup>86</sup>.

**59** - Although traditional courts are overwhelming and widely used by the rural masses and illiterates, the legal system gives them only secondary importance.

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<sup>86</sup> Before Decree No.2008/376 of 12 November 2008 on the administrative organization of the Republic of Cameroon that suppressed Districts that were raised to Subdivisions was taken.

**60-** Accordingly, besides non civil and commercial matters that do not fall within their jurisdiction, (criminal, labour and administrative), the law maker does not equally empower them to entertain certain procedures like urgent applications, interlocutory judgments, exequatur and habeas corpus petitions.

**61-** This determination to stifle traditional courts is consolidated by Judicial and Legal Officers who do not hesitate to discard custom in favour of statutory law by invoking the necessity of safeguarding public order. Government does same by not providing them infrastructure, equipment and sufficiently trained and well paid staff.

**62-** Given the great number of litigants who resort to traditional courts, it is necessary to maintain them considering that they offer easy access to formality free courts at very low costs.

**63-** However their maintenance and enhancement require some development.

## **§ 2: EXPECTED SOLUTIONS**

**64 –** A number of measures were taken to enhance traditional courts. They include the improvement of it functioning and strengthening the forced execution of court decisions

**65 -** There was a consensus on the need to maintain this litigant-friendly, cost effective and popular court. However, it was agreed that its functioning and structures should be improved upon, an inventory of customs made and backward ones discarded.

**66-** Forceful execution of judgments delivered by traditional courts should respect rules laid down by the OHADA Uniform Act on the Organization of Simplified Recovery Procedures and Means of Execution. However, no consensus was reached on this issue because some participants thought this procedure would complicate the judicial process that should be simplified.

Nevertheless, participants did not unanimously agree on this point; some of them believed that this procedure rather complicates justice which is intended to be simple.

## SECTION 3: FINALIZATION OF THE REFORM ON MILITARY JUDICIAL ORGANIZATION

**67** - Law No. 2008/15 to organize military judicial organization and to lay down rules of procedure applied before military tribunals was promulgated on 29 December 2008. Although the text does not change rules applicable in time of war, it slightly amends those governing the organization and procedure before military tribunals.

### **§1: AMENDMENT OF THE RULES OF ORGANIZATION OF MILITARY TRIBUNALS**

**68** - Besides maintaining the separation of the various phases of criminal proceedings notably prosecution, inquiry and judgment, the major amendments bear on the competence and composition of courts.

#### **A-Review of Rules of Competence**

**69** - The legislator has reviewed the rules of competence by redefining the basis of the competence of the court *ratione loci* and by extending the competence of the court *ratione materiae*. The rules of competence *ratione personae* have remained unchanged with regard to the exclusion of minors from military justice.

#### **1- Redefinition of Competence Ratione Loci**

**70**- Law No. 72/5 of 26 August 1972 set up a single military tribunal with jurisdiction throughout the national territory and seat in Yaounde. This text provided for the setting up of other military tribunals by decree. The Law of 2008 reviews the basis of competence *ratione loci* by setting up a military tribunal per region. The competence of the Military Tribunal, Yaounde may, in the event of exceptional circumstances, such as specified in Article 9 of the Constitution, which constitute serious threat to public order, State security or terrorism, exercise its powers throughout the national territory.

#### **2- Extension of Competence Ratione Materiae**

**71**- As compared to the 1972 Law, the 2008 Law has added two types of offences to those under the jurisdiction of the military tribunal. These include:

- offences committed by civilians in a military establishment causing damage to military equipment or installations or prejudicial to the physical integrity of a serviceman; and

- offences relating to the purchase, sale, production, distribution, wearing or keeping of military effects or insignia as defined by military regulations.

## **B-Composition of the Tribunal**

**72** - The 2008 Law has maintained the participation of civilian Judicial and Legal Officers and has enshrined the principle of a panel in criminal matters.

### **1- Participation of Civilian Judicial and Legal Officers**

**73** - Civilian Judicial and Legal Officers participate both at the level of the Legal Department and at the inquiry. Like their military colleagues they could officiate as President, Vice-President, Examining Magistrate, Government Commissioner, Deputy Government Commissioner or Assessors. They could be permanent or alternate members. The text provides that civilian Judicial and Legal Officers who members of a military tribunal shall be selected from amongst those who are in service within the jurisdiction of the said tribunal. These officials should be at least second scale Judicial Officers to be appointed to the Bench.

### **2. Institution of the the Panel in Criminal Matters**

**74** - A major amendment in the composition of the tribunal is the institution of the principle of the panel in criminal matters. This rule is in contrast with the rule provided for ordinary courts where the panel is optional. Section 6 (1) (a) of the above Law provides that in criminal matters, all cases that fall under the jurisdiction of the military tribunal shall be heard and determined by a panel. The panel shall comprise a president and two assessors one of which shall be a member of the defence forces. Where the panel is presided over by a civilian judicial officer, the assessors shall be officers of the defence forces.

## **§2- AMENDMENT OF RULES OF PROCEDURE**

**75** - As a whole, the 2008 Law has maintained the tendency of aligning rules of procedure applicable before military tribunals to ordinary law rules although some special rules have been maintained.

### **A: Alignment of Rules of Procedure to Ordinary Law**

**76** - Like Ordinance 72/5 of 26 August 1972, the 2008 Law provides, subject to some conditions, the application of ordinary law rules in the conduct of preliminary inquiry (Section 10 (2)), examination and judgment (Section 16). Besides, the text maintains the competence of the ordinary law Court of Appeal to hear and determine appeals both at the end of preliminary inquiry (Section 15) or at the hearing (Section 21). The possibility of staying proceedings is equally maintained in accordance with the conditions and similar effects with those provided for under Section 64 of the Criminal Procedure Code (Section 13), with the difference that, it is implemented by the Government Commissioner upon the written instructions of the minister in charge of military justice.

### **B : Conservation of Special Rules**

**77** -The most significant conservation is the maintenance of the centralization of the institution of criminal proceedings. This falls within the jurisdiction of the minister in charge of military justice who shall issue to this effect either a direct commitment for trial where he deems that the matter is ready for hearing or an order to investigate where he deems that the matter calls for preliminary investigation (Section 12 (1)).

**78** - Government Commissioners do not have the same power to initiate public action as their colleagues of ordinary law courts do.



# Chapter 3

## FREEDOM OF COMMUNICATION

# MINJUSTICE

Report by the Ministry of Justice on  
Human Rights in Cameroon in 2008

**79** -In 2008, the audiovisual sector grew in capacity although new TV exploitation licences were not issued. Encouraging promotion measures on press freedom were taken even though there were cases of breach of such freedom.

## **SECTION 1: PROMOTION MEASURES**

**80**-Promotion measures comprise the activities of the press card commission and public assistance to the private press.

### **§1: PRESS CARD COMMISSION**

**81**-The Press card Commission organized two sessions in 2008. During the first Commission on 24 April, commissioners examined 117 press card application files. At the end of its work, 72 press cards were issued and 45 files rejected for the following reasons:

- quality discrepancies;
- incomplete files; and
- illegal stay in Cameroon.

**82**-The second session held in May 2008. Three of the files received were approved for issuance of cards to the applicants. It is worth noting that the drop in the issuance of cards stems from the determination to reorganize journalism that is increasingly invaded by untrained and unscrupulous buccaneers. The Commission undertook to ensure the credibility of the press card and to exclude all those who jeopardize the prestige of the profession.

### **§ 2: PUBLIC ASSISTANCE TO PRIVATE PRESS**

**83** -A National Commission session for the examination of application for public aid to private communication was held on 29 July 2008 at the Ministry of Communication.

**84** -At the end of deliberations, 8 out of 114 files were short listed. Public aid to private press that increased from CFA 150,000,000 in 2007 to CFA 250,000,000 in 2008 was distributed as follows:

- 42 written press enterprises;
- 20 commercial radios;
- 1 television;
- 3 cybernetic press enterprises;
- 5 printing press;
- 8 professional organisations; and
- 1 global communication agency.

**85** -The Table below indicates the beneficiaries and the amount they received.

<b>BENEFICIARIES OF PUBLIC ASSISTANCE TO PRIVATE COMMUNICATION IN 2008</b>		
<b>NUMBER</b>	<b>BENEFICIARIES</b>	<b>AMOUNTS (in CFA)</b>
<b>WRITTEN PRESS ENTERPRISES</b>		
1	LA TRIBUNE DU CAMEROUN	1 450 000
2	CRISSE ET SOLUTIONS	1 637 000
3	WEEKLY POST	1 357 000
4	AFRIQUE MATIN	1 450 000
5	COMNEWS (THELIRP)	1 357 000
6	LA METEO	1 450 000
7	LA LUMIERE	1 450 000
8	L'EVEIL REPUBLIQUE	1 450 000
9	CMEDIA PRO INFO	1 544 000
10	AGIR INFO MAGAZINE	1 450 000
11	LE SOLEIL	1 450 000
12	LE REPORTER INDEPENDANT	1 077 000
13	L'ANECDOTE	2 010 000
14	LE REGIONAL	1 357 000
15	ZENITH INFO MAGAZINE	1 077 000
16	ENVOYE SPECIAL	1 450 000
17	THE HERALD NEWSPAPER	2 104 000
18	LE JOURNAL DE L'ECONOMIE	1 544 000
19	LA VOIX DU SUD	1 357 000
20	THE GUARDIAN POST	1 824 000
21	REPERE	1 357 000
22	DIAPASON	1 730 000
23	LE JOUR	1 730 000
24	DEMAIN L'AFRIQUE	1 544 000
25	LE PELICAN	1 450 000
26	MEYOMESSALA	1 357 000
27	PROSPECTIVE NOUVELLE	1 357 000
28	LE CAMEROUN MATIN	1 637 000
29	LE PELERIN	1 450 000
30	LE REVEIL HEBDO	1 357 000
31	CITY TIMES NEWSPAPER	1 544 000
32	LES NOUVELLES DU PAYS	1 544 000
33	LE HERAUT NATIONAL	1 263 000
34	LE NOUVEAU MONDE	1 730 000
35	LE VOLCAN	1 544 000
36	L'INDEPENDANCE ECONOMIE	1 450 000
37	L'INDICATEUR	1 450 000
38	AKAL BUSINESS NEWS	1 544 000
39	AFRIQUE INTERNATIONALE MAGAZINE	1 730 000
40	LA NOUVELLE VISION	1 263 000

41	ESPERANCE SANTE MAGAZINE	1 544 000
42	GENERATION LIBRE	1 357 000
<b>COMMERCIAL RADIOS</b>		
43	EDEN RADIO FM	1 637 000
44	TOME BROADCASTING CORPORATION (TBC)	2 010 000
45	SATELLITE FM	2 197 000
46	RADIO TIEMENI SIANTOU	1 544 000
47	MAGIC FM	2 197 000
48	ABAKWA FM	1 544 000
49	RADIO COLOMBE DE SAA	1 450 000
50	RADIO COMMUNAUTAIRE DE BAHAM	1 450 000
51	RADIO YEMBA	1 544 000
52	RADIO NKULBINIGA	1 263 000
53	RADIO M'MALI	1 170 000
54	RADIO FEMME FM DE MBALMAYO	1 357 000
55	RADIO SITE-DAR BAFANG	1 450 000
56	Radio Bonne NOUVELLE	1 357 000
57	TIKIRI FM	1 450 000
58	RADIO NKA FM	1 357 000
59	RADIO COMMUNAUTAIRE DE DEVELOPPEMENT DE LA MVILA	1 450 000
60	RADIO COMMUNAUTAIRE DU NOUN	1 263 000
61	RADIO ODAMA	1 450 000
62	RADIO SALAAMAN	1 077 000
<b>TELEVISION</b>		
63	ARIANE TELEVISION	2 384 000
<b>CYBERNETIC PRESS</b>		
64	L'URGENT	622 500
65	AFRIQUE DIASPORA	763 000
66	THE ONLINE INQUIRER	763 000
<b>PRINTING PRESS</b>		
67	INTER SPACE	1 263 000
68	EDU SERVICE	1 357 000
69	GARDIAN PRESS	1 263 000
70	MVOMBERGE SARL	1 544 000
71	ETS CAMTEPH	1 170 000
<b>PROFESSIONAL ORGANISATIONS</b>		
72	CLUB DES ANALYSTES POLITIQUES	751 500
73	ASSOCIATION DES JOURNALISTE ET COMMUNICATEURS INDEPENDANT DE L'AFRIQUE CENTRALE (AJCIAC)	610 000
74	ASSOCIATION REGIONALE DES EDETEURS ET PROMOTEURS DE PRESSE DE L'OUEST (AREP)	516 000
75	CLUB TELE JEUNE	610 000
76	ASSOCIATION CAMEROUNAISE DES EDETEURS DE PRESSE (ACEP)	610 000
77	SYNDICAT DES JOURNALISTES EMPLOYES AU CAMEROUN	484 000
78	ASSOCIATION DES REGIES PUBLICITAIRES	516 000

	(ARC)	
79	SYNDICAT NATIONAL DE L'AUDIOVISUEL DU CAMEROUN (SYNAVCAM)	516 000
<b>GLOBAL COMMUNICATION</b>		
80	FORUM MEDIA	1 263 000
	<b>TOTAL :</b>	<b>CFA 150 MILLION</b>

Source: MINCOM

## SECTION 2: ALLEGED BREACH OF PRESS FREEDOM

**86-**The closure in 2008 of some press organs and the arrest of some journalists drew the attention of the national and international community on press freedom in Cameroon.

### §1: CLOSURE OF SOME PRESS ORGANS

**87-**By Decision No. 5/MINCOM/CAB of 21 February 2008, Equinoxe Radio and Television were shut down for the illegal exercise of the profession of broadcaster. These decisions were taken in accordance with the provisions of Section 36 (2) of Law No. 90/52 of 19 December 1990 relating to freedom of communication and Articles 52 and 53 of Decree No. 2000/158 of 3 April 2000 to lay down the terms and conditions for the setting up and exploitation of private audiovisual enterprises. By virtue of these same statutory and regulatory provisions, Magic FM Radio Station was closed.

**88-**The closure of Equinoxe Radio and Television occurred before the unfortunate events of February 2008 while Magic FM Radio was closed during these said events.

**89-**These press organs were closed down because they did not obtain the licence required to operate. In fact, many organs benefited from the “*administrative tolerance*” regime and operated without fulfilling the conditions required for obtaining the prescribed licence. This situation that was overdue delayed the effective implementation of the law and could be detrimental to other licence holders who could lawfully complain against inequality before the law.

**90** -But, administrative measures divided public opinion some of which rejected Government's claim by stating that these media were closed because of their professional activity given that they profusely relayed the debate on the constitutional amendment and the sad events of February 2008. This in reality was a means of silencing the private press under the guise of implementing the law<sup>86(bis)</sup>.

**91** -However, "in a spirit of tolerance" and considering commitments taken by the promoters to respect the law in force, the Minister of Communication ordered that these bans be lifted on 4 July 2008<sup>90</sup>.

## **§2: PROCEDURES INVOLVING JOURNALISTS**

**92** -Some matters concerning journalists who were prosecuted, interrogated or convicted were indicated in 2008.

**93** - These include:

- 1.** Lewis MEDJO, Managing Director of the newspaper "*La Détente Libre*", a weekly published in Douala, was prosecuted for propagation of false information in two articles. The first one concerned the dismissal of the Chief Justice and the Procureur General of the Supreme Court. The second article was entitled "MEBE NGO'O Auctions FOTSO's Passport." The article claims that the Delegate General of National Security (DGSN), through an attempted blackmail by his "network" is preparing the escape of the son of the billionaire from Bandjoun for hundreds of millions of CFA. Lewis MEDJO was placed under preventive detention on 26 September 2008 and was charged to court for an offence of flagrante delicto on 3 October 2008. By Judgment of 7 January 2009, the Court of First Instance, Bonanjo-Douala found him guilty. He was convicted and sentenced to 3 years imprisonment with a fine of CFA 2,000,000. This judgment is on appeal.

<sup>86(bis)</sup> This concern was the subject of an oral question by the parliamentarian Jean Jacques EKINDI to the Minister of Communication during the parliamentary session of June 2008.

<sup>90</sup> See especially Decision No. 7/MINCOM/CAB of 4 July 2008 to lift the ban for illegal practice as broadcaster on Magic FM Radio and Decision No. 9/MINCOM/CAB of 4 July 2008 to lift the ban for the illegal practice of the profession of broadcaster on Equinoxe.

**2.** Michel MOMBIO, Managing Director of the newspaper "L'Ouest Republicain" a weekly published in Douala, was prosecuted for defamation. He had published on the cover page of his paper, Issue No. 50 of 26 August 2008, an article entitled "Quest for Power, Heeler-dealing, Ingratitude: Crimes by Madeleine TCHUENTE". The matter is pending before the Court of First Instance, Yaounde, Centre Administratif. He was arrested in Bafoussam on 4 September 2008 and transferred to Yaounde where he is under preventive detention at the Kondengui Prison.

**3a.** Michel Michaut MOUSSALA, Managing Director of the newspaper

"Aurore Plus", a weekly published in Douala, was prosecuted for aggravated misappropriation because he embezzled a vehicle handed to him for sale. In fact, he opted to serve as a sale contractor of the vehicle, a Grand Cherokee Jeep, which was destroyed in a road accident at the expense of Francois KAMGA, owner of the said vehicle who is based in Washington. The journalist appears free before the Court of First Instance, Bonanjo-Douala, where the matter is pending.

**3b.** Michel Michaut MOUSSALA, Managing Director of the newspaper "Aurore Plus", was prosecuted for propagation of false news and defamation. On 28 November 2008, he published a story stating that COBAC had placed the Commercial Bank of Cameroon (CBC) under temporary administration for insolvency because an official of the bank had embezzled CFA 1.2 billion. The journalist is on bail and the matter is pending before the Court of First Instance, Bonanjo-Douala.

**4.** Armand ONDOUA, Managing Director of the newspaper "Le Regional hebdomadaire", published in Yaounde, prosecuted for blackmail and false pretences. He promised his silence to Mr TSELE NOMO, Director of General Affairs of the National School of Administration and Magistracy (ENAM) against whom he had obtained damaging information, especially the payment of about CFA 12 million made by unsuccessful candidates who wrote the entrance examination into the said school. The matter is pending before the Court of First Instance, Yaounde, Centre Administratif. ONDOUA is under preventive detention at the Central Prison, Kondengui, Yaounde since October 2008.

**5.** Jacques Blaise MVIE, Managing Director of the newspaper "La Nouvelle Presse" published in Yaounde. He was questioned in June 2008 by the military security and heard before the Military Tribunal, Yaounde, as regards his source of information after he published a documentary on the army and the Minister of Defence, Remy Ze MEKA. The latter was personally accused of spreading rumours on an attempted coup d'Etat. The matter was closed.

**6.** BILOA AYISSI and Jean Pierre AMOUGOU BELINGA, respective Managing Directors of the newspapers "Nouvelle Afrique" and "L'Anecdote", two periodicals published in Yaounde. They are prosecuted for defamation because in July 2008 they published a testimony by Parfait MBOPOU who said he was a victim and homosexual partner of Gregoire OWONA, Minister Delegate at the Presidency in charge of Relations with the Assemblies. The purported witness vindicated Minister OWONA by the denial of this information. He affirmed that he was manipulated by the accused. By Judgment of 1 August 2008, the Court of First Instance, Yaounde, Centre Administratif, sentenced them to 6 months imprisonment, a fine of CFA 90,000 and issued arrest warrants against them. These arrests warrants have not been executed.

**7.** CONGELCAM and Sylvestre Ngouchinghe vs Kati Guy Martial, Managing Director of "Le Cameroun Matin", was prosecuted for false news, insults and defamation (two proceedings). In the paper's issue No. 67 of 22 August 2008, it was stated that CONGELCAM's officials were generous to customs. The latter were equally accused of corruption, favouritism, unlawful enrichment and embezzlement of public funds. In its issue No. 66 of 5 August 2008, the applicant is accused of cupidity, doubtful friendship with the former Minister of Finance, Abah Abah Polycarpe in order to embezzle public funds. These matters are pending before the Courts.

**8.** Mvogo Jean vs Chatue Emmanuel (Director of Canal 2 International), Mulumba Tshepela (Honorary Consul of the Democratic Republic of Congo (RDC), Douala, Canal 2 International were prosecuted for defamation and refusal to publish a rejoinder. During the 8.00 p.m. television news of 22 August 2008, Canal 2 International carried a news item stating that Mulumba Tshepela Joseph was

the RDC's Honorary Counsel in Douala. The civil party who was the real honorary counsel suggested that Canal 2 International freely publish a denial. The accused vehemently refused. The matter is pending hearing and determination.

**9.** Mvogo Jean Marie vs Tchounkeu Severin (Managing Director of the TV channel Equinoxe TV), Mulumba Tshepela Joseph, Equinox TV, Mbi Helene (Journalist working with Equinoxe TV), were prosecuted for defamation and refusal to publish a rejoinder. During the 1: 00 p.m. television news of 21 August 2008, Canal 2 International carried a news item stating that Mulumba Tshepela Joseph was the RDC's Honorary Counsel in Douala. The civil party who was the real honorary counsel suggested that Canal 2 International freely publish a denial. The accused vehemently refused. The matter is pending hearing and determination.

**10.** Ananie Rabier Bindji vs Tagne Casmir Désiré, Managing Director of the newspaper "Le Jeune Enqueteur" was prosecuted for defamation. In the said newspaper, issue No. 187 of 8 July 2008, Tagne Casmir Désiré wrote an article against Ananie Rabier Bindzi, calling him an impostor. "His claim of years of experience in journalism cannot be established." The matter is pending hearing and determination.

**11.** Luxcey Phillipe Maurice and Orange Cameroun S.A. vs Michel Michaut MOUSSALA and the newspaper "Aurore Plus", prosecuted for defamation. The applicants were surprised to see the following title "Philippe Luxcey involved in Financial Banditry...his Social and especially Salary Policy Confirms Personnel Slavery" on the entire cover page of the issue of 30 November 2007. The matter is pending hearing and determination.

**12.** The People and SDF vs MARAFA HAMIDOU YAYA (Minister of State, Minister of Territorial Administration and Decentralization), AMADOU VAMOULKE (Director General of CRTV), MONDA BAKOA (Journalist working for Cameroon Tribune), NNANA Marie Claire (General Manager of SOPECAM), prosecuted for defamation. The matter is pending before the Court of First Instance, Bamenda.

**94** -All in all, Government policy to promote freedom of mass communi-

cation in general and the emergence of a free, independent and especially quality private press is gaining grounds daily due to the encouraging measures taken by the State. However, these measures should promote the blossoming of reliable press organs which have adequate means, competent and responsible journalists in order to reconcile the demands of press freedom and the respect of the rights and freedom of others.



# Chapter 4

## HUMAN RIGHTS DEFENDERS



**95** - The year 2008 was marked by the deployment of human rights defenders. Without minimizing their activism in many domains mentioned in the preceding report because of the social unrest of February 2008, the protection of human rights defenders was a topical issue judging from the interjections received in the Ministry of Justice.

## **SECTION 1-ARRAIGNMENT RELATING TO THE SOCIAL CRISIS OF FEBRUARY 2008**

**96** -Human rights defenders have the legitimate role to engage in activism. That is why they spearheaded human rights claims during the unrest of February 2008. Their commitment, rightly or wrongly, raised serious concerns over their protection. Government was informed about the cases of Madeleine AFITE, LAMBO Pierre Roger alias Lapiro de Mbanga, MOUANFO SONGONG and NGALLE MOUSSOMBO.

### **§1: -MADALEINE AFITE**

**97** -In the wake of the events of February 2008, the Special Rapporteur of the African Commission on Human and Peoples' Rights expressed her concern to the Government of Cameroon over human rights defenders. This was based on information she received concerning threats against Madeleine AFITE, Chairperson of ACAT Littoral. According to her, this threat stemmed from the latter's determination to denounce the exactions and abuses related to the management of the social unrest of 2008.

**98** -The denunciation caused Government to open inquiry to ascertain the alleged facts. When Madeleine AFITE was asked to provide information that was useful and necessary for the conduct of such inquiry, she said that in spite of the threats, she would neither submit a petition nor make any declarations because the ensuing inquiry would be inefficient.

**99** -It is worth noting that without the collaboration of the victim and in spite of the presumption of flagrante delicto, it is difficult to successfully conduct an inquiry.

### **§2: LAMBO PIERRE ROGER ALIAS LAPIRO DE MBANGA**

**100** -The artist, LAMBO Pierre Roger was arrested during the social unrest of February 2008. This arrest equally provoked the reaction of the Special Rapporteur of the ACHPR on the situation of human rights defenders and she seised Government. Other personalities and sources also expressed these concerns.

**101** -An examination of the charge reveals that based on the information communicated to the Special Rapporteur, Lapiro de Mbanga, human rights defender, was arrested because of his album entitled “The Constipated Constitution” wherein he states his opposition against the amendment of the Constitution<sup>91</sup>. She recalled that such arrest is contrary to Articles 19 of the Universal Declaration of Human Rights and 9 of the ACHPR on freedom of opinion and expression. More so, the incarceration of LAMBO Pierre without judgment is contrary to the provisions of both Section 11 (1) of the Universal Declaration of Human Rights and Section 7 of the ACHPR on the presumption of innocence.

**102** -The Special Rapporteur reminded Cameroon of its conventional commitments and requested information on the following 10 points:

- accuracy or not of the alleged facts and the state of the procedure;
- protection of the physical and psychological integrity of Lapiro;
- guarantee of the right to fair trial; and
- respect of Lapiro’s right to freedom of opinion and expression and the cessation of harassment of human rights defenders which requires respect for the conventional commitments and human rights defenders.

## **A- Facts**

**103** -Following a strike action by the National Union of Road Transporters<sup>92</sup>, the town of Mbanga suffered from excesses and considerable damage was inflicted on the “*Société des Eaux Minerales du Cameroun*”, “*Société des Plantations de Mbanga*”, Divisional Taxation Centre and the Distribution Centre of “*Brasseries du Cameroun*”. These structures were vandalized, looted, destroyed or burnt. The National Road No. 5 was burnt at intervals of about 50m, the windowpanes of the Police Station in charge of Public Security were shattered and administrative and private vehicles destroyed.

**104** -The “*Société des Eaux Minerales du Cameroun* » and “*Société des Plantations de Mbanga*”, filed a complaint.

**105** -Witnesses testified that LAMBO Pierre Roger was an instigator of the

<sup>91</sup> See chapter 6 on the Constitutional Reform

<sup>92</sup> Chapter on social unrest of February 2008

destruction notably because he went across the town and held a meeting in his house.

**106** -Thus, LAMBO Pierre Roger was seen in Mbanga taking pictures with a camera both during the burning of the National Road No. 5 and the destruction of a yielding banana plantation as well as MIDEVIV's packaging station. On 23 February 2008, he telephoned the officials of the "Société des Plantations de Mbanga" claiming a huge sum of money (CFA 500,000) by noon of the following day in order to buy 3 litres of petrol for each moto-taxi rider to prevent the company from attack. On that same day, he held a meeting at night with 70 persons and the next day, since the officials of the above-mentioned company did not react, its head office was destroyed and looted by vandals in the presence of LAMBO who filmed the incident unperturbed.

**107** -Lapiro de Mbanga was thus arrested after inquiries and charged on 29 April 2008 for accessory in rioting<sup>93</sup>, obstruction of highway, arson, damage to public or protected property, destruction of property as well as depredation by band<sup>94</sup>, offences provided for and punishable under Sections 74, 97, 232, 187, 227, 236 and 316 of the Penal Code. He was remanded in prison custody on 9 April 2008.

## **B-Proceedings**

**108** -LAMBO Pierre Roger was charged with committing misdemeanours and felonies. Under such circumstances and in accordance with the provisions of Section 142 (1) of the CPC, preliminary inquiry is obligatory<sup>95</sup>. This explains why he was not tried in accordance with the procedure of *flagrante delicto* in contrast with other persons involved in these events. Similarly, he may not benefit from clemency by the President of the Republic because commutation of sentences applies only to persons who have been judged in accordance with Decree No. 2008/174 of 20 May 2008 to commute the sentences of persons convicted in relation to the unrest of February 2008.

**109** -With regard to the competence *ratione materiae* of the Examining Magistrate of Mbanga to try the offence, Section 27 of Law No. 2006/15 of 29 December 2006 on Judicial Organization provides "As concerns fe-

<sup>93</sup> Crime which is punishable with imprisonment below or equal to 10 years and falls within the jurisdiction of the Court of First Instance.

<sup>94</sup> Crime which is punishable with imprisonment above 10 years and falls within the jurisdiction of the High Court.

<sup>95</sup> Section 142(1) « Preliminary inquiry shall be obligatory in cases of felonies unless otherwise provided by law »

lonies, the Examining Magistrate of the High Court shall be competent to carry out preliminary inquiries throughout the area of jurisdiction of the said High Court. However, the Examining Magistrate of the Court of First Instance located elsewhere other than at the seat of the High Court shall be competent to carry out preliminary inquiries for felonies and related misdemeanours committed within his area of jurisdiction". Thus, the Examining Magistrate of Mbanga validly examined this matter.

**110** -The Examining Magistrate of the Court of First Instance, Mbanga conducted out preliminary inquiry in the offence against LAMBO and forwarded the matter to the High Court, Nkongsamba, Mungo in accordance with Section 27 of Law No. 2006/15 of 29 December 2006 on Judicial Organization. It was listed for hearing on 9 July 2006 and after a number of adjournments, it was heard and determined on 24 September 2008. By Judgment No. 137/CRIM the accused was found guilty of accessory in rioting, obstruction of public highway, arson, damage to public or protected property, destruction of property as well as depredation by band, offences provided for and punishable under Sections 74, 97, 232, 187, 227, 236 and 316 of the Penal Code. He was sentenced to three years imprisonment and with a fines of CFA 200,000,000, and CFA 80,000,000 was awarded against him as compensation to S.P.M and the Ministry of Finance respectively. He was as well ordered to pay costs in the sum of CFA 359,488 or serve an additional imprisonment term of 12 months in default of payment.

Lambo Pierre and the Legal Department appealed against the judgment on 24 September 2008<sup>96</sup>.

### **C- Physical and Psychological Integrity**

**111** -It is worthy of note that no order was given to violate LAMBO's physical and moral integrity. He was neither tortured nor subjected to cruel, inhuman or degrading treatment. He is placed under the same prison system like the other detainees in the Prison of Nkongsamba where he was transferred because of accusations brought against him before the trial court.

<sup>96</sup>By Judgment No. 39/crim of 24 June 2009, the CA of Littoral declared that: Ruling in default of "Société des plantations de Mbanga", after full argument from the other parties in a criminal matter, at the second resort, and by a unanimous judgement;  
- Admits the appeal;

## **D- Right to Fair Trial**

**112** -LAMBO Pierre Roger appeared before a court of competent jurisdiction. He was found guilty of committing statutory offences. He was remanded in preventive detention in accordance with the law<sup>97</sup> and he defended himself and briefed counsel as provided for by the law. The principle of public and adversary proceedings are respected as proven especially by legal arguments that lasted for 16 hours at the hearing of 23 July 2008.

## **E-Freedom of Expression and Harassment of Human Rights Defenders**

**113** -Based on the above stated facts, LAMBO Pierre Roger was not prosecuted because of his song against the amendment of the Constitution. He is prosecuted because of statutory offences in accordance with an established legal procedure.

### **§3: JEAN RENE MOUANFO SONGONG**

**114** -Many personalities addressed petitions to the Ministry of Justice expressing their fear for the physical integrity of Mr MOUANFO who is counsel for LAMBO Pierre Roger and KINGUE Paul Eric both involved in the events of February 2008.

**115** -These petitions state that this lawyer is threatened for exercising his profession. Thus, he was threatened by the Gendarmerie Brigade Commander for Njombe and Penja.

**116** -Investigationscarried out at the Legal Departments under the jurisdiction of the Court of Appeal, Littoral Region, revealed that Mr MOUANFO has not filed any petition against threats for his defence of Mr NGALLE MOUSSOMBO or any other person who is prosecuted because of the events of February 2008. In the absence of a petition, the truth of such allegations is questionable.

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<sup>97</sup>Section 12(2) of the CPC provides that "The Examining Magistrate may issue summonses, warrants of arrest, search warrants, remand warrants and production warrants."

## SECTION 2: ISOLATED CASES OF THE FEBRUARY 2008 UNREST

**117** -Human rights defenders face difficulties in executing their tasks. These difficulties arise from ignorance or mistrust of the regulation in force and the well known misunderstanding between human rights defenders and state actors. Therefore, human rights defenders could be victims of a criminal offence or be accused of same. The cases of Nelson NDI, TAGAI, ABDOULAYE MATH and Bernard DJONGA are illustrative.

### §1: NELSON NDI

**118** -The case of Nelson NDI, prosecuted since 2006<sup>98</sup> has made progress with the identification and indictment of the person who brutalized him. In fact, ABANA Celestine, Assistant Commander of the GMI Bamenda, was charged with assault (Section 280 of the Penal Code) and brought before the CFI, Fundong, where the matter is pending hearing and determination.

### §2: -GASTON TAGAI

**119** -According to the association "Agir pour les droits de l'homme" that queried Government, Gaston TAGAI was arrested on 6 September 2008

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- Quashes the lower court judgment in that the trial judge dismissed the exceptions of nullity submitted to him as unfounded;
  - After a second hearing on this point, disallows the exceptions on the ground that they are time barred since the dates and time of the beginning and the end of some operations and the conduct of the suspects before the State Counsel are not indicated in the police investigation report;
  - Confirms all the exceptions of nullity raised before the trial judge;
  - Dismisses the exceptions of nullity raised for the first time before the High Court on appeal;
  - Further confirms the verdict on the conviction of the accused, of the counts of accessory in rioting, obstruction of public highway, and depredation by band;
  - Further confirms the decision of the lower court on the following: mitigating circumstances, the sentence, the admissibility of the Ministry of Finance in the civil claimant; and the award of damages in both its favour and the SPM;
  - Disallows MINFI's new claim for damages as unfounded;
  - Orders Lapiro to pay costs fixed at CFA 540,693;
  - Further orders that the accused pay the costs immediate under penalty of 18 months imprisonment in default of payment;
  - Consequently issues an imprisonment warrant against him;
  - Informs the SPM that they have ten (10) days from the day following the service of this judgment to file an objection or thirty (30) days from the day following the expiry of the objection time-limit to file an appeal before the supreme Court;
  - Informs the SPM that they have ten (10) days from the day following the delivery of this judgment to file an appeal before the Supreme Court;
  - Informs the accused and MINFI that they have ten (10) days from the day following the delivery of this judgment to file an appeal before the Supreme Court" Lambo Pierre Roger filed appeal against the said judgment before the Supreme Court on 26 June 2009 (Appeal No. 21).

<sup>98</sup> See 2006 Report, page 36

at Roua in the Far-North Region by the Brigade Commander of Roua who ordered him to be remanded in custody. This lasted until 8 October 2008 in violation of the law. For the association, the arrest of TAGAI who had to lead MDDHL in this locality, where the opening of a branch was envisaged, stems from the recurrent harassment of MDDHL members.

**120** - Investigations have revealed that he was arrested for assaulting his father and for stealing a firearm at the Brigade, Roua.

**121** - According to Report No. 38/2008 drawn up by the Gendarmerie Company, Mokolo, on 19 October 2006, Vanangolda Alphonse was arrested and remanded in custody at the Gendarmerie Brigade, Roua for theft. While in custody, his friend Vanawa Dieudonne visited him and Vanangolda suggested that he should steal the FAL model weapon negligently left at the station by the gendarme on duty who was relieving himself.

**122** - Two days later, Vanangolda once more instructed his friend to remove the weapon from the hole where it was hidden and hand it over to Ngaldar. Gaston Tangai, Vanangolda's senior brother, witnessed the act and assisted Ngaldar in transporting and concealing the weapon in his uncle's, Kouetigai Sakatai, granary. The latter had been detained in 2006 at the Main Prison, Mokolo, for another offence. The FAL was concealed for two years, in his house, without his knowledge.

**123** - Kouetigai discovered the weapon after his release and wanted to know how it got to his granary. However, he informed only his wife and requested her to keep it confidential.

**124** - While in prison, Vanangolda informed one of his companions of the circumstances under which the FAL was stolen. This information got to the Gendarmerie Company Commander, who in October 2008, conducted a search of Kouetigai Sakatai's home, recovered the weapon and arrested all those who contributed in its theft, transportation and concealment.

**125** - Persons involved in this matter were brought before the Government Commissioner in Garoua for the continuation of legal proceedings.

### **§3: ABDOULAYE MATH**

**126** - The Special Rapporteur of ACHPR on the situation of human rights defenders, the Special UN Rapporteur on the independence of judges and

lawyers as well as the Special Representative of the Secretary General on human rights affairs seized the Government of Cameroon on the situation of ABDOULAYE MATH. The latter was threatened because of his activities as human rights defender by the State Counsel of Maroua.

**127-** The matter which resulted in the misunderstanding between Abdoulaye Math and the State Counsel of Maroua is relatively simple.

**128 -** In 2008, Dionmawe Ondobo Bruno was arrested and brought before the Legal Department, Maroua, for false pretences. Judicial inquiry was opened against him. His counsel, Abdoulaye Math, told the State Counsel he was against this measure. The latter did not equally like Abdoulaye Math's behaviour with whom he had had strained relations. Nonetheless, no one confirmed that the State Counsel made comminatory declarations claimed to have been heard by Abdoulaye Math.

**129 -** On 3 April 2008, Abdoulaye Math who was prohibited from entering the prison to meet his client claimed that he was turned back on the *"instructions of the State Counsel."* When asked, the superintendent in charge said he had given instructions to allow only advocates to meet with detainees who were their clients and that all other persons had to present a communication permit.

**130 -** The State Counsel who refuted any intervention in this matter aptly recalled that the detainee had been remanded in custody by the Examining Magistrate who had the exclusive preserve of regulating visits paid to him.

#### **§4: BERNARD DJONGA**

**131 -** UN mechanisms reacted following the arrest of Bernard Djonga who organized a protest assembly to decry the mismanagement of funds and property meant for farmers.

**132 -** In fact, on 10 December 2008, the aforementioned was arrested at Rue CEPER by policemen of the Central Police Station No. 1, Yaounde while he led an unauthorized public protest.

**133 -** Bernard DJONGA declared that the "Association Citoyenne de Defense des Interets Collectifs" (ACDIC) that he has been leading since 2003, decided to express its discontent in front of its head office based on the results of a survey it carried out on the maize crisis, client-centred approach, favouritism, embezzlement and corruption purportedly practised in the Ministry of Agriculture and Rural Development (MINADER). He said that pro-

testers took to the streets because of police brutality although he had urged the former to stay at ACDIC's head office. Moreover, he acknowledged that the SDO for Mfoundi Division had strictly forbidden any protest in front of MINADER and argued that it was precisely for this reason that they wanted to express their dissatisfaction at the head office of ACDIC through bill boards and a portable loudspeaker.

**134** -DONFACK Joseph, member of ACDIC stated that the survey carried out by his association indicated on the one hand that most of the 60 tractors offered by the Indian Government for the promotion of mechanized maize production in Cameroon had disappeared and that on the other hand CFA 2 billion disbursed by the Cameroon Government to subsidize maize production was swindled by MINADER executives to the detriment of the rural masses. For these reasons, the Chair of ADIC ordered a strike action which he respected as many other persons without asking himself if prior administrative authorization was granted. He added that protesters strode along without blocking Rue CEPER.

**135** -ETELE ATANGANA Jean Georges and MBESSE AWONO confirmed this declaration with the latter stating that the many tractors embezzled were packed under tarpaulins in the residences of some ministers and that it was important for ACDIC to inform the public of this fraud.

**136** -SOH Gilles Yannick declared that he came from Bafoussam on the invitation of the leader MEDJONGANG Dagobert to animate a protest whose goal was not revealed to him. He said that the saxophone he used was confiscated by the police although he concealed it.

**137** -NJIFACK ISAAC said he was invited to the protest by ACDIC and declared that the brutality of members of the GMI called in to replace the first police circle caused the degeneration of the protest that hitherto had been confined to the premises of the association.

**138** -These declarations were corroborated by the journalists, KETCHA-TENG Jean Baptiste and ELOUNDOU Joseph, proprietor of the newspaper "le Développement", who said that they were on the spot as committed citizen and civil society stakeholder respectively.

**139** -ETELE ATAGANA Jean Georges, DONFACK Joseph, SOH Gilles Yannick, MBESSE AWONO Francois and DJONGA Bernard were brought before the CFI, Yaounde, Centre Administratif to be tried for un-

lawful assembly provided for by Sections 74 and 231 of the Penal Code.

**140** -The matter was called up for the first time on 12 December 2008 and was adjourned several times. The judgment was delivered on 22 May 2009<sup>99</sup>.

**141** -In conclusion, the State guarantees freedom of opinion and expression to all persons living within its territory. Human rights defenders constitute an important component in the rooting of human rights in Cameroon and the law protects their freedom to carry out their activities provided they respect the rights of others and do not disturb public peace.

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<sup>99</sup> The court delivered its judgment to wit:

Soh Gilles, Donfack Joseph and Mbesse Awono François were found not guilty for unlawful assembly, Donfack Joseph and Mbesse Awono François were acquitted for benefit of the doubt while Soh Gilles Yannick was acquitted for want of evidence

Bernard Djonga and Etelle Atangana Jean Georges were found guilty for unlawful assembly and accordingly convicted and sentenced to 2 months imprisonment suspended for 3 years. They were jointly ordered to pay the sum of CFA 26,500 as costs or serve a prison term of 3 months in default of payment.

The parties were informed of their right to appeal within a time-limit of 10 days with effect from the day following the delivery of the judgment.

# Chapter 5

## REFUGEES



**142** -Cameroon is at the confluence of several voluntary or forced migratory flux because of its privileged position in the Gulf of Guinea, political stability, economic potential, cultural diversity and legendary hospitality. Thus, it is a destination chosen for asylum seekers whose number has quadrupled during these last three years due to the constantly degrading security situation in the Central African Republic and Chad<sup>100</sup>

**143** -Cameroon's refugee policy comprises four essential points:

- opening of frontiers and welcoming of persons in search of protection irrespective of their race, nationality, or political inclination;
- hospitality and assistance to these persons;
- respect of international treaties to which she is party; and
- free return of refugees to their countries of origin and their subsequent resettlement in another country or resettlement or rehabilitation on the spot.

**144** -The fundamental rights of refugees are guaranteed in accordance with commitments taken in keeping with relevant universal and regional agreements notably the Geneva Convention of 28 July 1951 Relating to the Status of Refugees<sup>101</sup> as amended by the New York Protocol of 31 January 1967<sup>102</sup> and the OAU Convention Governing Specific Aspects of Refugee Problems in Africa signed at Addis Ababa on 10 September 1969<sup>103</sup>.

**145** -Law No. 2005/6 of 27 July 2005 relating to the Status of Refugees in Cameroon that internalizes the said conventions governs both refugees and asylum seekers.

**146** -Two events relating to freedom of movement in 2008 are worth mentioning: the extraction of the Equato-Guinean asylum seeker, Cipriano Nguema Mba and the flux of about 8,500 Chadian refugees in the north of the country in February 2008 as a result of the political crisis in their country.

<sup>100</sup> According to the HCR, there were 82,833 in December 2008. Source: UNHCR'S OPERATIONS IN CAMEROON, information file, BO Yaounde, 26 December 2008, p.8.

<sup>101</sup> Cameroon acceded to this Convention on 23 October 1961.

<sup>102</sup> Cameroon signed this Protocol on 4 September 1969.

<sup>103</sup> Cameroon ratified this convention on 7 September 1975.

## SECTION 1: EXTRACTION OF CIPRIANO NGUEMA MBA

**147** -Government received an urgent call from the working group of the United Nations Human Rights Council on the kidnapping of Cipriano Nguema Mba, an Equato-Guinean military judge under HCR<sup>104</sup> protection.

**148** -Generally, Cameroon conveniently provides refugees security and freedom of movement. However, in some rare cases the police finds it difficult to provide tight security to some refugees whose lives are threatened.

**149** -This is the case of the Equato-Guinean asylum seeker, Cipriano Nguema Mba. Based on a press release of 21 October 2008 by the Minister Delegate in the Ministry of External Relations, Cipriano Nguema Mba was extracted on 7 October 2008 by the Embassy of Equatorial Guinea with the complicity of two Cameroonian police officers.<sup>105</sup>The personal initiative of these two civil servants who were severely punished poses the problem of the capacity building of administrative personnel in charge of refugee matters.

### §1-SANCTIONS

**150**-Disciplinary measures were meted out on the police officers involved in this deplorable act and judicial proceedings instituted against them. It is worth mentioning that on 24 October 2008, the Ambassador of Equatorial Guinea in Cameroon was summoned to the Ministry of External Relations to explain this act.

<sup>104</sup> In 2005, he was arrested and then released by the authorities of Cameroon. He went to Spain that same year. In 2008, he reappeared in Cameroon and applied for asylum to the HCR. Because he was refused refugee status, he appealed to the organization but he was extracted while the appeal was pending hearing.

<sup>105</sup> CT of Tuesday, 21 October 2008, p. 7.

## A Disciplinary Measures

**151** -As regards disciplinary measures, the accused police officers namely Ndam Ibrahim, Inspector of Police, 1st Scale and Ndam Amadou, Police Constable, 2nd Scale were suspended from duty on 17 October 2008 by decision of the Delegate General of National Security<sup>106</sup> and dismissed from the National Security Corps on 4 November 2008 with forfeiture of their pension rights.<sup>107</sup>

## B Judicial Proceedings

**152** -The above-mentioned police officers were charged with endangering State security and false arrest and remanded in custody on 31 October 2008 after preliminary inquiry opened against them at the High Court, Mfoundi. Proceedings are pending.

## §2 CAPACITY BUILDING

**153** -The behaviour of the police officers referred to above may reveal poor mastery of the instruments governing the status of refugees in Cameroon and identification documents issued by the High Commissioner for Refugees.

**154** -To solve this problem, Government has been collaborating with the HCR since 2006 to train administrative officials in charge of refugees through seminars organized in regions with high refugee concentration (East, Adamawa, North and Far-North). These seminars are equally organized at the National Higher Police College. They aim at introducing refugee law as well as the practices and procedures in the protection of this category of persons to civilians and the military.

**155** -It is hoped that this training will continue and will be consolidated to better manage refugee issues.

## SECTION 2: CHADIAN REFUGEE MANAGEMENT

**156** -In 2008, Cameroon handled a Chadian refugee flux in the northern part of the country. In deed, in the beginning of February, about 8,500 Chadians fleeing rebel attacks on Ndjamena, the country's capital, arrived at the frontier town, Kousseri.

<sup>106</sup>See Decision No. 348/DGSN/CAB of 17 October 2008 and Decision No. 349/DGSN/CAB of 17 October 2008.

<sup>107</sup>See order No. 701/CAB/PR of 4 November 2008 and Order No. 702/CAB/PR of 4 November 2008.

**157** -In managing this flux, Cameroon authorities assisted the HCR to guarantee the rights of these persons. This involved the choice of sites for their settlement, improvement of their living conditions and security measures.

## **§1- RECEPTION OF REFUGEES: CHOICE OF SITES**

**158** -Refugees were initially settled in the MALTAM Refugee Camp. Government and the HCR resettled them in a new site for climatic and security reasons. To this end, 4,427 refugees who so wished were transferred to the LANGUI Refugee Camp. Among these, about 1,000 have returned to Chad by their own means. A survey by the HCR revealed that about 2,500 of those left equally wish to go back home. Thus, negotiations were started between the Governments of Cameroon and Chad and the HCR with a view to signing a tripartite agreement to facilitate the operation<sup>108</sup>.

**159** -The 1,000 persons remaining after the operation shall be redeployed in the Tapare-Poli Camp as deemed necessary by Cameroon authorities.

## **§2- IMPROVEMENT OF LIVING CONDITIONS**

**160** -A joint evaluation mission composed of the Cameroon Government on the one hand and WFP, UNICEF, FAO and CARE on the other hand presented the humanitarian situation of refugees and provided some solutions.

**161** -In this regard, monthly distribution of basic necessities was organized for them. These included a feeding kit<sup>109</sup>, emergency health kits such as blankets, plastic tarpaulin, jerrycans and kitchen utensils.

**162** -The Minister of Public Health supplied vaccines to refugee children and pregnant women and nursing mothers.

## **§3- RIGHT TO IDENTIFICATION AND SECURITY**

**163** -The granting of refugee status is a sovereign prerogative of the host country that has both migratory flux management and security ramifications. The 2005 Law mentioned above set up a Commission for eligibility for refugee status and a Commission in charge of refugee appeals. Given that these commissions are not yet operational, the HCR continues to identify refugees by issuing cards to asylum seekers who have reached the age of majority and to unaccompanied children.

<sup>108</sup> Negotiations were ongoing as of April 2009.

<sup>109</sup> 2,100 kilocalories per day per person.

**164** -As regards security, refugees have been victims of armed attacks in their settlements. This situation has pushed Government to increase the presence of the Rapid Intervention Force (BIR) in these areas and the results are encouraging.

**165** -On 13 July 2008, an uprising occurred in the LANGUI refugee camps. A Chadian refugee died and another one sustained injuries. ICRC, HRC and Gendarmerie vehicles were destroyed.

**166** -In fact, informed that refugees had brought arms into the camp, the forces of law and order who went there faced violent resistance from refugees who arrested them as well as staff of the ICRC and HCR.

**167** -Inquiries carried out reveal that the forces of law and order could not be held accountable for the material and human toll of this incident.

**168** -The amendment of the Constitution announced in 2007 ended in 2008 with the adoption by the National Assembly and the promulgation by the President of the Republic of Law No. 2008/1 of 14 April 2008 to amend and supplement certain provisions of Law No. 96/6 of 18 January 1996 to revise the Constitution of 2 June 1972.



# Chapter 6

## CONSTITUTIONAL REFORM



**169** -The hue and cry raised by the announcement of the constitutional amendment in 2007 died down after the bill was proclaimed and promulgated into law<sup>110</sup>. There were no more major debates between advocates opponents of the urgency for amendment of Article 6 (2) of the Constitution of 1996 on the limitation of the term of office of the President of the Republic.

**170** -In fact, the scope of the Law of 14 April 2008 seems to be wider and this chapter analyzes the legal context in which it was promulgated, its relevance, Government clarification and the reaction of part of the civil society.

## SECTION 1: LEGAL CONTEXT

**171** -The bill to amend and supplement some provisions of Law No. 96/6 of 18 January 1996 to revise the Constitution of 2 June 1972 was tabled by Government before the National Assembly during the 1st Ordinary Session (March 2008) of the 2008 Legislative Year.

**172** -The explanatory statement of the bill reveals that for about a decade now, Cameroon has introduced major institutional reforms to adapt to the requirements of democracy and good governance. The reforms that equally aim at providing future generations with an appropriate legislative and regulatory framework whose implementation shall have no legal void or ambiguity led to the drawing up, adoption, promulgation and full or partial implementation of instruments provided by Law No. 96/6 of 18 January 1996 to revise the Constitution of 2 June 1972. These include notably the:

- Laws to lay down the conditions for the election of Parliamentarians, Senators, Municipal or Regional Counsellors;
- Law to lay down Judicial Organization;
- Law to lay down the organization and functioning of the Constitutional Council; and
- Laws relating to decentralization.

**173** -However, the Constitution of 1996, conceived and adopted as a way out of a rather peculiar crisis situation immediately exposed its lapses. To redress these shortcomings, the bill sort to amend Articles 6, 14, 15, 51, 53 and 67.

<sup>110</sup> See p. 85 et seq of 2007 Report by the Ministry of Justice on debates provoked by the said amendment.

## SECTION 2: RELEVANCE OF THE LAW

**174** -The relevance of this instrument can be seen from several angles: the election of the President of the Republic, functioning of the National Assembly, curbing the mandate of members of the Constitutional Council, conditions for instituting proceedings against the President of the Republic and the conditions for the election of senators.

### §1 ELECTION OF THE PRESIDENT OF THE REPUBLIC

#### A. Non limitation of Presidential Term of Office

**175** -The provisions relating to the election of the President of the Republic comprise the president's term of office and vacancy.

**176** -Article 6 (2) new provides: *"The President of the Republic shall be elected for a term of office of seven (7) years. He shall be eligible for re-election"*. This amendment that makes the incumbent President of the Republic eligible for re-election indefinitely is based on the:

- affirmation and preservation of the full sovereignty of the people with regard to the election of the President of the Republic;
- equal rights and duties of citizens as regards eligibility to the duties of President of the Republic;
- enjoyment by all citizens without discrimination of civil and political rights notably the right to participate directly in the management of public affairs; and
- continuation of Cameroon's constitutional tradition of which no Constitution since 1960 contained provisions relating to the limitation of the presidential term of office.

#### B.Vacancy

**177** -Article 6 (4) (new) provides *"Where the office of President of the Republic becomes vacant as a result of death, resignation or permanent incapacity duly ascertained by the Constitutional Council, the polls for the election of the new President of the Republic must be held not less than twenty (20) days and not more than one hundred twenty (120) days after the office becomes vacant..."*.

**178** -Paragraph two provides: *"However, where the organization of presidential election so requires, the interim President of the Republic may, after consultation with the Constitutional Council, amend the composition of the Government"*.

**179** -The amendment in this case tends to change the time-limits laid down for the organization of presidential elections in the case of vacancy of the post of President of the Republic with a view to allowing for better material and practical organization of elections.

**180** -Thus, these time-limits have been changed from twenty (20) days at least to forty (40) days at most, to from twenty (20) days at least to one hundred twenty (120) days at most in case of vacancy.

**182** -More so, the prerogatives of the interim President of the Republic were strengthened to enable him to better manage the transition.

## **§2 FUNCTIONING OF THE NATIONAL ASSEMBLY**

**181** - Amendment at this level concerned parliamentary sessions and the parliamentary term of office.

### **A. Parliamentary Sessions**

**182** -Article 14 (3) (a) new provides: *"Both houses of Parliament shall meet on the same dates, in ordinary sessions during the months of March, June and November each year, when convened by the Bureaux of the National Assembly and the Senate, after consultation with the President of the Republic."*

**183** -This Article gives the chronological order of the months (March, June and November) during which ordinary sessions of Parliament are organized. In the former document these same months were mentioned haphazardly.

### **B-Amendment of Parliamentary Term of Office**

**184** -Article 15 (4) new provides *"In case of serious crisis or where circumstances so warrant, the President of the Republic may, after consultation with the President of the Constitutional Council and the Bureaux of the National Assembly and the Senate, request the National Assembly to decide, by law, to extend or abridge its term of office. In this case, the election of a new Assembly shall take place not less than forty (40) days and not more than one hundred twenty (120) days following the expiry of the extension or abridgment period."*

**185** -The innovation in this case consists in providing more reasons that could lead to the extension or abridgment of Parliamentarians' term of office and the provision of longer time-limits for the organization of elections of the new Assembly.

**186** -In this regard, time-limits are not extended only in case of serious crisis as provided for in the former instrument but the instrument adds “*where circumstances so warrant*”.

**187** -Pertaining to time-limits, the latest date has been raised to one hundred twenty (120) days after expiry of the time-limit for extension or abridgment of the term of office, instead of sixty (60) days as was the case in the former instrument.

### **§3- ABRIDGMENT OF THE TERM OF OFFICE OF MEMBERS OF THE CONSTITUTIONAL COUNCIL**

**188** -In a bid to harmonize the terms of office of members of State bodies who are elected or appointed, Article 51 (1) new reduces the term of office of members of the Constitutional Council from nine (9) to six (6) years renewable while in the former text it was non renewable.

**190** -This amendment of the Constitution should result in the amendment especially of Section 7 of Law No. 2004/4 of 21 April 2004 on the organization and functioning of the Constitutional Council to keep it in conformity with the Constitution.

### **§4- PROSECUTION OF THE PRESIDENT OF THE REPUBLIC**

**191** -Article 53 (new) provides:

*“The Court of Impeachment shall have jurisdiction, in respect of acts committed in the exercise of their functions to try:*

- the President of the Republic for high treason;*
- Prime Minister, members of Government and persons ranking as such and senior government officials to whom powers have been delegated in pursuance of Articles 10 and 12 above, for conspiracy against the security of the State.*

*The President of the Republic shall be indicted only the National Assembly and the Senate deciding through an identical vote by open ballot and by a four-fifth majority of their members”.*

*Acts committed by the President of the Republic in pursuance of Articles 5, 8, 9 and 10 above shall be covered by immunity and he shall not be accountable for them after the exercise of his functions.*

*“The organization, composition, conditions under which matters shall be referred to as well as the procedure applicable before the Court of Impeachment shall be laid down by law”.*

**192** -This new text contains two new paragraphs. The first lays down conditions under which judicial proceedings may be instituted against the incumbent President of the Republic and the second specifies acts for which immunity is granted even after the term of office.

**193** -In fact paragraph 2 provides: *"The President of the Republic shall be indicted only by National Assembly and the Senate deciding through an identical vote by open ballot and by a four-fifth majority of their members"* while paragraph 3 provides that *"Acts committed by the President of the Republic in pursuance of Articles 5, 8, 9 and 10 above shall be covered by immunity and he shall not be accountable for them after the exercise of his functions"*..

**194** -This paragraph provides that at the end of his term of office, the President of the Republic may not be prosecuted for acts committed in the exercise of their functions including acts of sovereignty, general policy, functioning of public power (Art.5), acts taken when representing the State, acts in the administration of the defence forces and the exercise of discretionary power Art.8), extraordinary measures taken in the state of emergency or state of siege (Art.9), and acts to organize and form the Government (Art.10).

## **§5- CONDITIONS FOR THE ELECTION OF SENATORS**

**195** -Article 67 (6) new that treats transitional and final provisions provides: *"Where the Senate is put place before Regions, the electoral college for the election of Senators shall be comprise exclusively Municipal Counsellors"*

**196** -This provision that carters for the future was not found in the former document.

**197** -Reactions varied towards this new adopted constitutional reform that does not put to question the republican form of the State, democratic principles, territorial unity or integrity and that aims at preserving Cameroon's political and social stability.

## SECTION 3: GOVERNMENT CLARIFICATION

**198** -The Law of 14 April 2008 that was passed after the February 2008 social unrest found a people appeased by the measures taken by the Head of State to restore peace<sup>111</sup>.

**199** -However, Government thought it was useful to explain the need of this constitutional reform through an interview granted by the Prime Minister on 11 April 2008 to the BBC.

**200** - In fact, in his interview published by Cameroon Tribune<sup>112</sup>, the Head of Government reaffirmed that the constitutional revision was a choice made by Cameroonians who, like in any democratic society, may not be subjected to fixed rules and that this people thought that some constitutional provisions were no longer adapted to its democratic vision and aspirations.

**201** -He specified that the principle of obligatory rotation of presidential power was an obstacle to the people's sovereignty which people preferred to consolidate the elective principle that guarantees its freedom of choice.

**203** -Speaking about immunity conferred on the President of the Republic after their term of office for acts accomplished within the framework of their constitutional prerogatives while in office, the Prime Minister said that this filled a legal void and seeks to protect any former Head of State from harmful legal proceedings. He emphasized that it is necessary to distinguish between the President of the Republic and the person who takes up duty and who remains liable for personal acts committed out of their presidential duties. He concluded by saying this was not impunity.

**204** -Government reaction contrasts with the reaction of part of the civil society that continues to contest Government approach.

<sup>111</sup> See chapter on the Social Unrest of February 2008.

<sup>112</sup> See Cameroon Tribune of 21 April 2008.

## SECTION 4: REACTION OF CIVIL SOCIETY

**205** -During the validation of the 2008 Repor by the Ministry of Justice, the civil society declared that it still contests the amendment of the Constitution mainly in its Article 6 (2).

**206** -Thus, LEFE revealed that since 1996, new institutions provided for by the Constitution are still to be put in place. To this end, the Constitutional Council that ascertains vacancy is without a chairperson and the Senate is still not operational.

**207** -The reduction of the term of office of members of the Constitutional Council from 7 to 6 years, which is lower than that of the president, jeopardizes the independence of the Constitutional Council.

**208** -The election of municipal councillors excludes independent candidates. For the civil society, Article 47 is anti constitutional. It is particularly in contradiction with the preamble of the Constitution that provides for independent candidates during elections.



# Chapter

# 7

## RIGHT TO PARTICIPATE IN THE MANAGEMENT OF PUBLIC AFFAIRS



**209** -The right to participate in the management of public affairs was implemented in 2008 by the consolidation of the institutional framework involving the putting in place of Elections Cameroon (ELECAM)<sup>113</sup>, the end of post-electoral disputes, progress of the decentralization process and consolidation of democracy and political pluralism.

## SECTION 1: ELECTIONS CAMEROON

**210** -ELECAM was put in place in two phases: firstly by the amendment of the organic law followed by the appointment of its officials.

### **§1: AMENDMENT OF LAW NO. 2006/11 OF 29 DECEMBER 2006**

**211** -The promulgation of Law No. 2006/11 of 29 December 2006 to set up and lay down the organization and functioning of ELECAM was a major progress to illustrate Government determination to render elections more modern, transparent and free. However, the coming into force of this law was differed for 18 months upon promulgation and during the putting in place of ELECAM and the National Elections Observatory (ONEL). The other competent State structures still discharge their respective duties.

**212** -As the deadline of 30 June 2008 approached, Government realized that mechanisms to put ELECAM's officials in place were very complex and that it required more time. It therefore tabled a bill before the National Assembly to extend for (6) six months the maximum time-limit for the entry into force of the Law of 29 December 2006. Government's objectives were to:

- allow for the smooth putting in place of this institution in accordance with procedure because apart from the appointment of members of the Electoral Board and the Director General of ELECAM, the putting in place of ELECAM, as well as the satisfactory take off of its activities, involves the mobilization of considerable human, material and financial resources; and
- reaffirm Government sovereignty, honesty and respect for the law and the population.

**213** -Based on these grounds, the National Assembly adopted and the President of the Republic promulgated Law No. 2008/5 of 29 June 2008 to amend and supplement some provisions of Law No.2006/11 of 29 December 2006 to set up and lay down the organization and functioning of ELECAM.

<sup>113</sup> See p. 97 et seq of 2007 Report on presentation of this institution.

**214** -Article 42(3) new provides *"As and until Elections Cameroon is effectively put in place, over a period which should not exceed 18 (eighteen) months, the National Elections Observatory (NEO) and other relevant electoral State bodies shall continue to carry out their respective electoral duties."*

**215** -This new version of Article 42 extends the deadline for the putting in place of ELECAM, that had to expire on 30 December 2008, by 6 (six) months.

**216** -The extension of the deadline made some national and international observers sceptical about Government determination to effectively put this organ in place. Government on its part took advantage of this time to continue actions started in view of the advent of a new elections management system in Cameroon.

**217** -In this light, the President of the Republic took Decision No. 2008/372 of 11 November 2008 to lay down the conditions for the application of some provisions of Law No. 2006/11 of 29 December 2006 to set up and lay down the organization and functioning of Elections Cameroon.

**218** -Pursuant to this decree, all election operations shall be handled exclusively by ELECAM independently, without the interference of either the Administration or political parties when the officials take up duty.

**219** -The Decree of 11 November 2008 provides:

- conditions for taking up duty, exercise of term of mandate and cessation of service of ELECAM officials;
- training of workers and support staff;
- territorial branches;
- relations between ELECAM and Government, State services, political parties, the civil society and public and private partners; and
- ELECAM's financial management.

**220** -In order to complete the process, the officials were appointed.

## **§2- APPOINTMENT OF ELECAM OFFICIALS**

**221** -Reactions to acts by the President of the Republic to designate members of ELECAM were varied. The Supreme Court that was seised of this matter by a political party made a pronouncement.

**222** -In keeping with the Law and especially with regard to the new dead-

line above, the Chairperson, Vice-Chairperson and members of the Electoral Board were appointed by two decrees of the President of the Republic, on 30 December 2008.

**223** -After these acts, the President of the Republic appointed the General Manager and Assistant General Manager of ELECAM by Decree of 31 December 2008. These officials took office on 20 January 2009 and were installed in the premises formerly occupied by ONEL.

**224** -The appointment of members of ELECAM led to extensive polemics both at the national and international levels on the political affiliation of the Electoral Board members.

**225** -In fact, during Cameroon's passage before the Universal Periodic Review, Great Britain recommended that the Cameroon Government should take measures to guarantee the independence of Elections Cameroon especially by granting her sufficient budget<sup>114</sup>.

## **B Reaction of the Civil Society**

**226** -National and international observers noted that the majority of these members were members of the Cameroon Peoples Democratic Movement (CPDM), the ruling party, some of whom are members of its Political Bureau.

**227** -This consideration casts doubt over the credibility of these members suspected of not being impartial and accused of cumulation of duty in violation of the provisions of Sections 8 and 13 of Law No. 2006/11 of 29 December 2006 to set up and lay down the organization and functioning of ELECAM relating to criteria for the selection of Electoral Board Members and incompatibilities. It was equally held that they were selected to facilitate the maintenance of their party in power through the manipulation of electoral operations.

**228** -In fact, Section 8 (2) provides: *"Members of the Electoral Board shall be designated from the midst of independent personalities of Cameroonian nationality, reputed for their stature, moral uprightness, intellectual honesty, patriotism, neutrality and impartiality"*.

**229** -Section 13 provides: *"The duties of Chairperson, Vice-Chairperson and member of the Electoral Board shall be incompatible with those of...member of a political party or support group of a political party, list of candidates or candidate"*.

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<sup>114</sup> See doc.HRC/11/21 by the Working Group on the Universal Periodic Review of Cameroon.

**230** -During the validation of this report, the civil society namely La LEFE denounced and continues to denounce the:

- belated putting in place of this organ given that a crucial election will take place in 2011;
- non registration of citizens on the voters register in 2008 because of the delay in putting in place ELECAM;
- dishonesty of some appointed ELECAM officials in violation of Article 8;
- cumulation of duty by some appointed officials in violation of Article 8;
- fact that most of the members belong to the CPDM and to its Political Bureau in violation of Article 13; and
- appointment of the General Manager and Assistant General Manager by ELECAM members before they were sworn in.

**231** -More so, ELECAM's text contains serious flaws especially the provision stating that the administration, political parties and the civil society shall not participate in the election process. For this structure to be functional, it should have amended the current election laws by adopting especially an electoral code for better coherence between the laws.

**232** -It was noted that the General Manager who effectively manages elections does not take the oath.

**233** -Consequently, LEFE requests for the:

- revision of the text governing ELECAM;
- appointment by consensus of persons of unquestionable neutrality and impartiality;
- publication of the population census to enable the maximum number of persons of voting age to be identified and registered in the electoral register;
- fast lifting of electoral laws to produce a modern and unique code;
- updating and revision of electoral registers;
- intensive registration campaigns on electoral registers;
- putting in place and effective functioning of renewed ELECAM structures;
- organization on schedule dates of the various elections; and
- putting in place of the Constitutional Council to rule on electoral disputes; and
- transfer of jurisdiction from MINTAD to ELECAM.

## C - Seizure of the Court of Appeal

**234** -The Social Democratic Front (SDF) held that the decree to appoint these members was illegal and thereby seised the Administrative Bench of the Supreme Court of a petition for its stay of execution.

**235** -By Judgment of 23 January 2009, the Supreme Court declared the petition inadmissible as to form for lack of legal grounds because the applicant based their argument on a misleading provision of a law that was repealed, to wit Law No.72/6 of 26 August 1972 to lay down the organization of the Supreme Court while the relevant instruments are Law No. 2006/16 of 29 December 2006 to lay down the organization and functioning of the Supreme Court and Law No. 2006/22 of 29 December 2006 to lay down the organisation and functioning of Administrative Courts.

**236** - Ruling on the merits, the Court rejected it because it was unjustified. To this end, it noted that the decree in dispute to appoint members of the Electoral Board was a political issue that is conferred exclusively on the President of the Republic and that it was an act which by its nature cannot be controlled by the judiciary.

**237** -Notwithstanding the position of the Supreme Court, the grievances against the decree to appoint members of the Electoral Board has no legal grounds.

### 1- Neutrality and Impartiality

**238** -The appointed members of the Electoral Board were victims of prejudice even before they took up office. In fact, the subjective suspicions considering them to be partial were based on prejudice rather than logical reasoning. Protagonists of this view certainly disregarded freedom of opinion, conscience and association which are fundamental rights granted by the Constitution to all Cameroonians.

**239** -To this end, it should be noted that a political party is merely an association which one may join and quit at will and the status of former member of a political party does not imply lack of discernment between the duties of a member of a party and that of referee that in essence is characterized by impartiality before the arbiter is put to the test<sup>115</sup>.

<sup>115</sup>Also see the article by Professor Narcisse MOUELLE KOMBI, "A propos du debat sur la legalite du decret portant nomination des membres du Conseil electoral: un eclaireage juridique" Cameroon Tribune No. 9266/5465 of 14 July 2009.

**240** -Like the former, the second grievance is legally untenable.

## **2- Accumulation of Functions**

**241** -To say the least, the notion of cumulative functions was poorly understood.

**242** -In fact, incompatibility is defined as the legal prohibition of the holder of a duty post or an elective office to combine same with another duty or office which could jeopardize the exercise thereof. Where it is understood as a rule with future effects, incompatibility cannot be an obstacle to appointment or election and does not vitiate the latter. It rather obliges persons appointed or elected to choose between the positions to which they were appointed or the elective office they requested and the incompatible duty.

**243** -The debate in this case mixes up incompatibility and ineligibility which is a situation that results in the legal disability to be appointed or elected and consequently constitutes an obstacle to nomination or grounds for the rejection of the candidate to an elective office<sup>116</sup>.

**244** -In application of the legal provisions cited above, the persons concerned had chosen, after their appointments, between being members of the CPDM and their duties as members of ELECAM's Electoral Board. They rather chose to resign from their party (CPDM).

**245** -In accordance with Article 3 of Decree No. 2008/372 of 11 November 2008 to lay down the conditions for the application of the Law to set up ELECAM, members of the Electoral Board, before taking up office, took the oath provided for by law, on 29 January 2009, before the Supreme Court, sitting in lieu of the Constitutional Council. Some remarks on the significance of this oath should be made.

## **3- Significance of Oath**

**246** -Pursuant to Section 8 (6) of Law No. 2006/11 of 29 December 2006 referred to above, ELECAM Electoral Board Members took the following oath before the Constitutional Council before assuming duty: *"I swear to fully and faithfully discharge my duties and to exercise my office without fear or favour in accordance with the Constitution and laws in force, to ensure the confidentiality of proceedings and votes, to abstain from ta-*

<sup>116</sup>See « Lexique des termes juridiques », 15e édition, Campus Dalloz 2005; Vocabulaire juridique, 7<sup>e</sup> édition, Paris Puf 2005 and also the submissions of the Procureur General of the Supreme Court during the swearing in ceremony on 29 January 2009 of members of ELECAM's Electoral Board.

*king public positions and to decline any consultation on matters falling under the purview of Elections Cameroon”.*

**247** -The oath requires sworn officials to be impartial, neutral, loyal, respect professional secrecy and to be independent. The Chief Justice of the Supreme Court explained each of these notions to members of the Electoral Board in his speech during the swearing in ceremony on 29 January 2009 and drew their attention to the fact that their efficient action will be a factor for the consolidation of the rule of law and the preservation of peace in Cameroon<sup>117</sup>.

**248** -The oath that authenticates acts done by the Electoral Board is not a mere formality. It is a serious and solemn commitment taken before the people of Cameroon whose offenders are liable to judicial or administrative sanctions. To this end, Section 11 of the Law on ELECAME considers breach of this oath as a serious offence resulting in the termination of the offending member’s mandate. Article 4 of the decree of application of 11 November 2008 regulates the dismissal procedure that is pronounced by act of the President of the Republic based on the report addressed to him by the Chairperson of the Electoral Board.

## SECTION 2: SETTLEMENT OF POST-ELECTORAL DISPUTES

**249** -Post-electoral disputes started in 2007 continued in 2008 and ended with final judgments by the Supreme Court resulting in the organization of new elections in some localities.

### §1 SETTLEMENT OF PROCEEDINGS FOR ANNULMENT

**250** -The Administrative Bench of the Supreme Court ruling on municipal election disputes of 22 July 2007, during hearings held on 22, 23 and 24 August as well as on 3 and 4 September 2007 heard and determined (216) two hundred sixteen cases. These matters concerned both the voting process and the election of council executives. Overall, the decisions of the administrative court strictly applied the law. In fact, it annulled the municipal elections of 22 July 2007 in the electoral constituencies of Mogode, Pette, Bafang, Bana, Douala V, Matomb, Mbanga, Biyouha and Bafoussam III.

**251** -Some of these decisions were appealed against before the full bench of the Supreme Court.

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<sup>117</sup> See speech by the Chief Justice of the Supreme Court during the swearing in ceremony on 29 January 2009 of members of ELECAME’s Electoral Board.

**252**-At the hearing of 28 August 2008, the Supreme Court delivered the following judgments:

- cancellation of Municipal Elections and rerun of same in Pette, Douala V, Bafang, Bana, Mogode, Matomb and Bana;
- nullity of election procedure of the Mayor and their deputy and rerun of election in Biyouha; and
- nullity of election procedure of Mayor and rerun of same in Mbanga.

**253** -The appeal concerning the electoral constituency of Bafoussam III was listed for hearing before the plenary of the Supreme Court of 15 September 2008. The decision of the Court is pending.

## **§2: ORGANIZATION OF NEW MUNICIPAL ELECTIONS**

**254** -Given that, Supreme Court judgments are *res judicata*, the Administration organized fresh elections in the localities concerned by the administrative decisions and provided financial support, logistics and the capacity building of election officers.

### **A- Administrative Measures**

**255** -In application of the provisions of Section 67 (new) of Law No. 91/20 of 16 December 1991, the President of the Republic reconvened the electoral corps by Decree No. 2008/334 of 18 September 2008, for 26 October 2008. Each Senior Divisional Officer of divisions where partial municipal elections were to be rerun signed an order to regulate the exercise of some freedoms and activities to ensure the smooth functioning of the election.

### **B- Government Support to Political Parties**

**256** - This support comprised financial assistance and the provision of ballot papers.

#### **1. Financial Assistance**

**257** -It should be noted that there was no financial assistance proper to political parties in competition for this partial election because it was not included in the budget. However, parties who participated in the elections of 22 July and 30 September 2007, proportionately to the number of seats obtained at the National Assembly and those who obtained at least 5 per cent of votes cast in at least one constituency during the said elections received, in accordance with the provisions of Sections 6, 7, 8 and 11 of Law No. 2000/15 of 19 December 2000 relating to public funding of political parties and election campaigns, subsidies worth CFA 1.5 billion

(one billion five hundred million) francs distributed as follows pursuant to the joint Order No.1743/A/MINFI/MINATD of 4 July 2008 on the distribution of public funding subsidies to political parties for the 2008 financial year:

**1. CFA 750.000.000 SEGMENT MEANT FOR POLITICAL PARTIES WHO PARTICIPATED IN THE LAST LEGISLATIVE ELECTIONS OF 22 JULY AND 30 SEPTEMBER 2008 PROPORTIONATELY TO THE NUMBER OF SEATS WON IN THE NATIONAL ASSEMBLY**

No.	Political Party	Number of Seats Obtained at the National ASsembly	Amount Allocated in CFA
1	CPDM	153	637 499 999,998
2	SDF	16	66 666 666,666
3	NUDP	06	24 999 999,999
4	CDU	04	16 666 666,666
5	MP	01	4 166 666,666
<b>TOTAL</b>		<b>180</b>	<b>749 999 999,995</b>

**2. CFA 750.000.000 SEGMENT MEANT FOR POLITICAL PARTIES WHO OBTAINED AT LEAST 5 PER CENT OF VOTES IN AT LEAST ONE CONSTITUENCY IN THE LAST LEGISLATIVE ELECTIONS OF 22 JULY AND 30 SEPTEMBER 2007**

No.	Political Party	Number of Constituencies where the Party Obtained at least 5 per cent of votes	Amount Allocated in CFA
1	CPDM	85	335,526,315,789
2	SDF	45	177,631,578,947
3	NUDP	28	110,526,315,789
4	UPC	7	27,631,578,947
5	CDU	4	15,789,473,684
6	ADD	4	15,789,473,684
7	MDR	4	15,789,473,684
8	ANDP	3	11,842,105,263
9	AFP	2	7,894,736, 842
10	MP	1	3,947,268,421
11	UPR	1	3,947,368,421
12	MDP	1	3,947,368,421
13	MLDC	1	3,947,368,421
14	FSNC	1	3,947,368,421
15	POPC	1	3,947,368,421
16	MCNC	1	3,947 368,421
17	RCPU	1	3 947,368,421
<b>TOTAL</b>		<b>190</b>	<b>749,999,999,994</b>

Source : MINTAD

## 2: Supply of Campaign Papers to Political Parties

**258** -To facilitate the participation of political parties involved in the partial elections, Government provided them with a huge stock of campaign papers. These papers were collected from MINATD by representatives of political parties concerned on 7 October 2008.

### C- Capacity Building of Election Officers

**259** -Pursuant to Service Note No. 52/NS/MINATD of 3 October 2008 to lay down the organization of support seminars for election officers in view of the partial municipal elections of 29 October 2008, a series of seminars were organized, under the supervision of the Minister of State, Minister of Territorial Administration and Decentralization, assisted by his Minister Delegate, Senior Divisional Officers, Divisional Officers, Chairpersons of Council Supervision Commissions and Local Voting Commissions. The presentations were based on the following themes:

- Legal Framework of the 2008 Partial Municipal Elections: Continuity and Innovations;
- Material Organization of the Municipal Elections of October 2008;
- Computerized Management of the 2008 Elections;
- Electoral Constituencies and Seat Distribution Techniques during the 2008 Partial Municipal Elections;
- Accusations brought against the Administration during Electoral Disputes: Consistency and Lessons Drawn; and
- Conditions for End of Mandate and Installation of New Municipal Councillors.

**260** -At the end of the presentations, the following recommendations were made:

- take all useful and timely measures in order that the said elections will be fully transparent and in strict keeping with the laws and regulations in force;
- remain vigilant and take all necessary steps to ensure peace and order before, during and after the elections;
- be loyal but especially neutral and avoid relevant petitions to be made against this election;
- putting in place and effective functioning of the different electoral commissions while ensuring as much as possible that representatives of political parties are involved;
- ensure the effective availability of the said members of the commis-

- sions and carry out initial training;
- take responsibility of the reception and transmission of election material and ascertain their quality and quantity;
- conveniently provide electors with information, in good time, through adequate publicity, on the position of voting centres; and
- rapidly inform hierarchy of the results and election process.

**261**-To implement these recommendations, the administrative authorities concerned with the rerun municipal election of October 2008 in their constituencies in turn organized seminars in order to train chairpersons and commission members on the themes presented above.

**262** -The results of these partial elections are given below in comparison with those of 22 July 2007.

**COUNCILS:** MATOMB, DOUALA V, BAFANG, BANA, PETTE AND MO-GODE.

Date of elections	Registered Voters	voters	Participation Percentage	Blank Votes	Valid Votes	Number of Seats	Votes per Party			Number of Seats Won
MATOMB COUNCIL										
22 July 2007	4,959	3,874	78.12%	23	3,851	25	CPDM	2,014	52.29%	CPDM: 25
							UPC	1,837	47.70%	
26 October 2008	4,720	3,373	71.46%	21	3,352	25	CPDM	1,962	59,30%	CPDM: 25
							UPC	1,260	37,22%	

DOUALA V COUNCIL										
22 July 2007	153,857	36,544	23.75%	1,056	35,488	61	CPDM	23 ,194	65.32%	CPDM: 61
							SDF	9,431	26.58%	
							UPC	2 ,863	08.07%	
26 October 2008	154,844	17,774	11.48%	152	17,622	61	CPDM	8 ,670	48.78%	CPDM: 46 SDF : 13 UPC : 02
							SDF	7,664	43.12%	
							UPC	1,288	7.25%	
		BAFANG COUNCIL								
22 July 2007	11 ,652	7, 099	60.93%	135	6,964	25	CPDM	4,630	66.48%	CPDM : 25
							SDF	2,334	33.52%	
26 October 2008	11,367	5,563	48.93%	25	5,538	25	CPDM	2 ,82	50.23%	CPDM :25
							SDF	2,756	49.7%	
BANA COUNCIL										
22 July 2007	8,330	3.863	46.37%	39	3,824	25	CPDM	3,392	88.70%	CPDM: 25
							SDF	432	11.30%	

26 October 2008	8.236	3.292	39.97%	30	3,262	25	CPDM	2,986	91.53%	CPDM : 25
							SDF	276	8.46%	
PETTE COUNCIL										
22 July 2007	14,116	10,770	76,30%	626	10,144	25	CPDM	3,689	36.37%	CPDM : 4 NUDP : 1 ANDP : 19 UDC : 1
							UNDP	898	8.85%	
							ANDP	4,367	43,05%	
							UDC	1,190	11.73%	
26 October 2008	13,979	10 085	72%	266	9,280	25	CPDM	4,916	53%	CPDM: 25
							UNDP	584	6%	
							ANDP	3,777	38%	
							UDC	175	1.9%	
MOGODE COUNCIL										
22 July 2007	27,444	21,516	78.40%	1,756	20,710	35	CPDM	10,181	49.16%	NUDP : 35
							NUDP	10,529	50.84%	
26 October 2008	27,485	17,567	63.91%	413	17,154	35	CPDM	8,663	50.50%	CPDM: 35
							NUDP	8,491	49.50%	

Source : MINATD

**263** -The Table reveals an overall drop in participation percentage during the partial elections as compared to the initial elections. In the MATOMB, BAFANG, and BANA Councils, the CPDM retained its 25 seats with a higher vote in the first than in the second elections. In the BAFANG Council, the SDF increased its score greatly without having a majority.

**264** -On the contrary, in DOUALA V, the partial election led to a sharing of seats between the CPDM (46), SDF (13) and UPC (2) while in the first elections CPDM had 61 seats. Consequently, the elected Mayor is from the party with the majority. In the PETTE Council, the 25 seats shared between the CPDM, NUDP, ANDP and CDU in the first election were all worn by the CPDM. In the MOGODE Council, the 35 seats initially worn by the NUDP were all won by the CPDM.

## SECTION 3: DECENTRALIZATION

**265** -The decentralization process made giant strides through the setting up of new city councils and the modernization of the prefecture.

### §1: NEW CITY COUNCILS

**266** -In order to boost reforms instituted within the framework of the fight against poverty and the promotion of local development, the President of the Republic signed important texts on 17 January 2008 to set up 12 new City Councils. These include decrees:

- No. 2008/15 of 17 January 2008 to set up the City Council, Ngaoundere;
- No. 2008/16 of 17 January 2008 to set up the City Council, Bertoua;
- No. 2008/17 of 17 January 2008 to set up the City Council, Maroua;
- No. 2008/18 of 17 January 2008 to set up the City Council, Edea;
- No. 2008/19 of 17 January 2008 to set up the City Council, Nkongsamba;
- No. 2008/20 of 17 January 2008 to set up the City Council, Garoua;
- No. 2008/21 of 17 January 2008 to set up the City Council, Bamenda;
- No. 2008/22 of 17 January 2008 to set up the City Council, Bafooussam;
- No. 2008/23 of 17 January 2008 to set up the City Council, Ebo-

Iowa;

- No. 2008/24 of 17 January 2008 to set up the City Council, Kribi;
- No. 2008/25 of 17 January 2008 to set up the City Council, Limbe;
- and
- No. 2008/26 of 17 January 2008 to set up the City Council, Kumba.

**267** -After the setting up of subdivisions and councils in 2007 and new city councils at the dawn of 2008, adapting the prefecture to the new dispensation was self evident.

## **§2: MODERNIZATION AND ADAPTATION OF THE PREFECTURE**

**268** -The President of the Republic signed two major texts on 12 November 2008, to modernize and adapt the Prefecture to the decentralization process:

- Decree No. 2008/376 of 12 November 2008 on the Administrative organization of Cameroon.

This decree provides for three (3) types of administrative constituencies: the Region, Division and the Subdivision.

Thus, the Province becomes Region while the District is no longer an administrative unit. Existing districts shall be raised to subdivisions.

- Decree No. 2008/377 of 12 November 2008 to lay down the duties of Heads of Administrative Unit and the organization and functioning of their services.

The major innovation concerns the setting up of a body in charge only of local development in each administrative unit.

## SECTION 4: CONSOLIDATION OF DEMOCRACY

**269** -The consolidation of democracy implies the supervision of political pluralism and public freedoms.

### §1: POLITICAL PLURALISM

**270** -Government authorized the setting up of 13 (thirteen) new political parties to guarantee equal political opportunity in Cameroon.

**271** -The Table below contains the list of these new political parties.

No.	NAME	SET UP DECISION	SEAT	ACRONYM	OFFICE
1	Alliance Nationale pour le progrès du Cameroun	Decision No.3/D/MINATD/DAP/SDE/SPP of 3 January 2008	Yaounde	ANPC	<b><u>President</u></b> Hamadou Haminou <b><u>V/President</u></b> Ndamfeu Guy Ernest
2	Union Nationale Démocratique	Decision No.7/D/MINATD/DAP/SDE/SPP of 10 January 2008	Yaounde	USD	<b><u>President</u></b> Demmano Gustave <b><u>SG</u></b> Kenne Kenassop
3	Parti National du Nouvel Air du Cameroun	Decision No. 8/D/MINATD/DAP/SDE/SPP of 15 January 2008	Ebolowa	PNNA C	<b><u>President</u></b> Ndounteng Bangmi Patrice Henri <b><u>SG</u></b> Ntengou Louise

4	Rassemblement pour le Progrès et la Démocratie	Decision No. 39/D/MINATD/DAP/SD E/SPP of 5 March 2008	Garoua	RPD	<b><u>President</u></b> Bekila François Joël <b><u>1<sup>st</sup> V/President</u></b> Tallo Nono Aristide Guillaume
5	Rassemblement Républicain et Démocratique du Cameroun	Decision No.41/D/MINATD/DAP/SDE/SPP of 10 March 2008	Douala	RRDC	<b><u>President</u></b> Bouba Michel <b><u>SG</u></b> Fono Simo Antoine
6	Démocratie avec participation active au Développement	Decision No. 9/D/MINATD/DAP/SDE /SPP of 15 April 2008	Yaounde	DPAD	<b><u>President</u></b> Bikong Obanus Banye
7	Parti Essentiellement Unifié pour la Liberté d'Expression	Decision No. 9/D/MINATD/DAP/SDE /SPP of 16 April 2008	Yaounde	PEUPL E	<b><u>President</u></b> Ngapout Jean Janrés <b><u>SG</u></b> : Mukwadé
8	Parti pour la Justice Sociale au Cameroun	Decision No. 1/D/MINATD/DAP/SDE /SPP of 17 April 2008	Santa	PJSC	<b><u>President</u></b> Bertin Kisob <b><u>SG</u></b> Theresia Kissob Bih
9	Parti Camerounais pour la Démocratie	Decision No. 1/D/MINATD/DAP/SDE /SPP of 17 April 2008	Yaounde	PCD	<b><u>President</u></b> Benz Kisob <b><u>SG</u></b> Ayuk Ako Mbi Georgéji
10	Jeunesse Patriotique du Cameroun	Decision No.181/D/MINATD/DAP/SDE/SPP of 3 July 2008	Douala	JPC	<b><u>President</u></b> Kenmeugne Appolinaire <b><u>V/President</u></b> Ndjikandji Michel
11	Mouvement socialiste et Démocratique des Jeunes pour le Changement	Decision No.182/D/MINATD/DAP/SDE/SPP of 3 July 2008	Douala	MSDJ C	<b><u>President</u></b> Massis Njelle Joël Florentin <b><u>V/President</u></b> Tcheunme-ungne Hervé Paul
12	Mouvement Républicain Populaire	Decision No.181/D/MINATD/DAP/SDE/SPP of 3 July 2008	Yaounde	MRP	<b><u>President</u></b> Fogué Tedom Alain <b><u>SG</u></b> <b>Miss Nanga Emeline Modeste</b>
13	Mouvement Démocratique des Déshérités du Cameroun	Decision No.181/D/MINATD/DAP/SDE/SPP	Garoua	MDDC	<b><u>President</u></b> Dangwé Luc <b><u>SG</u></b> Wilabele Marcel

Source: MINATD

**272** -Action by political parties in the management of public affairs is completed in Cameroon by the civil society. This explains why Government shows concern over the sound management of civil society organizations.

## **§2: MANAGEMENT OF PUBLIC FREEDOMS**

**273** -Public freedoms in Cameroon are governed by a series of texts including the following Laws:

- No. 90/53 of 19 December 1990 on freedom of association;
- No. 90/56 of 19 December 1990 on political parties;
- No. 99/14 of 29 December 1999 on non-governmental organizations; and
- No. 68/LF/19 of 19 November 1968 governing professional trade unions not governed by the Labour Code and Decree No. 69/DF/7 of 6 January 1969 to lay down the application conditions of this law.

**274** -In general, and for the period under consideration, all components of the civil society, comprising NGOs, associations or trade unions and professional bodies, in the private or public sector, worked freely.

**275** -In the public sector particularly, 8 (eight) professional trade unions had been approved by Government. All of them operate freely with the State playing the role of arbiter and guarantor of public order.

**276** -There are twenty six (26) NGOs and 127 (127) religious associations forty six (46) of which are legally recognized churches and two hundred eighty five (285) foreign associations duly authorized as well as many associations that promote human rights. Some of these associations continue Government action on the promotion of human rights culture in Cameroon at the social level.

**277** -Most of these NGOs and associations equally participated in observing the partial municipal elections of 2008. Furthermore, these social components have always participated in the sovereign tripartite dialogue between Government, political parties and the civil society before decisions are taken on major current issues at the instance of the Head of State. This was especially the case of the consultations in 2008 by the Prime Minister, Head of Government, in order to put in place ELECAM.

**278** -To conclude, the measures taken by Government in 2008 to ameliorate the conditions for citizens to participate in the management of public affairs illustrate its commitment to put in place the mechanisms necessary for

the consolidation of the rule of law. The celerity with which the Supreme Court rendered judgments relating to electoral disputes and the organization thereafter of new elections by Government is proof of the synergy between the executive and judicial powers in rooting democracy in Cameroon.

## CONCLUSION OF PART ONE

**279** - Finally, the fight against impunity is in line with the dynamics which should be backed and further enhanced with a view to enabling the various stakeholders to take up this fight. To this end, difficulties relating to adaptation at the wake of the adoption of the CPC resulted in consultations between state and non state stakeholders. Such consultations should be encouraged.

**280** - Human rights defenders should join this dynamics by using the existing legal framework in order to inform officials of their obligation not to tolerate abuse.

**281** -In this vein, the Press must find its place to report on progress made and denounce drifts in accordance with the rules of ethics whose violation results in defamation proceedings instituted by individuals and not by public officials.

**282** - Moreover, by amending the Constitution and appointing members of ELECAM, Government strengthened institutions in order to guarantee the sound enjoyment of political rights. It is therefore obvious that citizens will keep close watch over the reasons for these reforms in order that election results should reflect their choice. In this regard, they have the right to request for the better enjoyment of economic, social and cultural rights, from their legal representatives, without which the enjoyment of civil and political rights would be vain.



## Part two

# PROTECTION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS



# Introduction

## INTRODUCTION OF PART TWO



**283**-Without minimizing the contribution of the legal framework of economic, social and cultural rights (ESCR), the realization of these rights is unquestionably best conceived by taking account of statistical data and the impact of investments in improving the living conditions of the people. In fact, a major difficulty in the implementation of ESCRs is the subjection of their guarantee to the availability or not of State resources. The implementation of economic and social rights, that are personal rights, implies that the community has accumulated minimum wealth. Through a social contract signed between the State and its citizens, the former undertakes to address the needs of the latter relating to health, education, right to work and social security, housing; in short, the conditions necessary for an adequate standard of living.

**284** - The fight against insecurity requires the mobilization of considerable financial resources that should effectively be beneficial to the people. Thus, it demands the promotion of good governance for a relentless fight against corruption which undermines universal values. Therefore, government officials backed by stakeholders of the civil society and development partners rightly strive to control poor governance which is an endemic gangrene.

**285** - Besides, if efforts should be compounded to ensure the ESCRs of persons living in Cameroon, the preservation of a healthy environment transcends borders because it is a common human heritage. Sustainable development should be guaranteed through environmental protection for the incorporation of ESCRs in the interest of all.

**286** - Based on the above, ESCRs will be discussed as follows:

Chapter One: Promotion of Good Governance and Fight against Corruption;

Chapter Two: Right to Education;

Chapter Three: Right to Health;

Chapter Four: Right to an Adequate Standard of Living;

Chapter Five: Right to Work and Social Security; and

Chapter Six: Right to Healthy Environment.



# Chapter

# 1

## PROMOTION OF GOOD GOVERNANCE AND THE FIGHT AGAINST CORRUPTION



**287** -Under the impetus of the Head of State, Government institutions in charge of corruption control, diplomatic missions, NGOs and the private sector mobilized to promote good governance and fight corruption through significant measures.

## **SECTION 1: PROMOTION OF GOOD GOVERNANCE**

**288** -The promotion of good governance took significant root in Cameroon through the concerted action of the State, and technical and financial partners. Friendly countries, the media, the private sector and the civil society equally supported Government effort.

### **§1: CONCERTED ACTION**

**289** -Collaboration between the State and her partners was manifested in Yaounde on 20 May 2008 during the African Conference on Decentralization and Local Development (CADEL) and the Ministerial Conference on Leadership Capacity Building for Governance, Decentralization and Poverty Reduction in Africa. Both conferences were supported by GTZ, UN-HABITAT and Municipal Development Partnership (PDM). On this occasion, the Vice-Prime Minister, Minister of Justice, Keeper of the Seals, representing the Prime Minister, Head of Government, demonstrated the determination of Cameroonians and the Government to work for peace, democracy, good governance and decentralization in Africa. More so, these conferences identified tools that could transform local authorities into true development actors.

### **§2: STATE INITIATIVES**

**290** -State initiatives concern the organization of the Supreme State Audit (CSE), ANIF activities, as well as activities of the Audit Bench of the Supreme Court and the Ministry of Justice.

#### **A- Supreme State Audit**

**291** -The President of the Republic took important measures to reinforce the efficiency of CSE notably by increasing its financial and human resources. On its part, CSE gave its organs new directives especially by supporting the anti-corruption unit. In the promotion of good governance, CSE worked in collaboration with the Ministry of Justice to set up a Budget and Finance Disciplinary Board (CDBF) whose activities were intensified by the organization of several sessions.

## §1. INCREASE OF HUMAN AND FINANCIAL RESOURCES

**292** -To assist the CSE in corruption control, the 2008 Finance Law of the Republic of Cameroon almost doubled this structure's budget that rose from CFA 1,795 billion in 2006 to CFA 3,730 billion in 2008.

**293** -The objective was to provide it with financial means to match the expected results.

**294** -As regards human resources, the President of the Republic authorized the recruitment of 100 graduates over a period of three years for the 2008, 2009 and 2010 financial years.

**295** -CSE's 2008 budget allowed for the improvement of verifiers' working conditions. They were granted special duty allowances and material benefits for example. About 90 per cent of special assignment allowance is paid them before they leave for any assignment. A vehicle and fuel are equally provided them to ensure their autonomy during assignments.

### 2. Anti-corruption Unit

**296** -This unit was put in place to detect all acts of corruption, to carry out inquiries, and report to the minister for appropriate measures to be taken. It is equally in charge of identifying factors that provoke corruption in this institution.

### 3. Collaboration between CSE and MINJUSTICE

**297** -CSE and MINJUSTICE collaborated closely with regard to some CSE reports that were used for the commencement of criminal proceedings against some authorising officers.

**298** -Within the framework of judicial inquiry, State Inspectors were sworn in as judicial experts by Examining Magistrates for the procedures concerning SIC, FEICOM and the Real Estate Corporation.

### 4. Budget and Finance Disciplinary Board

**299** -In January 2008, the President of the Republic signed a decree on the organization and functioning of Budget and Finance Disciplinary Board (CDBF). Article 2 of the decree provides that:

- the Board shall mete out sanctions on permanent or temporary public workers guilty of management irregularities or offences committed in the exercise of their duties; and

- Article 2(2) provides inter alia, that the Board shall sanction management irregularities and offences committed by authorising officers and voteholders of the State, local authorities, public and semi-public bodies and any other person acting as such, public workers serving in a different capacity but who work periodically as State authorising officers or voteholders, auditors, controllers and Government Commissioners in public companies and any other person acting as such.

## 5. CDBF Sessions

**300** -In 2008, the CDBF held three sessions on 26, 27, and 28 August 2008. The following decisions were taken during these sessions:

### Session of 26 August 2008

**301**-The CDBF met on 26 August 2008 chaired by the Minister Delegate at the Presidency of the Republic in charge of the Supreme State Audit to examine cases involving the following:

- 1) Ivo Leke Tambo<sup>118</sup>, Olinga Meke Rene<sup>119</sup> Essono Didier Andre<sup>120</sup>, Mohamadou Guidado<sup>121</sup>, Nsahlai Wome Shadrack<sup>122</sup>, Melinga Marie Noelle<sup>123</sup>, Nyemb Ntoogue Paul Jerome<sup>124</sup> were summoned before the Board for receiving undue allowances from examinations funds and subventions to private education.
- 2) Rouly Mbila Jean<sup>125</sup>: summoned before the Board for receiving undue allowances from examination funds, cash payment and meddling in the duties of the authorizing officer;
- 3) Effala Essomba<sup>126</sup>: summoned before the Board for receiving undue allowances from examination funds; and

<sup>118</sup>Secretary General of MINESEC.

<sup>119</sup>Secretary General of MINEDUB.

<sup>120</sup>Inspector General of Services at MINESEC.

<sup>121</sup>Technical Adviser No. 1 at MINESEC.

<sup>122</sup>Director of Technical Education.

<sup>123</sup>Focal Point.

<sup>124</sup>Sub-Director at MINESEC.

<sup>125</sup>Director of Examinations at MINESEC.

<sup>126</sup>Former Director of Examinations at MINESEC.

4) Essiane Eboutou Akono Rosette: summoned before the Board for management flaws.

- With regard to the first file, the Board decided as follows:

- Ivo Leke Tambo, Olinga Meke Rene Essono Didier Andre, Mohamadou Guidado, Nsahlai Wome Shadrack, Melinga Marie Noelle did not act as authorizing officers or voteholders in the transactions at issue.

Consequently, the Board declared its incompetence and referred the matter to the Courts.

- As regards the second file, that was divided into three lots, the Board decided as follows:

## **Rouly Mbila Jean**

The Board declared its lack of jurisdiction for cash payments by the abovenamed with regard to the receipt of undue allowances and equally referred the matter to the Courts. It found him guilty of meddling in the duties of the authorizing officer and ordered him to pay a special fine of CFA 2,000,000<sup>127</sup>.

## **Effala Essomba**

The Board declared its lack of jurisdiction and referred the matter to the Courts as concerns the receipt of undue allowances because the latter lacked the capacity of the authorizing officer or voteholder of public credits for the transactions in issue.

## **Essiane Eboutou Akono Rosette**

The Board set her free of management flaws for want of evidence.

## **Session of 27 August 2008**

During this session, the Board ruled on matters concerning the following:

**Akoa Akoa Nicodeme<sup>128</sup>, Mvondo Nyina Barthelemy<sup>129</sup>, Eyenga Joseph Marie<sup>130</sup>, Simo Jacob<sup>131</sup>, Essiane Eboutou Akono Rosette<sup>132</sup>, Nguessong Andre<sup>133</sup> and Essono Francis<sup>134</sup>.**

<sup>127</sup>About 3,049,0128 Euros.

<sup>128</sup>Director of General Secondary Education at MINESEC.

<sup>129</sup>Secretary General of the National UNESCO Commission at MINESEC.

<sup>130</sup>Unit Head for Pedagogic Action Support at MINESEC.

<sup>131</sup>Cashier at the Support Unit for Pedagogic Action at MINESEC.

<sup>132</sup>Financial Controller at MINESEC.

<sup>133</sup>Computer Services Unit Head at the Directorate General of the Budget (MINFI).

<sup>134</sup>Paymaster General at the Directorate General of the Treasury.

## **Akoa Akoa Nicodeme and Mvondo Nyina Barthelemy**

The Board declared its lack of jurisdiction and referred the matter to the Courts as regards undue allowances.

## **Eyenga Joseph Marie**

The Board found him guilty of irregular amendment of the allocation of available or delegated resources and the commitment of expenditure without sufficient supporting documents. He was ordered to pay a special fine of CFA 2,000,000, and prohibited from taking up service for a period of five years as authorizing officer or voteholder in a public service, public or semi-public body or State enterprises.

## **Simo Jacob**

The Board declared its lack of jurisdiction and referred the matter to the Courts.

## **Essiane Eboutou Akono Rosette**

The Board found her guilty of the receipt of forged mission allowances worth CFA 3,640,000<sup>135</sup>, undue allowances worth CFA 1,984,768<sup>136</sup> and ordered her to pay a special fine of CFA 1,500,000<sup>137</sup>.

## **Nguessong Andre**

The Board declared its lack of jurisdiction and referred the matter to the Courts.

## **Essono Francis**

The Board adjourned the matter to another session for additional information.

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<sup>135</sup> About 5, 549,203 Euros.

<sup>136</sup> About 3, 025,791 Euros.

<sup>137</sup> About 2,286,759 Euros.

## Session of 28 August 2008

The following files were examined during this session: Minkongo Thomas Louis<sup>138</sup>, Mvondo Mvondo Augustin<sup>139</sup>, Hamadama Djafarou<sup>140</sup>, Issa Aoudou<sup>141</sup>, Wabaing Payang<sup>142</sup>, Mrs Zeinapa<sup>143</sup>, Tega Justin<sup>144</sup>, Nguimout Bernard<sup>145</sup>, Amougui Simon Pierre<sup>146</sup>, Fouda Joseph Claudel<sup>147</sup>, Ndjewell Juste Hilaire<sup>148</sup>, Djol Zacherie<sup>149</sup> and Ateba Andre Marie<sup>150</sup>.

The following decisions were taken:

### Minkongo Thomas Louis

The Board declared its lack of jurisdiction and referred the matter to the Courts as regards the receipt of undue allowances; it declared its lack of jurisdiction and referred the matter to the Audit Bench of the Supreme Court as regards unreturned taxes and set him free of management flaws for want of evidence as regards the consumption of HIPC-Initiative credits.

### Mvondo Mvondo Augustin

The Board set him free of management flaws for want of evidence as regards the consumption of HIPC-Initiative credits.

### Hamadama Djafarou, Issa Aoudou, Wabaing Payang, Zeinapa

The Board found them guilty of certifying and authorizing expenditures without the complete execution of offer of service and consequently ordered Hamadama Djafarou, Issa Aoudou and Wabaing Payang to jointly pay a special fine of CFA 500,000<sup>151</sup> and Mrs Zeinapa CFA 300,000.

<sup>138</sup> Director of Financial and Material Resources at the MINESEC.

<sup>139</sup> Executive Coordinator of HIPC-Initiative Unit at the MINESEC.

<sup>140</sup> Provincial Delegate of the MINESEC, North.

<sup>141</sup> Former Director of CETIC Garoua.

<sup>142</sup> Provincial Service Head for Material and Infrastructure at the Provincial Delegation

<sup>143</sup> Stores Accountant at the Provincial Delegation for the North.

<sup>144</sup> Pedagogic Inspector.

<sup>145</sup> Financial Officer.

<sup>146</sup> Provincial Delegate MINESEC, Centre.

<sup>147</sup> Cashier at the MINESEC.

<sup>148</sup> Unit Head for Communication, MINESEC.

<sup>149</sup> Head of Minister's private secretariat

<sup>150</sup> Head of Secretary of State's Private Secretariat.

<sup>151</sup> About 457,351 Euros.

## **Tega Justin**

The Board declared its lack of jurisdiction and referred the matter to the Audit Bench of the Supreme Court as regards management of the solidarity fund. The Board declared its lack of jurisdiction and referred the matter to the Courts as regards the receipt of undue allowances.

## **Nguimout Bernard**

The Board declared its lack of jurisdiction and referred the matter to the Audit Bench of the Supreme Court as regards management of the solidarity fund.

## **Fouda Joseph Claudel**

The Board declared its lack of jurisdiction and referred the matter to the Audit Bench of the Supreme Court.

## **Amougui Simon Pierre**

The Board found him guilty of a management flaw that resulted in a deficit of CFA 1,835,325 in the management of the solidarity fund, stated that he owed the Public Treasury CFA 1,835,325<sup>152</sup> in reparation of the said prejudice and ordered him to pay a special fine of CFA 300,000<sup>153</sup>.

## **Ndjewell Juste Hilaire**

The Board declared its lack of jurisdiction in ruling on the issue of unreturned taxes and referred the matter to the Audit Bench of the Supreme Court. It declared its lack of jurisdiction as regards the receipt of undue allowances and referred the matter to the Courts.

## **Djol Zacherie**

The Board declared its lack of jurisdiction to rule on the issue of the receipt of undue allowances and referred the matter to the Courts.

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<sup>152</sup> About 2797,964 Euros.

<sup>153</sup> About 457,351 Euros.

## **Ateba André Marie**

The Board declared its lack of jurisdiction to rule on the issue of expenditures without supporting documents and referred the matter to the Audit Bench of the Supreme. It further declared its lack of jurisdiction to rule on the issue of the receipt of undue allowances and referred the matter to the Courts.

### **Session of 4 November 2008**

- In the matter of Dr Essomba Ntsama Mireille, Service Head in of the Pharmacy, Central Hospital, Yaounde: the accused was set free for lack of proof of management flaw; and
- In the matter of Owona Aboda Benoit, accountant, Central Hospital, Yaounde;

The Board found him guilty of meddling in management duties, declared that he owes the Central Hospital, Yaounde CFA 3,600,000. It ordered him to pay a special fine of CFA 200,000.

### **Session of 5 November 2008**

In the matter of Wouassi Kameni Jean Claude, Ngo Inack Juliene Gisele and Ateba Justin, respectively treasurer, main cashier and former treasurer of the Central Hospital, Yaounde: The Board declared its lack of jurisdiction and referred the matter to the Audit Bench of the Supreme Court.

In the matter of Bissoa Joseph, Supervisor of the Pharmacy of the Central Hospital Yaounde: The Board set him free for lack of proof of management flaw.

### **Session of 12 November 2008**

In the matter of Mvondo Nyina pertaining to MINEDUB file: The Board found him guilty of committing expenditure without proof of execution of service and failure to register commitment orders by suppliers.

The Board declared that he owes the Public Treasury the sum of CFA 15,658,216, as prejudice suffered by the State and ordered him to pay a special fine of CFA 200,000.

In the matter of Essono Francis Lin, former Treasury Paymaster General: The Board acquitted him for lack of proof of management flaw.

## **Session of 9 December 2008**

In the matter of Professors Magloire Biwolé Sida and Dominique Obounou Akong, respectively director and former director of the Central Hospital, Yaounde: The Board found Professor Biwolé Sida Magloire guilty of:

- applying, without the approval of the public contracts authority, the private contract procedure;
- lack of lease contracts for some shops at the hospital;
- transforming the sub and main treasuries to impress funds;
- lack of commitment orders for some recurrent expenditures at the hospital;
- disrespecting the quota provided for by law in the distribution of income;
- spending without supporting documents and loss of revenue due to failure to pay the VAT worth CFA 22,777,617;
- failing to register commitment orders and to pay VAT on bills worth CFA 28,403.108;
- paying unauthorized recovery allowances and more so without supporting documents; and
- paying cheques worth CFA 23, 237, 044 without supporting documents.

Consequently, the Board declared that Professor Biwolé Sida Magloire owes the Public Treasury the sum of CFA 64,417,759 and ordered him to pay a special fine of CFA 2,000,000.

The Board found Professor Obounou Akong Dominique, former director of the Central Hospital, Yaounde, guilty of:

- paying illegal output allowances from lease income;
- instituting illegal recovery allowances; and
- disrespect of public contracts award procedure.

The Board ordered him to pay a special fine of CFA 1,500,000.

## B. ANIF's Activities

**302** -ANIF carried out several activities with a view to strengthening its grip on clandestine financial channels.

**303** -To sensitize structures liable to pay taxes, a seminar was organized for chartered accountants, lawyers, Notaries Public and tax consultants. The seminar was preceded from 10 to 18 September 2008 by individual assessment meetings with bank officials and some professional associations.

**304** -Besides, in 2008, ANIF submitted 28 files, that had a cumulative financial effect of CFA 240,569,337,912, to the competent Legal Departments.

## C. Activities of the Audit Bench of the Supreme Court

**305** -The Audit Bench organized an exchange and information forum on 11 August 2008 at the Conference Centre, Yaounde for officials of public and administrative establishments as well as semi-public enterprises. The objective of this forum was to sensitize the users of public funds on the importance of discipline. The forum adopted a pedagogic approach to school all users of public funds on accountability.

## D. Activities of the Ministry of Justice

**306** -Besides the general role of the promotion of good governance and the fight against corruption, the Ministry of Justice carried out the following three major activities:

- the traditional annual Heads of Court meeting;
- the second annual meeting of Regional Delegates of Penitentiary Administration; and
- disciplinary proceedings against judicial staff and auxiliaries of justice.

**1.** The traditional annual meeting of Heads of Court of Appeal held from 28 to 31 October 2008 in Yaounde under the distinguished auspices of the Vice-Prime Minister, Minister of Justice, Keeper of the Seals<sup>154</sup>. One of the topics on its agenda was the fight against the embezzlement of public funds. The Vice-Prime Minister, Minister of Justice, Keeper of the Seals seized this opportunity to request the judiciary to clean its backyard in order to freely and fearlessly punish authors of these acts in accordance with the law.

<sup>154</sup> See above, Part 1, chapter 2 on the right to fair trial.

**2.**The Ministry of Justice equally organized the second annual meeting of Regional Delegates of Penitentiary Administration from 11 to 13 December 2008 in Yaounde. Discussions at the meeting dwelt particularly on the improvement of detention conditions and governance in Penitentiary Administration.

**3.** Pertaining to disciplinary measures, the Higher Judicial Counsel meted out sanctions against Judicial and Legal Officers for unethical behaviour and probity. Thus, 6 of them were reprimanded, 3 punished with a drop in incremental position, 1 demoted and 2 revoked from the corps.

**307** -The Minister of Justice opened disciplinary files against auxiliaries of justice for dereliction of duty to wit, false pretences, aggravated misappropriation, forgery and embezzlement of litigants' funds.

**308** -The files are distributed as follows:

- 100 disciplinary files against advocates are pending investigation;
- 23 disciplinary files against bailiffs resulting in the suspension of one bailiff for a period of one year and the dismissal of another while the other files are pending investigation; and
- 7 disciplinary files against Notary Publics leading to the prohibition to practice for one and dismissal for another while the others are pending investigation.

## **§3-SUPPORT FROM FRIENDLY COUNTRIES AND THE MEDIA**

**309** -On 9 September 2008, a seminar on the theme "*Legal Aspects of the Fight against Corruption*" was organized in Yaounde by the United States Embassy with the support of Cameroonian officials. It was a forum on exchange and dialogue between different stakeholders of the fight against corruption in Cameroon to wit: CONAC, ANIF, NGOs, Parliamentarians, governmental institutions such as the Supreme State Audit, the police and defence forces. Its aim was to find new strategies for the fight against corruption and to promote the battle within the defence forces.

**310** -The press equally participated in the promotion of good governance in 2008. To this end it participated in partnership with CONAC in the reflexion on corruption in the Cameroon press to contribute in boosting the image of Cameroon with regard to the fight against corruption at the national and international levels. As a prelude to this event, an anti-corruption campaign was launched on 19 August 2008 by CONAC in the

presence of the national and international press at the Conference Centre, Yaounde. Its objective was to give world opinion greater visibility <sup>155</sup>.

**311** -On 11 and 12 September 2008, CONAC organized the first reflexion forum on corruption in the press in Cameroon. Public and private media professionals were reminded that all their daily acts were part of the profession that tarnishes its image considerably. Corruption (gombo) that has invaded the corps was extensively debated.

## **§4: Private Sector Participation**

**312** - A forum was organized by ALUCAM in Douala and presided at animated by the Chairper of the Ethics Committee of Ethics Intelligence International who is equally the Chairper of the "Agence d'Ethique Intelligence" of France.

**313** -This expert shared experiences with the business world in Cameroon notably the private sector. The expert stressed on the control strategy based on four phases: information, training, practical commercial guide equipment and control of prevention mechanisms.

## **SECTION 2: FIGHT AGAINST CORRUPTION**

**314** -The fight against corruption in 2008 was manifested through the capacity building of the civil society by CONAC, activities of Transparency International and judicial proceedings.

## **§1: CAPACITY BUILDING OF THE CIVIL SOCIETY BY CONAC**

**315** -During the year, civil society associations were invited to seminars that enabled officials and members to familiarize themselves with CONAC's rules. The objective was to inform stakeholders of the civil society through NGOs and the media on CONAC's place in the fight against corruption.

**316** -CONAC, with the view to proposing through a sector approach measures to prevent or curb corruption, organized consultation days on the fight against corruption in the education sector, a forum on the fight against corruption in the media as mentioned above. Recommendations were taken and joint follow up and evaluation committes set up as a result of these meetings. In conjunction with other CONAC structures, spot control missions were carried out on roads in the Centre, West, North West, South

<sup>155</sup> Cameroon Tribune of Wednesday, 20 August 2008.

West and the Littoral Regions. They exposed the practice of extortion of transporters at check points, toll gates and weighing stations. A televised documentary on these missions was broadcast several times over the national television. Gendarme and police officers denounced in the CONAC report were sanctioned by thier hierarchy (SED and DGSN) respectively.

**317** -In accordance with the communication strategy aiming at creating collective awareness on the fight against corruption and in order to increase its visibility to the public, CONAC launched its communication activities in a bouquet comprising a press conference by its chairperson and the launching of a weekly awareness radio programme over the CRTV national station every Saturday from 9.00 to 10.00 a.m.

## **§2: TRANSPARENCY INTERNATIONAL**

**318** -In 2008, Transparency International (TI) contributed to the fight against corruption through several activities.

### **A- Corruption Perception Index**

**319** -The President of Transparency International Cameroon made a public declaration in Yaounde on 23 September 2008 which reveals that the moralization campaign dubbed "Operation Sparrowhawk", undertaken by Government since 2006 has no impact on the 2008 corruption perception index because the classification is based on data collected during the two preceding years on the basis of past indices. He lauded the number of judicial proceedings and trials that further express the ability of Cameroon's judiciary to punish corrupt persons including those revealed by the media.

**320** -Although there is no unanimity over the classification criteria and the methods of analysis, it is worth mentioning that eradicating corruption depends on sustained political determination, an adequate national strategy and public support<sup>156</sup>.

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<sup>156</sup> Mr. Charles Nguini, President of Transparency International Cameroon, in The Voice of Transparency, Information Bulletin of Transparency International Cameroon, 8, Transparency International Cameroon, December 2008, p.7.

**321** -The Table below presents Cameroon's ranking from 1998 to 2008.

YEAR	Corruption Perception Index	Rank
1998	1.4	85 on 85
1999	1.5	99 on 99
2000	2.0	84 on 90
2001	2.0	84 on 91
2002	2.2	89 bracket / 102
2003	1.8	124 bracket / 133
2004	2.0	129 bracket / 145
2005	2.2	137 bracket / 158
2006	2.3	138 bracket / 163
2007	2.4	138 bracket / 180
2008	2.3	141 bracket / 180

## B- Recognition and Condemnation of Inertia

**322** -In assessing Cameroon's accession to MAEP in 2003, TI observed that Cameroon which represents French-speaking countries of Central Africa seems satisfied with the preparatory phase and is not making sufficient effort to get to Phase I. To explain such inertia which is in contradiction with the excessive activism of some eminent personalities, it was stated that African countries do not take advantage of MAEP within the framework of good governance<sup>157</sup>.

**323** -The following recommendations were made:

### 1: Ethics

**324** -Transparency International Cameroon suggested that ethics should be ensured<sup>158</sup>. According to this NGO, the notion should not be restricted to rules or a code of conduct, but rather the adoption of a multipurpose strategy with different aims relating to ideals, religion and utilitarianism. A systemic approach that allows for reflection on ethics was envisaged.

**325** -Transparency International Cameroon enumerated the following principles on systemic ethics:

<sup>157</sup> Leopold Nzeusseu D. Executive Director of Transparency International-Cameroon, in The Voice of Transparency International, Information Bulletin of Transparency International Cameroon, 8, Transparency International Cameroon, December 2008, p.7.

<sup>158</sup> Leopold Nzeusseu D. Executive Director of Transparency International-Cameroon, op., cit, p. 9.

- as a mental construct, ethics takes precedence over rules and laws;
- ethics is restricted to social systems only;
- each social system has its own ethics which must be underscored because it is implicit; and
- ethics can be considered as a process. There are several possible types of ethics and the body in charge of their application is held responsible irrespective of the implicit nature of such responsibility.

**326** -According to TI, a panoply of instruments is insufficient to curb corruption. The solution should be found in the dynamics of continuous progress, a procedural approach that meets all the prerequisites of the systemics of the fight against corruption namely;

- the legal environment that leads to the setting up of such a framework;
- implementation that accounts for its realization; and
- evaluation that provides assessment indicators and ensures regulation.

### **§3 JUDICIAL PROCEEDINGS**

**327** -New proceedings were instituted in 2008 under "Operation Sparrowhawk." Several sanctions were meted out by the various courts relating to embezzlement of public funds. However, in this report mention will be made only of the cases concerning PAD, SIC, CFC and FEICOM.

#### **A- Proceedings Instituted in 2008**

**328** -In April 2008, the following three former ministers and several of their collaborators were arrested and remanded in prison custody within the framework of proceedings relating to the embezzlement of public funds:

- OLENGUENA AWONO Urbain, former Minister of Public Health, and 16 of his collaborators;
- ABAH ABAH Polycarpe, former Minister of Finance; and
- MOAMPAMB ABONO Paulin, former Secretary of State of Public Works and former Mayor of the Yokoduma Council.

**329** -Similarly, Mr Zacheus FORJINDAM, former Director of the Cameroon Shipyard and Industrial Engineering Company and some of his collaborators suffered the same fate.

**330** -All these cases are being prosecuted.

## **B- Cases Mentioned in the Previous Report**

**331** -These include the following four matters:

1. The PAD affair is pending before the Court of Appeal, Littoral<sup>159</sup> ;
2. The People and FEICOM vs the former General Manager, Emmanuel Gerard Ondo Ndong. By Judgment No. 25/crim of 16 April 2008, the Court of Appeal, Centre Province reduced his term of imprisonment handed down by the High Court, Mfoundi from 50 to 20 years; his accomplices were sentenced to prison terms that ranged from 10 to 20 years as follows: Kooch Berthe, Weh Weh Justin, Monebang Eto Alain, Ndema Assoumou Bonaventure and Ange Leonie: 20 years imprisonment each; Bessala Nsana, Nguema Ondoo and Mbala Moise: 15 years imprisonment each; Ketchami Charles, Bitye bi Ebanga, Mibe Celestin, Anaron Kaldjob, Edjang Marie Carine, Ngo Bayanag Laurentine, Omballa Novia, Abessolo Eyi, Ndoukam, Etoga Marie Gabrielle, Peh VI Daniel Gauthier, Edmond Madjo, Ndjomo Nono Wencelas, Olinga Mvogo, Ze Abel and Elessa Soppo: 10 years imprisonment each.

With regard to claims, the Court of Appeal raised the sum to be paid jointly and severally by Ondo Ndong and his accomplices as decided by the High Court from CFA 13.5 billion to CFA 26 billion.

Besides, Edjang Marie Carine, Ngo Bayanag and Etoga Marie Gabrielle and others found not guilty at the trial court were found guilty as co-offenders and complices in the embezzlement of public funds by the Court of Appeal.

3. The matter concerning the People and SIC vs Belinga Gilles Roger and Others is pending before the Supreme Court. The said court was seised to rule on an objection raised before the Court of Appeal, Centre.
4. In the People and CFC Vs Booto à NGon Andre, Edou Joseph and Others, the High Court, Mfoundi delivered judgment No. 270/crim of 11 July 2008.

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<sup>159</sup> The Court delivered its verdict on 11 June 2009; those acquitted at the trial court were found guilty. Details of this verdict will be given in the next report.

It heard and determined the cases of the following 31 persons:

Booto A Ngon André ; Edou Joseph ; Ndamé Mpongo Yole épouse Kwa Mbette ; Essama Zoh Gervais Martial; Meke Raphaël; Tienta Côte, Kooch II Charles; Tchobet Joseph; Biabi épouse Foménéa Georgette; Nzoke Dieu-donné; Bama Michel; Tchuyassi Joseph; Bikoko Jean; Atche A Ngon épouse Amougo; Amougou Albert Roland; Lenteu Ngueni Ernest; Abolo Albert Désiré; Chatchuin Nicéphore; Naoussi Fabien; Mintangué Alexis; Moussio Mouelle; Bama Emmanuel; Koh Koh; Tchoufa Roger ; Nkoro Jacques; Djomo Charles Constant; Ngongo Djomo Félicité Isabelle épouse Tchoufa ; Zibi Samba Nicolas Francis ; Onana Victor ; Eyia Dieudonné Jean Oscar and Engoulou Jean Paul.

The Court found 21 persons guilty, convicted and sentenced them as follows:

- Booto A Ngon André and Edou Joseph, 40 years imprisonment each;
- Tchoufa Roger, 45 years imprisonment;
- Ngongo Djomo Félicité Tchoufa, 30 years imprisonment;
- Moussio Mouelle, 20 years imprisonment;
- Biabi A Ngon Foménéa Georgette and DJOMO Charles Constant, 15 years imprisonment each;
- Bikoko Jean, Abolo Albert Désiré, Chatchuin Nicéphore, Naoussi Fabien and Bama Michel, 12 years imprisonment each ;
- Koh Koh, 10 years imprisonment;
- Onana Victor and Eyia Dieudonné Jean Oscar, 3 years imprisonment, suspended for 5 years and ordered to pay a fine of CFA 40,000 each; and
- Tchuyassi Joseph, 1 year imprisonment suspended for 3 years.

The judgment ordered the confiscation of some of the property seized. Additional forfeiture measures were equally pronounced.

**332** -In spite of Government measures to improve on governance in all sectors of public life, much still has to be done for the people to feel their effectiveness. Although corruption control is backed by strong media support, citizens are still to change their daily behaviour.



# Chapter 2

## RIGHT TO EDUCATION



**333** -The four ministries in charge of education namely MINEDUB, MINESEC, MINESUP and MINEFOP, each in its own sphere, made significant contributions to guarantee the right to education in 2008.

**334** - Considerable progress was observed at each level of education.

## SECTION 1: PRIMARY EDUCATION AND NURSERY

**335** -Actions carried out by MINEDUB in 2008 at this level included mainly the expansion of access to education and the enhancement of quality education.

### §1: ACCESS TO SCHOOL

**336** -Access to school was improved in 2008 thanks to a glaring increase in mobilized resources, preschool coverage and the gross primary schooling rate.

#### A. Increased Mobilized Resources

**337** -In 2008, public resources to basic education in relation to income generated by the country was estimated at 16.6 per cent witnessing an increase as opposed to the 2007 budget. For instance, the budget of the Ministry of Basic Education rose from CFA 121, 929, 000, 000<sup>160</sup> in 2007 to CFA 125, 368, 000,000<sup>161</sup> in 2008<sup>162</sup>.

**338** -Simultaneously, recurrent expenditure in primary education in relation to Gross Domestic Product (GDP) which stood at 0.98 per cent in 2007 increased to 1.14 per cent in 2008. Furthermore, schooling cost in public schools remained high (18.4 per cent of GDP/Head)<sup>163</sup> while state subvention per pupil in private basic education remained at 0.7 per cent of GDP/Head.

**339** -Government effort made in 2008 in the construction of new school infrastructure provided MINEDUB 1,458 additional classrooms.

**340** -MINEDUB recruited 5,525 teachers in 2008 in continuation of the signing of the contracts of part-time teachers thereby, taking the number of teachers recruited from the inception of this operation to 24,325.

<sup>160</sup>About 185, 881,545 Euros.

<sup>161</sup>About 191, 124, 323 Euros.

<sup>162</sup>See Cameroon's Finance Laws of 2007 and 2008.

<sup>163</sup>GDP/Per Head: CFA 586, 975

## B. Increase of Preschool Coverage

**341**-Preschool coverage greatly improved with the increase of preschool rate which rose from 17.4 per cent in 2007 to almost 21 per cent in 2008. Community preschool activity that was inexistent a few years ago trained 5,360 children in 2008.

**342**-The private sector was encouraged and invited to contribute to formal preschool development. Subvention per child was maintained. Village communities were urged to develop preschool activities in rural and marginalized areas by granting, in accordance with the expenditure simulation model aimed at meeting the objectives of the Education Sector Strategy, subventions per child that are 10 times bigger than that of the formal preschool sector (7 per cent GDP/Head). The objective is to educate by 2020, 80,000 children in Community Preschool Centres (CPC).

## C. Increase in Gross Schooling Rate

**343**-In 2008, the primary education schooling rate exceeded 3 million pupils resulting in a Gross Schooling Rate (GSR) of 104 per cent. The number of children effectively attending primary school reached 3,202,511. The private sector educated 22.8 per cent of these children, thereby witnessing a 2-point drop to the advantage of the public sector during the 2006/2007 school year. The improvement of the supply and quality of public sector education resulted in a drop in private sector control to 15.6 per cent of primary school pupils.

**344**-Flux indicators of primary school pupils followed-up by Government and development partners of the education sector provided the following results:

- access to primary school, with a national Gross Access Rate as well as regional rates of above 100 per cent, is not a problem for our education system. On the contrary, the real issue at stake relates to graduation although during these past five years, significant progress has been made as regards this indicator that assesses the Universalization of Primary Education (UPE)<sup>164</sup> ; and
- graduation in the French-speaking subsystem that stood at 56 per cent in 2004 rose to 67.6 per cent, thereby gaining an average of 3 points per annum during this period. Graduation rate in the English-

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<sup>164</sup> EPU- Universalization of Primary Education

speaking subsystem rose from 82.5 per cent in 2004 to 87.3 per cent in 2008.

**345** -Thanks to the required administrative, pedagogic and communication measures, repeating rate was reduced to 18 per cent, the expected level in 2008 for the French-speaking subsystem, while in the English-speaking subsystem it exceeded expectations by dropping from of 13 per cent to 12.2 per cent.

**346** -With regard to human resource management, the arbitrary distribution of teaching staff in public primary schools remained MINEDUB's main concern. It dropped from 45 per cent in 2002/2003 to 39 per cent in 2008. Training of personnel in the central and external services in management of personnel in decentralized services and arbitrariness management techniques, introduced within the framework of the Education System Support Programme, (PASE) will provide the necessary impetus to meet the minimum arbitrariness target of 22 per cent.

## **§2: ENHANCEMENT OF QUALITY EDUCATION**

**347** -The capacity building of learners and teachers of primary education was done through:

### **A- Human Rights Education**

**348** -The implementation of human rights syllabus that began in Cameroon in 2004 continued with the effective launching of human rights education in 80 pilot schools selected in the ten regions of the country: 50 pilot schools for basic education and 30 for secondary education in 2008.

**349** - After the teaching guide, the syllabus for the teaching of human rights at all educational levels was drawn up in collaboration with all key actors of the system in partnership with NCHRF.

**350** - These working documents were put at the disposal of teachers for the moral and civic education of children. 80 national pedagogic inspectors and 60 regional inspectors were trained.

### **B- Information and Communication Technology**

**351** -In 2008, MINEDUB took the following steps to promote the teaching of information and communication technology:

- intensification of popularization, sensitization and training actions for the main pedagogic stakeholders;
- continuation of the equipment of schools and school administrative services with computers; and
- teaching information and communication technology at all levels in all primary schools.

## **C- Fight against Disparities, and Gender-Approach Promotion**

**352** -Measures taken by MINEDUB for some years now to curb disparities between boys and girls and to promote gender equality were reinforced in 2008 by:

- taking into account the Education Sector Directives that included gender equality concerns;
- implementing the programme *"Acceleration of the Education of the Girl Child"*;
- granting scholarships to the best candidates in official examinations with a view to promoting female excellence;
- supporting families;
- suppressing school fees in public primary schools to ensure free primary education and the continuous granting of Minimum Packages; and
- instituting the collective promotion system which, in priority education areas with the support of UNICEF, aims at reducing repeating and the number of dropouts through the installation of water points and space development.

**353** -Government action aimed at providing education to all children is sometimes obstructed by the populations' adherence to some tradition related socio-cultural values in some regions of Cameroon where priority is not given to the education of the child in general and the girl child in particular.

**354** -Besides, although free primary education is consolidated, there is a flurry of paid activities in schools. This trend in practice undermines the right to education. It is necessary for Government to control respect of the regulation in force in this domain.

## SECTION 2: SECONDARY EDUCATION

**355** -The promotion of secondary education was carried out in 2008 in the pedagogy, infrastructure and equipment sectors.

### §1: PEDAGOGY

**356** -In order to review pedagogic strategies and the evaluation system so as to improve on academic performance, MINESEC took measures relating to the guidance of teachers, professionalization, promotion of bilingualism, organization of examinations, restructuring of secondary and teacher training education as well as the initial training of trainee teachers.

#### A- Pedagogic Guidance of Teachers

**357** -This was carried out by the organization of pedagogic fora, seminars and refresher courses for teachers through pedagogic inspection.

**358** -The outcome of these actions is stated below:

- about 10,000 personnel (teachers, pedagogic animators, Provincial Pedagogic Inspectors, National Pedagogic Inspectors and Pedagogic Inspectors) were trained;
- 4,000 teachers inspected; and
- global increase of school syllabus coverage from 72.8 per cent during the 2006/2007 academic year to 82.88 per cent during the 2007/2008 academic year, that is an increase of 10.08 per cent.

**359** -To ensure better pedagogic guidance for teachers, Circular No. 39/D/23/MINEDUC/IGP of 2 August 1990 on education councils was reviewed.

#### B- Professionalization

**360** -To make training for employment a reality, the following steps have been taken to adapt technical education to the job market:

- furtherance of cooperative education through which 528 technical education teachers were on internship in 118 enterprises; and
- opening of new fields, with strong potential to create jobs, in technical education especially with the launching of the Biomedical Hospital Maintenance course at the Technical High Schools Kumba and Bertoua and the replacement of secretary-typist with office automation.

## C-Promotion of Bilingualism

**361** -The determination to implement bilingualism in schools led to the realization of the following:

- drawing up of bilingual education curricula;
- signing of Ministerial Circular No. 28/8/MINESEC/IGE of 2 December 2008 to implement a Special Bilingual Education Programme;
- revamping of school libraries and the promotion of a reading culture;
- administration of monthly quizzes to administrative personnel in the central and external services;
- institution of Wednesday as bilingualism day; and
- institution of the use of the second language by teachers during the last ten minutes of each lesson.

## D- Organization of Examinations

**362** -To continue with the improvement of the evaluation system, MINESEC took several measures concerning especially examiners, candidates and evaluation instruments for the management of the 2008 official examination sessions.

### 1. Examiners

**363** -The following measures were taken to enhance the performance of examiners and to guarantee the smooth material, pedagogic and financial organization of examinations:

- order of examination material worth CFA 603,544,093<sup>165</sup>;
- organization of a consultation meeting of officials of the central services, bodies under supervision and the decentralized services of MINESEC as well as a training seminar for special *chargés de mission*; and
- organization of sector examinations and training sessions for teachers at the regional and divisional levels.

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<sup>165</sup> About 920, 106 Euros.

## 2- Candidates

**364** -To boost the pedagogic supervision of candidates, the measures below were taken:

- organization of support training for students in examination classes;
- broadcast of radio programmes relating to the preparation of examinations; and
- organization of mock examinations harmonized at the regional level.

## 3- Evaluation Instruments

**365** -In order to have reliable evaluation instruments, new examination questions were set and those in the databank reviewed. These operations allowed for 2,355 questions for the different examinations to be put at the disposal of organizers.

**366** -An analysis of results of this examination session revealed an increase in success rate in 14 out of 23 examinations as compared to the 2007 session. These include:

### Examinations organized by the Department of Examinations (DECC)

- BEPC: 51.11 per cent against 35.48 per cent in 2007.

### Examinations organized by the Cameroon Baccalauréat Board (OBC)

- BAC ESG : 50.43 per cent against 49.81 per cent;
- Brevet de Technicien (BT): 43.7 per cent against 40.1 per cent in 2007;
- Brevet Professionnels Industriels: 78.83 per cent against 35.96 per cent in 2007;
- Brevet de Technicien Hotellerie Tourisme: 100 per cent against 91.42 per cent in 2007;
- Probatoire de BT Hotellerie Tourisme: 90 per cent 53.57 per cent in 2007;
- Probatoires Industriels: 28.88 per cent against 18.28 per cent in 2007; and
- Probatoire de BT: 35.54 per cent against 23.6 per cent in 2007.

## **Examinations organized by the General Certificate of Education (GCE) Board**

- GCE Advanced Level: 57.79 per cent against 56.29 per cent in 2007;
- GCE Technical Ordinary Level: 39.38 per cent against 23.65 per cent in 2007;
- GCE Technical Advanced Level: 60.47 against 33 per cent in 2007;
- Probatoire de BT in English: 55.52 per cent against 46 per cent in 2007;
- Bac Technique in English: 55 per cent against 53 per cent in 2007; and
- Brevet de Technicien in English: 43 per cent against 25 per cent in 2007.

**367** -To curb the delay in issuing diplomas, secured diplomas worth CFA 879,133,000<sup>166</sup> were ordered.

## **E- Restructuring of Secondary and Teacher Training Education**

**368** -The following main realizations gave effect to the restructuring of these forms of education:

- drawing up of enforcement instruments of the Law on Education Guidance with a view to cancelling the "Probatoire" examination that resulted in the:
  - production of a syllabus preparation guide for secondary education;
  - transmission to hierarchy of two draft decrees respectively on the restructuring of secondary education and the determination of certificates of Cameroon's education system;
  - drawing up of syllabus of the observation sub-cycle; and
  - drawing up of drafts for the introduction of national languages and cultures as well as Arts in secondary education.
- Signing of the Decree to enforce Law No. 2004/22 of 22 July 2004 to lay down the conditions for the organization and functioning of private education in Cameroon.

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<sup>166</sup> About 1, 340, 244 Euros.

**369** - More so, with a view to better follow-up their activity to ensure a sound psychological supervision of learners, Guidance Counsellors specifications were drawn up and signed.

**370** - About 2,000 student teachers and guidance counsellors were followed-up during their practical internship in some grammar schools and colleges. Besides, 548 teachers-in-training from Technical Education Grade I Teachers Training College (ENIET) successfully took the GRADE II Teachers' Technical Education (CAPIET) examination.

## **§2: INFRASTRUCTURE AND EQUIPMENT**

**371** -To increase access to secondary education, the school map was enlarged in 2008 with the improvement of education quality, and supply as well as the working conditions in the central and external services.

### **A- Improvement of Education Quality and Supply**

**372** -To meet this first objective the following actions were carried out:

- construction and rehabilitation of infrastructure worth CFA 9, 170, 000, 000<sup>167</sup> split as follows: FENASSCO playground; 44 workshops; 475 ordinary classrooms; 80 health blocks; 10 computer rooms, some old schools;
- signing of texts to set up 56 CETIC and 99 secondary schools, opening of 35 grammar schools, 8 technical high schools, 101 secondary schools and 32 CETICs, transformation of 30 secondary schools to high schools, 3 secondary schools to bilingual secondary schools, 7 bilingual secondary schools to bilingual high schools, 6 high school to bilingual high schools and 18 CETICs to technical high schools;
- setting up of two hotel and tourism high schools in Kribi and Limbe;
- signing of many instruments to set up and open private schools;
- launching of studies relating to increase in public schools in Yaounde and Douala;
- equipping workshops, laboratories and computer rooms in several schools especially:
  - technical high schools in Figuil in the North Region, Ngomou and Nkolbisson in the Centre Region and Kumassi in the Littoral Region;
  - and

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<sup>167</sup> About 13,979,724 Euros.

- CETIF and CETIC Ngoa-Ekelle in the Centre Region and Akwa-Bakassi in the South West Region.

## **B-Working Conditions**

**373** -To improve on working conditions in the central and external services, emphasis was laid on the maintenance and development of infrastructure and the equipment of structures. To this end, the following projects were executed: the construction of 20 administrative blocks, 12 offices, 10 guest houses and the equipment of structures for a total cost of CFA 3,625,000,000<sup>168</sup>.

**374** -With regard to bilateral and multilateral cooperation, CFA 1,625,000,000<sup>169</sup> was allocated as contributions to the funding of joint projects notably BID3, PARETFOP, PASE and PARE.

**375** -HIPC funds worth CFA 2,065,000,000<sup>170</sup> were devoted to the development of Multimedia Resource Centres (CRM), water points and the construction of water wells, and equipment of classrooms.

**376** -In 2008, MINESEC encountered some difficulties relating mainly to lack of personnel, financial and material resources and inadequate infrastructure and equipment in technical high schools. Constant strikes by Part-time Technical Education Teachers (IVET) who requested to be absorbed into the Public Service, the absence of teachers on absorption due to delay in the processing of their files and the departure of many teachers to other services equally perturbed effective teaching in many schools.

**377** - It is hoped that the setting up of new schools shall be followed by appropriate measures for them to effectively function for the improvement of access to education to be more visible and concrete.

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<sup>168</sup> About 5,526, 335 Euros.

<sup>169</sup> About 2,477,323 Euros

<sup>170</sup> About 3,148, 105 Euros

## SECTION 3: HIGHER EDUCATION

**378** -In 2008, Higher Education focused on the Bachelors-Masters-Doctorate (BMP) System, expansion of the university map and the improvement of university environment.

### **§1: CONSOLIDATION OF THE BMP SYSTEM**

**379** -After completion of the BMP System in 2007, 2008 was devoted mainly to, as regards academics, its implementation in all universities. Given that the BMP System was an innovative approach borrowed from the Anglo-Saxon education system based on the functioning of higher education products, projects on the setting up of enterprises were drawn up by students with a view to presenting them during *“Universiades Academics”*<sup>171</sup> held in February 2009. The best projects received prizes and were funded by MINJEUN under the PAJER-U Project.

### **§2: EXPANSION OF UNIVERSITY MAP**

**380** -The University map was expanded in 2008 by the effective setting up of a seventh State University, the University of Maroua. It was set up by Decree No. 2008/281 of 9 August 2008 on the administrative and academic organization of the University of Maroua. About 700 student-civil servants enrolled in the Higher Training Teachers College of this institution.

**381** -The project on the setting up of two virtual universities including the Virtual University of Central Africa made progress in 2008. It is funded mainly by the Indian Cooperation. As a result of this project, there is consensus at the national and subregional levels, on the need to develop a first rate technical higher education in the CEMAC Zone within the framework of a University Free Zone (UFZ), considering the very low critical mass of teachers in technical fields at the national and subregional levels.

**382** -In fact, to solve this problem, Government launched a project for the implementation of a UFZ for the subregion aimed at the massive training of very high level engineers, technicians and teachers of technology in accordance with universal norms and standards implemented in universities like MIT, Harvard and the Ecole Polytechnique de Paris. Through the AGIR Programme, funding worth CFA 1.5 billion<sup>172</sup> from HIPC funds has been committed.

<sup>171</sup> The “Universiades Academics” took place in February 2009.

<sup>172</sup> About 229, 133. 18 Euros.

**383** -The second phase of the project to increase and reinforce equipment is ongoing. In 2008-2009 academic year, the number of student-engineers rose from 75 to 300. The envisaged goal is to have 1,000 and later 2,000 highly qualified engineers at the optimum production phase of the UFZ Project. A training of trainers programme has been simultaneously put in place, notably a Masters in Research leading to a doctorate with a view to increasing the teaching staff.

**384** -Furthermore, there is ongoing brainstorming in partnership with the Congolese Government for the setting up of a subregional university.

### **§3: IMPROVEMENT OF UNIVERSITY ENVIRONMENT**

**385** -The improvement of university environment comprises continuation of the rehabilitation of high education infrastructure, drawing up of some projects included in the sector strategy and curbing poverty in the university milieu.

#### **A-Rehabilitation of Infrastructure**

**386** -In 2008, Government continued to improve on infrastructure in all State universities. This endeavour began, amongst others, in 2006 with a special urgent subvention of CFA 2.3 billion<sup>173</sup> notwithstanding the traditional investment budget for each university.

**387** -Government notably put in place a policy to prevent the rapid degradation of infrastructure, massive student intake, insufficient and obsolete infrastructure and teaching aids.

**388** -Projects executed by MINESUP within the framework of activities for the development of infrastructure and decentralization led to the following achievements:

- continuation and completion of construction of two halls of residence of 200 rooms with two beds each to accommodate boys and girls at the campus of the University of Yaounde I, Ngoa-Ekelle, at the cost of CFA 1,503,000,000<sup>174</sup>;
- improvement of the Cameroon University Interconnection Network (RIC);
- construction of teaching blocks at the University of Buea thanks to funding from Support Programme of the Technology and Higher Education Professional Component (PRO-ACTP);

<sup>173</sup> About 3, 506, 364 Euros.

<sup>174</sup> About 229, 133. 18 Euros.

- construction of buildings to house the technocity at the University of Yaounde I ( National Advanced School of Engineering); and
- opening of the Interuniversity Information Technology Centre (CITI).

## **B-Education Sector Strategy Projects**

**389** -Within the framework of the implementation of the higher education subsector strategy, many projects were executed and followed-up including PRO-ACTP and Management Support to Profitable Initiatives and Professionalization in Higher Education (AGIR), at the renovated and rehabilitated site of the National Advanced School of Engineering (CFA 1.5 billion of HIPC funds already committed).

**390** -The general aim of PRO-ACTP, for example, was to enhance higher education technology and professional fields in order to participate in the country's socioeconomic development.

**391** -Its specific objectives are to:

- improve on control and managerial competence;
- capacity building of the institutional support body for the insertion and involvement of socioprofessional stakeholders in the functioning of technological and professional institutions; and
- improve the ability of the technology and professional component to train professionals adapted to the needs of the country in the health, engineering and education fields.

## **C- Curbing Poverty in the University**

**392** -As in previous years, the fight against poverty concerned students, lecturers and support staff.

**393** -Pertaining to students, these actions include:

- continuation of the payment of scholarships and special assistance;
- continuation of payment of scholarship arrears ;
- continuation of the granting of aid to Cameroon students abroad;
- various forms of support to cultural services of Cameroons embassies;
- granting of aid to student associations at in Cameroon and abroad as in previous years; to this end, each State University received at least CFA 3,000,000<sup>175</sup>;

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<sup>175</sup>About 4,573 Euros.

- signing by the MINESUP on 11 September 2008 of Order No.8/249/MINESUP on the common status of students in Cameroon public universities;
- continuation of the Work-Study Programme;
- harmonization of rents in university campuses by the special task force in charge of prices to enable students pay reasonable rents;
- paid holiday jobs in the central and external services of MINESUP, State Universities and local authorities (urban and rural councils); and
- unconditional and free treatment for HIV/AIDS positive students (at the request of students living with HIV/AIDS).

**394** -To find solutions to problems encountered by teachers in the daily discharge of their duties, Government maintained its endeavours in 2008 to realize the following significant achievements:

- continuation of institutional support to the academic mobility programme compounded by credits from autonomous university budgets;
- rehabilitation of several research laboratories;
- continuation of operation *"one teacher, one computer"*; and
- continuation of the reinforcement of the rationalization of procedures for the finalization of management acts of the career of permanent lecturers.

**395** -To meet its objectives in 2008, CFA 80,000,000<sup>176</sup> was granted to the academic mobility programme.

## SECTION 4: VOCATIONAL TRAINING

**396** -As concerns this domain, it should be recalled that the Education Sector Strategy (ESS) adopted in 2006 instituted the principle according to which vocational training should, by 2015, receive 50 percent of primary, secondary and higher education graduates. Thus, MINEFOP should permit about 300,000 youths to receive trade-based vocational training yearly to improve on the external efficiency of the education system.

**397** -In 2008, MINEFOP continued Government's programme to enhance vocational training with the launching of strategic activities for vocational guidance promotion.

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<sup>176</sup> About 121,960 Euros.

## §1: ENHANCEMENT OF VOCATIONAL TRAINING

**398** - The following actions were carried out within the framework of this programme:

- finalization and validation of documents on vocational training strategy and SAR/SM reform that should result in the introduction of agro-pastoral disciplines in training programmes;
- publication of Universal Sets Elaboration Guides for vocational training in July 2008 in Yaounde;
- drawing up and implementation of 9 new training universal sets in ICT trades and 7 pilot structures through the Canada-Cameroon cooperation project for training youths; and
- gradual rehabilitation of vocational training structures and the construction of public training structures in the relinquished frontier zones.

**399** - Certification and classification by category of training courses continued with the review of syllabuses and the drawing up of universal sets according to the competence-based approach. More so, two end-of-training examinations were organized at the national level in 17 specialities. It was observed that the number of candidates increased from 1,500 in 2007 to more than 2,000 in 2008.

**400** - Moreover, partnership framework agreements were signed with GICAM, CCIMA, IAI and OIC Buea in order to enhance vocational training.

**401** - To increase access to qualified training paving the way for employment, scholarships were granted to 493 youths. In this vein, more than 3,196 candidates were registered throughout the national territory. Given the rush for higher education certificates, credits allocated for this purpose were insufficient.

**402**-To support these actions, the Programme for the Improvement Programme for the Supply of Vocational Training for Employment (PAMOFPE) drawn up in 2007 by MINEFOP received MDRI funding worth CFA 400,000,000<sup>177</sup>. This amount allowed for the putting in place of the first phase of the said programme especially the drawing up of vocational training universal sets according to the competence-based approach, buying of vocational training kits, and rehabilitation of the infrastructure of three pilot establishments (Public Centre for the Intensive Vocational Training of Office Employees, Garoua, SAR/SM, Soa and Mbengwi).

**403** - International cooperation activities to improve on vocational training were equally carried out. These include the continuation of negotiations with South Korea for the construction of Vocational Training Excellence Centres with EDCF loan. Thus, feasibility studies on the sites identified in Sangmelima, Limbe and Douala have been completed.

**404** - As regards internal partnership, it is important to mention the preparation by MINEFOP, within the framework of the review of the PRSP, of the the draft chapter on employment and vocational training forwarded to MINEPAT for better consideration.

## **§2: VOCATIONAL GUIDANCE DEVELOPMENT**

**405** -To better guarantee coherence in vocational insertion training strategies, it is important to improve on vocational guidance which is poorly used in Cameroon's current employment system. In this light, MINEFOP launched the drafting of the Vocational Training National Policy within the framework of a seminar held from 26 to 29 March 2008, in Yaounde with the support of the expertise of the Guidance and Continuous Vocational Training Board of the Republic and Canton of Geneva, Switzerland.

**406** - Another major action in 2008 in this domain was the acquisition by MINEFOP of vocational training material comprising mainly a series of psychological tests.

**407** - Besides, counselling activities were carried out within the framework of the guidance of learners in 6 public intensive vocational training centres, the choice of disciplines during competitive entrance examinations into public and private vocational training centres and during the granting of

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<sup>177</sup> About 609,802.57 Euros.

State scholarships.

**408** -In conclusion, the right to education improved in 2008 with the reaffirmation of free basic education, the tendency to generalize secondary education and the new orientation of higher education, notably the university map reform.

**409** - In spite of inherent difficulties of this type of endeavour, it is obvious, based on the steps taken, with the support of private partners and especially the civil society, that Government is determined to promote human rights in the field of education.



# Chapter 3

## RIGHT TO HEALTH



**410** -In 2008 Government continued its effort to promote and protect the right to health by consolidating and boosting the quality of Cameroon health system. In this endeavour, it carried out several major projects aimed at rendering healthcare delivery services more accessible and to promote preventive actions. The principal focus of the said projects was the improvement of the quality and quantity of health services and health infrastructure through the following activities:

- provision of new health structures and improvement of existing ones;
- improvement of quality, availability, accessibility and affordability of essential drugs and medical supplies;
- quantitative and qualitative improvement of health staff;
- relations with partners and new strategies;
- health service and care; and
- health promotion.

**411** -Some NGOs equally carried out activities aimed at improving on the health of the population. It is necessary to mention the most significant actions they carried out in 2008.

## **SECTION 1: CONSTRUCTION OF NEW STRUCTURES AND IMPROVEMENT OF EXISTING ONES**

**509**-In 2008, Government set up new health structures, rehabilitated existing ones in major hospitals and upgraded the technical level of some health facilities.

### **§1: CONSTRUCTION OF NEW STRUCTURES**

**412** -Government commenced and/or completed the construction of some health facilities:

- two hemodialysis centres in Bamenda and Garoua, with a capacity of housing 8 machines each;
- two medical imaging centres equipped with scanners, radiology, mammography and echography equipment in Bertoua and Ebolowa; and
- a new referral hospital in Sangmelima.

## §2: REHABILITATION OF STRUCTURES OF MAJOR HOSPITALS

**413** -Considerable work was carried out to modernize of hospital infrastructure, the most important of which included:

- At the Yaounde General Hospital, renovation of the private wing, the heart surgery service and the construction of waiting premises for patient attendants;
- At the Douala General Hospital, commencement of rehabilitation of the burns unit;
- At the Yaounde Central Hospital, rehabilitation of the private wing and the ongoing construction of the neurosurgery centre;
- At the Yaounde Gynaeco-Obstetric and Paediatric Hospital, extension of the maternity, radiology service, laboratory, the theatre and the mortuary;
- At the Yaounde Jamot Hospital, construction of three wards;
- At the Douala Laquintinie Hospital, modernization of the emergency service and renovation of the medical imaging service;
- At the University Teaching Hospital, extension of the mortuary and emergency unit;
- The Ayos, and Obala district hospitals were entirely renovated and delivered with ADB funding; that of the Ngog-Mapubi district hospital (DH) is ongoing;
- The Edea District Hospital, the Konye SMC and the IHCs of Eyang and Mbakwa Supe are being rehabilitated, thanks to German Co-operation (KFW);
- Within the framework of the 5th Round of the Global Fund, 10 Tuberculosis Diagnosis and Treatment Centres were renovated;
- The provision of wells: 143 wells were completed and delivered in 2008; 77 are under completion and 30 have to be moved because the sites are difficult to access or the contracts were declared unproductive; and
- Within the framework of Health C2D, 39 health facilities were equipped with generators.

### §3: UPGRADING OF TECHNICAL LEVEL

**414**-A sizeable number of equipment was acquired for several services. These include the purchase of equipment and medical supplies for 42 health facilities and the installation of 140 cold chains and 80 incinerators as well as the equipment of 8 mortuaries.

**414** - Government equally upgraded the technical level of the following health institutions:

- At the Yaounde Central Hospital, a scanner, various theatre equipment and a videoscope were acquired;
- At the Douala Laquintinie Hospital, renovation of medical imaging including a scanner and re-equipment of the Intensive care unit;
- At the Douala General Hospital, new radiotherapy and nuclear medicine equipment are being installed;
- At the Yaounde General Hospital, renewal of equipment for heart surgery and for the intensive care unit;
- At the University Teaching Hospital, installation and operationalization of magnetic resonance imaging (MRI);and
- At the Yaounde Gynaecological, Obstetrics and Paediatric Hospital, renewal of the scanner.

**415** - Besides, Government took measures with the aim of:

- reinforcing LANACOME's equipment to enable the latter to effectively play its role of quality control of pharmaceuticals;
- installing three biomedical equipment maintenance centres; and
- updating the document on equipment standardization by level of health facility and validation of the national health technology policy document.

### SECTION 2: QUALITY IMPROVEMENT, AVAILABILITY, ACCESSIBILITY AND AFFORDABILITY OF ESSENTIAL DRUGS AND MEDICAL SUPPLIES

**416** -Government's main efforts focused on the provision of free medicines, subsidies for expensive pharmaceuticals, quality assurance for pharmaceuticals through implementation of the National Drugs Supply System (SYNAME) and the harmonization and popularization of prices as follows:

## **§1: FREE DRUGS**

**417** -The following drugs were provided free of charge:

- 7 715 700 vaccine doses and consumables within the framework of routine activities of the Expanded Programme on Immunization;
- 15,990 million mectizan tablets for onchocerciasis control; and
- more than one million doses of lymphatic filariasis medicines in the Far North Region; and
- antiretrovirals provided to about 55,000 persons living with HIV/AIDS currently on treatment.

## **§2: SUBVENTION OF EXPENSIVE DRUGS**

**418** -The programme for the provision of affordable essential drugs to vulnerable segments of the population was reinforced by:

- the signing of an agreement between MOH and NOVARTIS which made it possible to reduce the prices of anti-cancer drugs by between 50 and 75 per cent;
- the commitment of the order for 9.5 million doses of Artemisinin-based combination therapies in generic form for the management of uncomplicated malaria with Global Fund financing; and
- negotiations with pharmaceutical firms to reduce the prices of about 690 drugs.

## **§3: QUALITY ASSURANCE OF PHARMACEUTICAL PRODUCTS**

**419** - Government carried out the following actions to ensure the quality of pharmaceutical products:

- 690 applications for the approval of pharmaceuticals were examined leading to 269 marketing licences granted, 323 favourable recommendations to be confirmed and 104 cases rejected for default in quality;
- 551 consignments of pharmaceuticals were controlled by LANACOME of which 455 were in compliance and 96 non-compliant;
- consignments of 7 products namely: Spasfon injection, heparin (Panpharma), Lovenox (Sanofi), Sargenor (Medapharma), Lapdap (GSK), Agreal tablet (Sanofi) were withdrawn from the Cameroon market;
- an agreement between MOH and the National Pharmaceutical Profession was signed in order to streamline the distribution channel and

- to fight more effectively against the illegal sale of drugs;
- large stocks of street medicines valued at CFA 400 million<sup>178</sup> were destroyed publicly in 9 Regions;
- 2 illegal drug stores were closed in the South-West Region and 110 CIG health centres and other private health centres were equally closed; and
- information/popularization campaigns were organised on the hazards of street chemists during the celebration of the African Day of the Fight against Trafficking in Illicit Drugs on 29 May 2008.

#### **§4: HARMONIZATION AND POPULARIZATION OF PRICES**

**420**-In its endeavour to harmonise and popularise the costs of services in all public health facilities, Government insisted on the obligatory posting of prices of drugs and healthcare procedures. To guarantee better success in this domain, there is on-going reflection on how best such prices could be harmonised.

### **SECTION 3: QUANTITATIVE AND QUALITATIVE IMPROVEMENT OF HEALTH STAFF**

**421** -To enhance devotion to duty and elicit emulation among technical staff, Government focused on increasing the degree of satisfaction of staff. This objective was laden with difficulty on account of the quantitative and qualitative shortage of staff which is already being addressed by the Human Resources Emergency Plan. The major objective of this Plan was to get back, by end of 2008, to the staff level of 2001, that is, 16 802 personnel, while stabilising retirements.

**422** -Hence, in 2008, the following innovative measures were embarked upon:

- reduction of precarious employment situation: 755 temporary health workers were contracted by the public service;
- absorption of 600 HIPC staff recruited in 2004;
- inclusion in the state payroll of close to 2400 HIPC staff recruited in 2007 as well as 150 C2D personnel and a proposal to recruit 50 more for retroceded areas;

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<sup>178</sup> About 259,166 Euros.

- initiation of the file to recruit 3000<sup>179</sup> personnel through direct competitive examination into the Public Service;
- construction of service accommodations and wells;
- pre-financing by the Government of enrolment into the National Medical Association for the last batch of graduates from the Faculty of Medicine and Biomedical Sciences, University of Yaounde I; and
- ongoing studies to identify incentive measures such as settlement allowances, allowances for staff serving in difficult-to-access areas.

**422** -Furthermore, the technical capacity of health staff was built in the management and treatment of illnesses such as malaria, AIDS, tuberculosis, hypertension and diabetes. Similarly, thanks to the support of development partners, staff was trained in emergency obstetrics and neonatal care (SONEU) and integrated management of childhood illnesses (IMCI).

**423** -Apart from health staff, community workers had their capacity built especially in the fight against malaria and in the follow-up of HIV/AIDS treatment or community IMCI.

## **SECTION 4: RELATIONS WITH PARTNERS AND NEW STRATEGIES**

**424** -As concerns relations with partners, support evaluated at about CFA 3 billion was given to NGOs in the health sector within the framework of C2D-Health. Cameroon hosted the 58th Session of the WHO Regional Committee in September 2008 and the Minister of Public Health was designated the Chair of the said Committee.

**425** -With regard to new strategies, Government earmarked health insurance as a major priority of the health sector policy which could be useful in the improvement of financial access of the masses to healthcare. Hence, in 2008, Government launched 6 support studies for the implementation of health insurance in order to ensure nation-wide coverage. Brainstorming on a draft law to lay down the general framework for health coverage is ongoing, as well as a draft decree to set up a national health insurance development and promotion centre.

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<sup>179</sup> A direct competitive examination to be launched in January 2009 will, as a supplement for 2008, allow for the recruitment of 3,000 additional workers.

## SECTION 5: HEALTH SERVICE AND CARE

**426** -With a view to improving on services and healthcare, Government authorised 18 surveys to be carried out on typhoid, tuberculosis, bird and human flu, and resistance to anti-malaria drugs and ARV. It equally drew up and validated traditional medicine communication and research plans as well as a draft medicinal plants monograph for 5 priority illnesses (malaria, typhoid fever, hypertension, diabetes and diarrhoea).

**427** -Concerning offer of services and healthcare, 2008 was characterised by the intensification of efforts to fight against transmissible diseases, non-transmissible diseases, tropical diseases, mother healthcare, child healthcare and mental health. The following actions were taken:

- with regard to transmissible diseases, emphasis was laid on malaria, HIV/AIDS and tuberculosis;
- as regards non-transmissible diseases, focus was on the prevention and treatment of cancer, diabetes, blindness, cardiovascular and hypertensive diseases;
- pertaining to the fight against tropical diseases, emphasis was laid on the fight against lymphatic filariasis, onchocerciasis, African human trypanosomiasis, Buruli Ulcer, leprosy, schistosomiasis and worms;
- relating to mother healthcare, Government organised a refresher course on emergency obstetrical and neonatal care and the fight against maternal mortality;
- concerning child healthcare, routine vaccination allowed for the coverage of 82.49 per cent of children between 0 to 11 months against diphtheria, tetanus, whooping cough, viral hepatitis B (DTC Hep B) and poliomyelitis, 73.8 per cent of children were vaccinated against small pox and yellow fever; and
- on mental health, care for mental patients received increasing support in hospitals; four doctors are currently specialising in mental health and a mental health guide has been produced.

**428** -Apart from these priority programmes, Government carried out the following emergency actions:

- healthcare for Chadian refugees at Kousseri in the Far-North Region;
- healthcare for flood victims of Nkolbisson, Yaounde in April 2008;

- free treatment of victims of burns at the New Bell Prison, Douala; and
- free treatment for the accident victims at Limani Far-North Region as well as other road accident victims<sup>180</sup>.

## SECTION 6: HEALTH PROMOTION

**429**-Actions carried out for health promotion centred on nutrition, fight against smoking, hygiene and water purification.

**430**-Concerning nutrition, the implementation of a National Laboratory Drug Control System of Melamine Kits, led to the sampling of milk in the markets of Yaounde and Douala. As at now, no case of contamination has been reported.

**431**-The extent of smoking was established by a survey carried out in 2008 in 50 secondary schools. The survey revealed that 31.2 per cent of pupils had smoked before the age of 10 and 5.7 per cent of pupils smoke, 30 per cent of whom are girls.

**432**-This justifies why Government took the following measures:

- prohibition of adverts and sponsorship by tobacco firms; and
- obligatory health warnings on cigarette packaging since 1 July 2008.

**433**-In the domain of hygiene and water treatment, technical and financial support was granted to the Councils of Yaounde II, III, and IV for the implementation of a pilot programme on anti-vector control.

## SECTION 7: NGO ACTIVITIES

**434** - Some NGOs including African Action on Aids (AAA) and AFRIQUE FUTURE worked for the promotion of the right to health

### §1AAA

**534(bis)**-Under the guiding precept that knowledge is the first step to stopping the spread of HIV/AIDS, the NGO, African Action on AIDS (AAA), reinforced its “*just know*” campaign in 2008.

The “*just know*” campaign embraces the following five commitments that

<sup>180</sup> To reduce treatment costs of road accident victims, a multi-sector consultation is under way with insurance companies to draw up a rapid treatment mechanism of victims by insurance policies of vehicles at fault.

every individual can learn and apply:

- Just to know: Be well informed about HIV/AIDS;
- Get Tested Annually: If you do not know your status, you cannot act;
- If found HIV-Negative: Commit to remaining negative;
- If found HIV/Positive: Know that it is not a "death sentence" but a commitment to fight; and
- If found HIV-Positive: Make the commitment never to infect someone else, neither one's sexual partner nor the child in the womb.

**435-**The principal target group for the "just know" campaign 2008 were rural women of CVECA (Caisse villageoise d'épargne et de credit autogérée) organised in the AFAC (Associations des Femmes Adhérentes des CVECA). Rural men were involved as well in the training, but only at the level of one-third (1/3) of participants.

**436-** AFACs are organisations of women members of CVECA. Their goals are, first to secure better health and economic conditions for their families; second to create better hygienic conditions, access to good toilets, potable water and the habit of constantly washing hands with soap.

**437-**Based on these principles and realities, AAA obtained the following results in 2008:

- 14 villages with CVECA/AFAC or 4,200 persons (300 per CVECA) benefited from the content of the "just know" campaign. These villages, which are found in Nyong and Mfoumou Division are Abem, Ebola-kounou, Eboman, Edou, Kamba, Kane, Koum, Medjeme, Mengang, Ndibi, Ngalla, Nlobole, Zalom and Akonolinga;
- 14 Mini Health Plans were adopted, allowing AFAC members to measure their capacity to equip their communities with potable water, insecticide treated mosquito bed nets, dignified toilets and understanding of the reasons why it is important to adopt such healthy behaviours;
- 360 persons were tested for HIV;
- 360 insecticide treated mosquito bed nets were distributed, 70 per cent of which were given to young women between 11-23 years;
- 300 Potable Drinking Stations were distributed;

- 300 Hand-Washing Stations were distributed; and
- 23 scholarships were given to 23 girl orphans at secondary and university levels.

## **§2: AFRIQUE FUTURE**

**438** - In 2008, AFRIQUE FUTURE contributed in funding treatment worth CFA 45,000,000<sup>181</sup> to about 20,000 patients. It took care of insolvent patients to the tune of about CFA 5,000,000<sup>182</sup>. It equally continued with the:

- construction of the Douala-Boko Hospital worth CFA 20,000,000;
- extension of the Emana Village Hospital worth CFA 133,000,000;
- and
- construction of the Pan-Makak Dispensary worth CFA 2,000,000.

**439**-From the foregoing, it is evident that through the development and improvement of health infrastructure, quality and the number of health staff and health services, Government effort supported by input from some NGOs in this domain in 2008 was significant.

**440**-However, any effort made so far will need to be redoubled if the Health Sector Strategy which was developed in 2001 must be fully imple-

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<sup>181</sup> About 4,646,695 Euros.

<sup>182</sup> About 4,646,695 Euros.

# Chapter 4

## RIGHT TO ADEQUATE STANDARD OF LIVING



mented by the end of 2010.

**441** -Efforts towards the right to an adequate standard of living were marked in 2008 by continuing actions against price hikes, improved water and electric power supply and the management of issues related to the right to adequate housing.

## **SECTION 1: FIGHT AGAINST PRICE HIKES**

**442** -The measures taken by the Government in 2007 towards guaranteeing the right to adequate standard of living<sup>183</sup> have not yet produced the desired effect. Price hikes emerged as one of the immediate causes of the riots that rocked the country in February 2008<sup>184</sup>.

**443** -Implementation of the measures prescribed by the Head of State in March 2008 to curb this social unrest continued throughout the year by the Government with the participation of the civil society and the support of technical and financial partners.

### **§ 1 - GOVERNMENT MEASURES**

#### **A: Measures Prescribed by the Head of State**

**444** -After effectively taking measures to readjust the purchasing power of civil servants and State employees in April 2008 contained in the chapter devoted to the social unrest, the Prime Minister, Head of Government, after the opinion of the National Labour Advisory Board, at its 11th Session that held on 19 June 2008, signed Decree No. 2008/2115/PM of 24 June 2008 to fix the minimum wage at CFA 28,216. This instrument repealed the Decree of 17 February 1995 which had set the latter at CFA 23,514. The Minister of Labour and Social Security subsequently issued Order No. 21/MNTSS/DRP/SDCS of 30 June 2008 indicating that the minimum wage is a floor base salary plus any allowances and contractual bonuses to which is entitled the recruited unskilled worker.

**445** -In addition to these measures whose effects were immediate or short term, the Government put in place prevention programmes and policies

<sup>183</sup> See The 2007 Report to note the actions already undertaken by Government towards the realization of the right to adequate standard of living, pages 163-198.

<sup>184</sup> See section 1 on chapter on social unrest of February 2008.

the results of which are expected in the medium and long terms.

## **B: Programmes and Policies**

### **546-These programmes and policies are as follows:**

**447-1** – On 24 April 2008, the Prime Minister announced the setting up of a special stimulus and support fund for the financing of an emergency programme to increase agro-pastoral production. He prescribed urgent and permanent synergy between the various stakeholders in the agriculture sector for a substantial increase in the production of agricultural commodities.

**447-2**- The Ministry of Agriculture and Rural Development (MINADER) took measures towards the:

- implementation of the rural sector development strategy;
- speeding up of preparations for the Ebolowa agro-pastoral show;
- acceleration of the process of establishment of an agricultural bank;
- establishment of a fund to boost the statistical mechanism;
- setting up of an institution for the financing of the rural sector;
- mobilization of funds from IDA; and
- revival of some sectors with the support of partners, revitalization of cooperation with the World Bank, FAO and friendly countries, and the strengthening of HIPC funds.

**447-3**-The funding should allow for intense distribution of improved seeds, supply of fertilizers and pesticides, running of the peasant movement, strengthening the integration of youth and redeployment of retired people into agriculture.

**447-4**- In 2008, the Rural Sector Development Strategy Document geared MINADER's actions towards the following areas:

- sustainable production development by the distribution of 1,744,478 plantain suckers and the acquisition of two large-scale farm treatment apparatuses;
- sustainable natural resources management by preparing hundreds of hectares of land with boundary stones and the equipment of the national phytosanitary analysis laboratory at the sum of CFA

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<sup>185</sup> About 457,352 Euros.

300,000,000<sup>185</sup> ;

- funding of the agriculture sector by supporting operators in the coffee and cocoa sectors with the sum of CFA 2.3 billion, the distribution of 2,500 litres of pesticides, 31,000 kg of fertilizers, the treatment of 5,458 hectares of cocoa and coffee. Subventions to beneficiaries of some sectors went above CFA 7,00,000,000<sup>186</sup> ;
- development of agriculture vocational training and employment by putting in place renewed teaching and training system with C2D funds worth more than CFA 700,000,000; and
- food security risk management through the distribution of several tons of cereals to vulnerable populations in distress and the continuation of putting in place of a food security observatory.

**447-5** - The Ministry of Livestock, Fisheries and Animal Husbandry (MINEPIA) carried out the following actions:

**a- Structuring of Producers**

**This was done through:**

- The Swine Industry Development Programme (PDFP) under which the Ministry continued the setting up of 2,925 producer organizations grouped under 10 regional umbrella organizations including 31,693 farmers, trained 850 leaders of organizations and more than 2,000 farmers on modern management, production, farm operation techniques and disease control methods. It further provided grants to farmers, distributed genitors and cleaned up farms for a total of CFA 277,300,000, helped reduce the prevalence of swine erysipelas and swine fever from 12 per cent to 4 per cent in 2007 and 2 per cent in 2008 by the introduction of immunization against these diseases.

**447-6**-These actions led to the growth of the hog herds of producers assisted by MINEPIA officers from 112,221 in 2007 to 218,080 in 2008 representing a financial gain of about CFA 2.5 billion<sup>187</sup>.

- The Dairy Sector Development Programme (SDDP) for which continuation of the pilot phase saw the introduction of fodder fields, construction of watering points for cattle in the Adamawa and North West Regions, the construction of water systems for the irrigation of

<sup>186</sup> About 10,671,345 Euros.

<sup>187</sup> About 3,811,266 Euros.

fodder fields in the North West Region (Bamdzen), acquisition of heifers and breed improvement through artificial insemination of 205 cows in the Adamawa and 60 in the North West Regions, setting up and improvement of dairy products conservation and marketing structures in the Adamawa such as the market hall, selling milk at Libong, equipment for the Tadu mini dairy with a daily capacity of 1,000 litres in the North West Region.

**447-7-**The result of these actions is improved production for the producers who were assisted and whose production increased from 1 to 2 litres/day to 4 to 5 litres/day with a daily peak of about 1,000 to 1,500 litres/day in the Adamawa Region.

- The Non-conventional Breeding Development Support Programme (PAPENOC) ( which take care of hedgehog, giant frog, snail, ground squirrel, coturnix, Gambian rat ...) for which the population showed keen interest in 2008 enabled the extension of geographical coverage of the project over 6 regions with already many thousands of breeding stock identified, the training of 700 leaders of producer organizations and officials of 16 regional development organizations in charge of outreach guidance of local farmers and MINEPIA officials on the mastery of non-conventional livestock management, the provision of grants in cash and kind (sires, livestock and transport cages, food supplements and medicines) worth CFA 150 million<sup>188</sup> including CFA 10 million<sup>189</sup> to IRAD for the supply of efficient broodstock for distribution to producers.

**447-8-**These actions resulted in the increase of grass-cutter stock from 9,000 heads in 2007 to 10,401 heads in 2008 for rearing.

**447-9-**On the whole, in terms of livestock production, improving working conditions of field workers through the acquisition of 2 four-wheel vehicles and 72 off-road bikes allowed for production estimated at about 878,925 tons/meat equivalent.

**447-10-**To boost the livestock sector, MINEPIA received funding from the FAO to the tune of 169 000 U.S. dollars, or approximately CFA 70.5 million<sup>190</sup> for a period of 12 months within the framework of implementation of the project "Preparation of the Master Plan for Development of the Li-

<sup>188</sup> About 228,676 Euros.

<sup>189</sup> About 15,245 Euros.

<sup>190</sup> About 107,477 Euros.

vestock Sector” which was the subject of an agreement signed between the parties on 27 August 2008. The project aims at providing Government with a guidance and investment planning tool for livestock and animal husbandary development.

## **b Financial and Material Support for Producer Groups**

**447-11-** In 2008, MINEPIA provided direct support to 81 groups to the tune of CFA 90 million<sup>191</sup> for the financing of micro projects in rural and suburban areas. In collaboration with MINEPAT, the support extended to the poultry sector through IPAVIC to the tune of CFA 1,271<sup>192</sup> million including CFA 221 million of direct support, CFA 1 billion in the form of interest-free loans to hatchery operators and CFA 50 million for building the operational capacities of IPAVIC and the poultry sector. Other activities were undertaken in the fisheries and aquaculture sectors including:

- *countrywide missions for the evaluation of the potential of inland fisheries and aquaculture;*
- *support provided to 21 women and youth groups to finance micro-projects in the field of aquaculture for a total sum of CFA 35,000,000;*
- *launching of the construction of the Limbe Institute of Nautical Arts and Fishing Trades, with the support of the Spanish Government to the tune of CFA 9,682 000 000 for the training of fishermen and fishing boat mechanics;*
- *continuation and intensification of the monitoring and control of fishing zones by the acquisition of two motorboats for a total of CFA 150 million and motorized canoes in fibreglass for a total of CFA 20 million as well as surveillance and satellite communication equipment;*
- *introduction of biological recovery in some inland water areas, including Maga, and Mapp Mbakaou to promote regeneration and increase in biomass; and*
- *continued implementation of the HIPC projects: Artisanal Maritime Fisheries Development Support Project (ADPAM).*

**549-12-** It helped to:

- *organize and train about fifty groups of young fishermen in Bona-*

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<sup>191</sup> About 137,205 Euros.

<sup>192</sup> About 14, 760, 271 Euros.

matoumbè (Douala) and Debuncha (Limbe);

- provide micro credits to the tune of CFA 95 million for the purchase of outboard engines; and
- distribute fishing gear to trained young fishermen in the form of grants to the tune of CFA 47 million.

**447-13-** The 17 groups assisted in the three project areas (Ocean, Wouri and Fako Divisions) comprising 85 fishermen produced an average of 16 tons/quarter, representing an annual global production of 64 tons despite the existence of several constraints.

- Post-catch Loss Reduction Project (RPAC)

**447-14-** Through this project, MINEPIA completed the establishment of ice plants at Mbakaou, Lagdo and Mouanko for better preservation of fish and continued the capacity building of groups of fishermen in this area.

**447-15-** Equally funded by the Marine Fisheries Development Fund (CDPM), it acquired a sizeable batch of fishing equipment for Bakassi fishermen to the tune of CFA 70 million<sup>193</sup> and rehabilitated structures hosting its services in that area.

**447-16-** Within the framework of livestock health protection, MINEPIA's veterinary services:

- carried out vaccination against the most dreadful cattle diseases throughout the country with a coverage rate of 70 percent, a slight drop in contrast to 2007 because of breeders' instability due to insecurity threats;
- provided targeted vaccination campaigns against rabies, carried out as in the previous year in some regions (Centre, West, South, North) for sensitive species such as dogs, cats and monkeys;
- ensured sanitary awareness within the framework of the fight against bird flu which fortunately did not establish new foci in the country; and
- granted equipment and material support to national (LANAVET) and regional (Mvog-Betsi) laboratories whose scope of action was extended to cover other animal diseases.

**447-17-** The special mission for the eradication of glossines on its part conti-

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<sup>193</sup> About 106,715 Euros.

nued its activities and undertook to implement actions that precede the PanAfrican Campaign for the Eradication of the Tse-Tse fly as well as animal and human trypanosomiasis (PATTEC) in collaboration with the African Union.

**447-18-** In the domain of veterinary public health and concerning the protection of consumers, MINEPIA's competent services, in collaboration with local administrative authorities, councils and other ministries regularly controlled the quality of animal and halieutics based food at the port, land borders, slaughter houses, coolers and markets. This permitted the seizure and destruction of large quantities of damaged fish and poultry of doubtful quality fraudulently brought into the country.

**447-19-** In partnership with the University of Udine (Italy) and the Ministry of Higher Education, training sessions continued at the University of Yaounde I with a view to building the capacity of MINEPIA personnel on the control of animal-based food.

**447-20-** A large amount of laboratory equipment evaluated at CFA 170,000,000<sup>194</sup> was acquired to equip the Animal and Halieutic based Food Analysis Laboratory, Douala and regional laboratories.

**447-21-** Finally, at the general level, MINEPIA continued the improvement of the working conditions of its staff by launching the construction works of the Regional Delegation, South West and the equipment of the regional delegations of Adamawa and the North, the acquisition of rolling stock and powercrafts, capacity building (seminars, refresher courses and training abroad) as well as the popularization of the gender-based approach, prevention techniques and the fight against illnesses such as AIDS, STI and tuberculosis.

**447-22-** In order to ensure a permanent follow-up of the activities of these programmes and projects, several missions were carried throughout the country and the Minister of Livestock, Fisheries and Animal Husbandry personally paid working visits to the Centre, Adamawa, South, Littoral and South West Regions in 2008.

#### **4- Ministry of Trade**

The ministry of Trade was active in both domestic and foreign trade.

**447-23-** At the domestic level, it focused on the following promotional sales

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<sup>194</sup> About 259,166 Euros.

operations:

- establishment of model shops countrywide;
- mobile trailer shops for the sale of manufactured goods; and
- mobile trailer shops for sale of books and school supplies during the month of September, October and November 2008.

**447-24**-In international trade, actions taken were on several fronts.

**547-25**- The following actions were carried out relating to growth and diversification of exports:

- signing of two funding agreements with FODDEC: one for the revitalization of production and another for the reorganization of marketing; and
- signing of an agreement between the state and a Dutch NGO for the production of 10,000 tons of Arabica coffee (twice the annual production).

**547-26**-Prospecting for outlets for the marketing of new products:

- In mid November 2008, the tonnage of cocoa exported already reached the threshold of 20,000 tons with hitherto unprecedented record price levels;
- WTO, UNCTAD and the IDB were contacted to support the cotton sector; and
- Export of new products including: dried fruit, quail eggs, ginger, honey, green pepper has been explored.

**447-27**-Consumer protection:

- 4 sessions of the National Competitive Commission were held;
- 3 training seminars were organized in collaboration with UNCTAD and CEMAC for members of the Commission (Yaounde, Douala and Kribi); and
- Several contraband goods were impounded including 2.5 tons of frozen poultry and 2,000 rolls of paper.

## **5- The Ministry of Scientific Research and Innovation (MINRESI)**

MINRESI and institutions under its supervision carried out actions in this domain to improve on agricultural production.

549-28-Thus, at the IRAD Omniplex, Njombé:

3,565 Kg of maize seeds were produced and 1,465 distributed;  
30,170 fruit tree plants were produced and 12,170 distributed;  
111,000 cassava buds were produced and 111,000 distributed; and  
18,000 plantain suckers were produced and 15,000 distributed.

549-29-In the area of crop preservation Fusarium Oxysporum strains were renewed, nurseries rehabilitated and the 2nd aggressive test carried out. 605,923 seeds were stocked in 2008 and 354,474 sprouted seeds (187,866 tolerant and 166,608 normal) were supplied to clients including smallholders and agro-processing industries. 5,868 pre-sprouted seeds were transplanted in pre nurseries. 5,875 plants are available in nurseries and 752 tonnes of bunches of plantains were produced.

## **§ 2 -IMPACT OF MEASURES TAKEN TO COMBAT PRICE HIKES**

**448-**The initiatives taken by Government had a qualified impact because of various obstacles.

### **A-Qualified Impact**

**449-**Despite the entry into force of the presidential measures and the signature of Memoranda of Understanding between the Minister of Trade and traders, the decline in the prices of some manufactured goods and basic commodities did not follow immediately. It took several months for the consumer to feel a slight improvement compared to the price surge.

**450- Several obstacles impeded the implementation of some of the measures.**

### **B-Obstacles to Government Action**

**451-** Obstacles related to the malfunctioning of the domestic distribution channels and the effects of the global crisis.

### **1 - Malfunctioning of Domestic Distribution Channels**

**452-** The magnitude of the problem was characterized by widespread fraud. Many traders engaged in unwholesome practices, which ranged from the use of fake weights and measure instruments, illicit increase of food

prices and the creation of artificial scarcity by the constitution of speculative stocks.

**453-** To ensure compliance with approved prices, permanent mixed controls (workers of the Ministry of Trade/forces of law and order) were deployed in major markets. After several weeks of sensitization, the effort continued with the adoption of coercive measures with a view to eliciting compliance with the rules and regulations. On 16 April 2008, recalcitrant establishments were systematically sealed.

## **2 - Obstacles Related to the Global Crisis**

**454-** The rise in the prices of certain consumer goods related to world market prices and transportation had repercussions at the national level despite the measures taken by the Cameroonian government.

## **SECTION 2: RIGHT TO WATER AND ENERGY**

**455-** In 2008, Government undertook actions to improve drinking water and energy supply throughout the national territory.

### **§ 1 - IMPROVEMENT MEASURES**

**456-** Government continued the development of the National Action Plan for the Integrated Management of Water Resources (PANGIRE) whose overall objective is to contribute to the implementation of the integrated management of the country's water resources.

**457-** Beyond this plan, and in order to guarantee access to safe drinking water for the population, the State in 2008, completed the overhaul of the institutional management framework for this resource. It also carried out concrete actions with the support of development partners and civil society organizations.

### **A- Overhaul of the Institutional Framework**

**458-** The completion of the overhaul of the institutional framework was marked by the end of the SNEC privatization process which consisted in the effective entry into service of the leaseholder, the dissolution of SNEC with the appointment of a liquidator and the establishment of CAMWATER as the structure responsible for outstanding liabilities of SNEC and the preparation of the service regulations.

### **1 - Effective Entry into Service of the Leaseholder**

**459-** On 2 May 2008, a service protocol setting out the contending par-

ties' positions between the General Manager of CAMWATER and CDE marked the effective entry into service of the Leaseholder, the "*Camerounaise des Eaux*", a subsidiary of the "*Office Nationale de l'Eau Potable (ONEP)*" of Morocco.

**560-** This was followed by the transfer of the property of former SNEC to the tradable water service with the protection of the jobs and benefits of all staff.

## **2 - Dissolution of SNEC and Appointment of a Liquidator**

**461-** The entry into service of CDE marked the end of SNEC, established by the Extraordinary General Meeting (EGM) of 31 July 2008.

**462-** The EGM appointed a liquidator whose principal mission was to pay the liabilities from the assets.

## **3 - CAMWATER and SNEC Liabilities**

**463-** Apart from assuming the charge of the normal functioning of the concessionary company whose staff, estimated at 75 persons, was selected as a matter of priority from among the staff of the former SNEC, CAMWATER is responsible for assuming responsibility for all the current liabilities of the former SNEC, i.e. its debts, according to Article 5 of the decree setting up the latter.

## **4 - Drawing up of Service Regulations**

**464-** To take into account governance issues, the Government requested CDE and CAMWATER to institute service regulations, also known as subscribers' regulations, the purpose of which is to define the conditions and procedures governing drinking water supply to users.

**465-** This regulation defines the rights and obligations of users as well as that of the operating Leaseholder in terms of governance, tenure, continuity, regularity and fairness of public service. It contributes to defining the technical aspects of the service, the responsibility of the operator and the customer and deals with issues of subscriptions, renewal and termination of the contract as well as billing and payment.

## **B-Concrete Actions by Government**

**466-** In 2008, it was possible to distinguish the actions of MINEE from the actions realized by CDE and CAMWATER. Other actions were geared to-

wards the supply of water with the support of development partners and funding with specific emphasis on rural areas.

## **1 - Activities by MINEE**

### **a) Preservation of Water Quality**

**467**-Government by Orders No. 100/MINEE of 28 May 2008 and No. 196/MINEE of 23 July 2008 successively published a list of 51 and 92 inspectors and assistant inspectors representing a total of 143 sworn officers. This number raised the list of inspectors and assistant inspectors throughout the national territory to 317.

**468**-Following these appointments, the Ministry organized the swearing in of these inspectors before the competent courts in order to confer them with the status of law officers with special jurisdiction.

**469**-The sworn officers are charged inter alia with the monitoring and control of water quality in order to preserve the population from all forms of waterborne diseases, the ascertainment, establishment and prosecution of infringements of the law governing water supply and its instruments of implementation.

### **b) Connections and Extension**

**470** - MINEE's direct actions in the water sector focused on extensions in the city of Yaounde and some localities of the West and South West Regions, covering a budget of CFA 300,000,000. The following were carried out:

- In the West Region, extensions were carried out in Mbeng and Toumi in the Upper Plateaux and Tchouwang I in the MIFI Division;
- In the South West Region, extensions were carried out in Mamfe in Manyu Division; and
- In the Centre Region (Mfoundi and Mefou Afamba Divisions), extensions were carried out in Nkolmesseng-Domb, Mimboman, Mbog-Abang, Nkolodom, Awae, Biteng, Ekounou, Odza, Mfandena,

Ekoumdoum, Etoudi, and Nkongnen in the Mefou and Akono Division.

## **2) Distinct Actions of CAMWATER and CDE**

### **a) Achievements of CAMWATER**

**471-** Pursuant to its mission defined in Decree No. 2005/494 of 31 December 2005, CAMWATER focused its efforts during the year 2008 on the following actions:

- construction of a water supply system for the Toket neighbourhood in Bafoussam; and
- commencement of relocation of the drinking water system located along the limits of the Yaounde - Kribi road under construction.

### **b) Accomplishments of CDE**

**472-** The actions of the Camerounaise des Eaux focused on:

- improvement of product and service quality to customers;
- maintenance of the facilities in good working order;
- reinforcement of the rate of service supply; and
- improvement of the performance of facilities.

**473-** These efforts culminated on 31 December 2008 in the execution of 7,731 new connections throughout the national territory.

## **3 - Actions Carried out with the Support of Partners**

**474 -** The actions were carried out with funding from different sources.

### **a) Funding by the Chinese Cooperation Mission**

**475-** It started with the laying of the foundation stone by the Prime Minister, Head of Government, on 18 January 2008, with the support of Chinese cooperation, to commence the project for the reinforcement and improvement of drinking water in the city of Douala.

**476 -** Execution of this project resulted in a substantial increase in the supply of drinking water in the city of Douala consisting in the:

- construction of five wells with high-flow rates in Kotto, Deido, Bonaberi, Bassa and at the Military Engineering Base;
- construction of a water treatment plant with a capacity of 50 000 m<sup>3</sup>/day close to the Mungo river; and
- construction of a pumping station at Bonaberi.

## **b) Funding by the World Bank**

**477-** It consisted in the launching by the Minister for Energy and Water Resources on 18 December 2008 in Soa, of a programme for the ultimate execution of 50,000 connections in all the 107 towns of the country equipped with a drinking water supply system managed by CAMWATER. This programme is funded by a grant from the Global Partnership on Output Based Aid (GPOBA)

## **c) Funding by the French Cooperation**

**478-** With the assistance of the French Cooperation Mission, works to reinforce water supply in Yaounde, Bertoua, Edea and Ngaoundere were embarked upon and concerned the:

- rehabilitation of water treatment stations and transfer pipes in these towns;
- rehabilitation of the distribution network;
- reinforcement of the primary and secondary network;
- reinforcement of the Ngaoundere tertiary network; and
- execution of a programme of special connections and standpipes.

## **4 - Activities Carried out in Rural Areas**

**479-** To reinforce the provision of water supply in rural areas, various programmes with varied funding sources contributed to the construction of wells and water supply systems in all regions nationwide. The programmes recorded different achievement rates from one region to another because of the difficulties encountered in their implementation.

### **a) Programmes in Rural Areas**

**480-** To reinforce water supply in rural areas, the following Potable Water Supply (PWS) programmes were executed:

- 184 wells were constructed with the assistance of the Japanese Grant Aid programme, 60 wells and 13 PWS systems funded by the 2008 GDP; 98 wells and 13 PWS systems funded by the 2008 HIPC-Initiative budget; 1,050 hand-pump equipped wells with the assistance of PROVILLAGE; 120 hand-pump equipped wells in the MINADER programme; 1200 hand-pump equipped wells by the EAU C'EST LA VIE (WATER IS LIFE) project; 65 new water points and 40 to be rehabilitated by the IRCOD Programme in the Mbam and Inoubou Division;
- Development Missions carried out other PWS programmes in rural

areas such as: PARFAR in the North and Far North, MIDENO in the North West, Tikar Plain, PNDP and FEICOM; and

- 2 SCANWATER stations were rehabilitated and talks initiated with the Danish Cooperation for the rehabilitation of other stations throughout the country.

## **b) Difficulties and Constraints**

**481**- Delays observed in some projects were related to: quantitative and qualitative shortage of personnel, the ineffectiveness of some companies, inadequate equipment and poor state of the working tool of enterprises, inadequate material and financial resources and delays in the procurement process.

**482** - There was also a high concentration of achievements in some localities to the detriment of others which do not even have a modern water point. These locations have been programmed over several years in areas such as the Far North.

**483** -The absence of harmonization of certain programmes between Ministries also resulted in duplication in some localities.

**484** - Efforts put in by the authorities in the water sector also continued in the power sector.

## **§ 2 – ELECTRICITY**

**485**- Various initiatives and measures were undertaken in 2008 to improve the quality of service and raise the level of access of the population to electricity. The initiatives and measures focused primarily on investments in production, transport and distribution of electric current and on reducing costs to the consumer.

### **A-: Electricity Production**

**486** - Actions undertaken in the area of electricity production consisted in the rehabilitation of existing facilities and the implementation of new infrastructure construction projects.

#### **1) Rehabilitation of Existing Facilities**

**487**- Rehabilitation of the following structures were either launched or completed within the framework of the internal investment programme of AES-SONEL:

## **South and East Interconnected Network (RIS, RIE):**

- signature by the Minister for Energy and Water Resources, on 16 September 2008 at Edea, of the protocol for the commencement of rehabilitation and renovation of the Edea and Song Loulou Hydro-electric power plants;
- completion of works to reinforce the Bertoua thermal plant;
- rehabilitation of the Bafoussam power plant, resulting in an increase of 13 MW of power in the South interconnected network;
- rehabilitation of the second generator of the Bassa 2 power plant, resulting in a power increase of 4 MW in the southern interconnected network;
- repair of the engine block of the Logbaba 2 thermal plant with an installed capacity of 13MW;
- rehabilitation of generators in Nkondjock to restore the power available to 440kW;
- rehabilitation of two generators in Mape to restore the power available to 430kW;
- rehabilitation of two generators at Ekondo Titi to restore the power available to 430kW;
- installation of 2 new generators in Bertoua to increase the available power by 4 MW and the rehabilitation of existing generators; and
- continued maintenance work on the parks of other isolated plants.

## **North Interconnected Network (RIN)**

- rehabilitation of a 400kW generator and another 120kW generator at Kousseri to increase the power available from 1400kW to 1600kW;
- replacement of all generators in Poli with new ones to increase the available power from 150kW to 500kW;
- repairs of a 280kW generator at Tibati to increase the power available as much;
- replacement of two generators at Banyo with new ones to increase the available power from 600kW to 1460kW;
- replacement of all generators in Tignere with new ones to increase the available power from 100kW to 200kW; and
- repairs of generators in Ngaoundal to restore available power to 330kW.

590-The achievements were the outcome of partnership between the State of Cameroon, the AES Corporation and national and international financial institutions.

## 2) New Infrastructure

**488** -Many ongoing projects recorded specific progress rates in 2008 to wit:

- the Kribi Power Development Company (KPDC) Project that will produce electricity from the Yassa plant and the Kribi Gas Plant;
- the HYDRO-EST Project which will develop the Ngbazoumbé hydroelectric power station in the Eastern part of the country;
- the GLOBELEC Project carrying out the ongoing construction of the Memve'ele Hydroelectric Power Station;
- the engagement of Euroil in the construction of a Limbe thermal gas plant;
- the ALPHA TECHNOLOGY Project conducting the ongoing rehabilitation of abandoned micro plants in Malal, Yoke and Békili;
- the APICA Project that is currently building a micro hydroelectric plant at Mbongu (Ebié-Bokassa);
- the RENESOL Project carrying out activities for the development of the Prodia Project within the framework of rural electrification from local sources; and
- the Groupe Pierre Paul Project executing the energy development project from refuse in the cities of Douala and Yaounde.

592- Beyond the renovation, rehabilitation and construction of micro-structures, the State invested in major projects in order to contribute significantly to solving the problems of recurrent and prolonged interruptions of electric power supply in several localities in the country.

### **B: Transportation and Distribution of Electric Current**

**489**- The number of major projects aimed at expansion of the electricity transportation and distribution network in 2007 and 2008 stands at 322 and the most prominent are the:

#### **- Electrification Project of 26 Localities along the Cameroon-Nigeria Border**

**490**- The project, launched on 12 August 2008 at Idenau in the wake of the final handover of Bakassi on 14 August 2008, is funded to the tune of CFA 3.48 billion<sup>195</sup> by the Kingdom of Spain. Twenty six localities in the South West and North Regions shall be electrified.

#### **2- Electrification of 33 Localities in 4 Regions**

**491**- The programme concerned: 24 localities in the Centre Region, 5 villages in the North Region, 2 towns in the North West Region and 2 loca-

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<sup>195</sup> About 4,646,695 Euros.

lities in the South Region. The project which costs CFA 5.2 billion is funded by the Islamic Development Bank (IDB).

### 3- Erd-Rumpi Project

**492-** It was officially launched on 29 October 2008 by the Minister for Energy and Water Resources. Its cost stands at CFA 9 billion<sup>196</sup> and is jointly funded by the European Union and the Government of Cameroon. The project, implemented in the Rumpi area located in the triangle formed by the towns of Muyuka, Kumba and Ekondo Titi, will cover approximately 352,214 inhabitants in 138 localities of which only 23 were so far electrified.

### 4- Continuation of Rural Electrification

**493** -The instruments to set up and those relating to the organization and functioning of the Rural Electrification Fund (FER) were validated on 11 September 2008 by the interministerial commission.

**494** -The instruments to set up and those relating to the organization and functioning of the Rural Electrification Fund (FER) were validated on 11 September 2008 by the interministerial commission.

**495-** The Table below indicates the realizations achieved.

## STATE OF REALIZATIONS AND LEVEL OF EXECUTION OF RURAL ELECTRIFICATION IN 2008

### PIB FUNDING

REGION AND AMOUNT	NUMBER OF LOCALITIES	LOCALITIES WITH COMPLETED WORKS	LOCALITIES WITH ONGOING WORKS	REMARKS
ADAMAWA 105, 000,000	3	3	0	Physical realization rate 100%
CENTRE 332, 000,000	14	14	0	Rate of physical realization 100%
EAST 115, 000,000	5	2	3	Physical realization rate 40%
FAR-NORTH 168, 000,000	4	4	0	Physical realization rate 100%
LITTORAL 166 000 000	5	2	3	Physical realization rate 40%
NORTH 87, 000,000	3	2	1	Physical realization rate 66.66%
NORTH-WEST 156, 000,000	5	5	0	Physical realization rate 100%
WEST 287, 000,000	13	13	0	Physical realization rate 100%
SOUTH 270, 000,000	8	6	2	Physical realization rate 75%
SOUTH WEST 185, 000,000	7	7	0	Physical realization rate 100%
<b>AVERAGE PHYSICAL REALISATIONS:</b>				<b>85%</b>

<sup>196</sup> About 4,646,695 Euros.

<sup>197</sup> About 13, 720, 557 Euros.

**NB :** Of the 68 localities to be electrified, works have been completed in 58 localities representing a realization rate of 85 per cent.

## HIPC FUNDING : CFA 3, 065, 000,000

REGION AND AMOUNT	NUMBER OF LOCALITIES	LOCALITIES WITH COMPLETED WORKS	LOCALITIES WITH ONGOING WORKS	REMARKS
ADAMAWA 200, 000,000	3	0	0	Final Report forwarded to CSPM
CENTRE 680, 000,000	21	0	0	Final Report forwarded to CSPM
EAST 325,000,000	8	0	0	Final Report forwarded to CSPM
FAR-NORTH 380, 000,000	7	0	0	Final Report forwarded to CSPM
LITTORAL 265, 000,000	8	0	0	Final Report forwarded to CSPM
- NORTH 160, 000,000	4	0	0	Final Report forwarded to CSPM
- NORTH WEST 220 000 000	5	0	0	Final Report forwarded to CSPM
WEST 220 000 000	11	0	0	Final Report forwarded to CSPM
SOUTH 330, 000,000	11	0	0	Final Report forwarded to CSPM
SOUTH WEST 195 000,000	7	4	3	Final Report forwarded to CSPM

**496** The management of HIPC electrification projects credits is centralized

## FUNDING : MDRI CFA 500, 000,000

REGION AND AMOUNT	NUMBER OF LOCALITIES	LOCALITIES WITH COMPLETED WORKS	LOCALITIES WITH ONGOING WORKS	REMARKS
ADAMAWA 92 000 000	2	0	0	Analysis of pending tenders
CENTRE 310,000,000	11	0	0	Analysis of pending tenders
EAST 93 000 000	3	0	0	Analysis of pending tenders
FAR NORTH 151, 000,000	4	0	0	Analysis of pending tenders
LITTORAL 106 000 000	2	0	0	Analysis of pending tenders
NORTH 62, 000,000	1	0	0	Analysis of pending tenders
NORTH WEST 135, 000,000	5	0	0	Analysis of pending tenders

WEST 172, 000,000	9	0	0	Analysis of pending tenders
SOUTH 249, 000,000	6	0	0	Analysis of pending tenders
SOUTH-WEST 130.000,000	4	0	0	Analysis of pending tenders

**497-** Out of 68 localities to be electrified, work has been completed in 58 giving a rate of 85 per cent.

**498** -The final report of the tender analysis of HIPC electrification projects has been forwarded to CSPM.

## **FUNDS BELONGING TO THE RURAL ELECTRIFICATION BOARD (AER) (Projects fully realized in 2008)**

PROVINCE	LOCALITY	NATURE OF PROJECT	DIVISION	SUBDIVISION
CENTRE	Nkoltomo par Ebougsi	Extension MT/BT	L_ki_	Okola
	MOM II	Extension MT/BT	Nyong et Kell_	Makak
NORTH-WEST	Mantoum	Extension MT/BT	Mezam	Bali
	Kishiy	Extension MT/BT	Bui	Kumbo
	Enyoh	Extension MT/BT	Momo	Batibo

## **5- Improvement of Service Quality and Governance in the Electricity Sector**

**499** - In 2008, ARSEL received and treated about 57 petitions from consumers of all categories. The complaints were related to overpricing, illegal electricity cuts, electrical energy fraud, delay in meter installation, non reimbursement of guarantee at the end of the contract, repairs for damages caused on equipment due to voltage fluctuation. 41 of these petitions were successful.

**500** -As regards the relationship between the electricity statutory undertaker and consumers, an AES-SONEL public service distribution regulation was drawn up and submitted for the approval of the Minister of Energy and Water Resources. This is the most important activity for the future management of the AES-SONEL Leaseholder. This document was prepared with all the social partners of the sector (consumer associations, public services and organizations as well as concerned individuals). This instrument handles aspects like the non respect of connection time limits and billing errors. It equally spells out the rights and obligations of both the consumer and the leaseholder as well as offences and sanctions.

**501**-To ensure the daily follow-up of service quality, the Minister of Energy and Water Resources has put in place supervisory committees at the Inspectorate General with regional branches in each regional delegation.

**502**-The duty of these committees is to receive information and constitute a database of all events, incidences and acts which occur on the network and that can influence service quality. Furthermore, they receive complaints and suggestions from users on electricity service quality supply in their localities. This will help in directing them or providing solutions to their problems.

**503** -A toll free number has been provided at the central services (80002323) to enable this committee go to work and for users to call free of charge in order to report faults or other incidents that occur on the network for more rapid and appropriate intervention.

**504** -The ministries website ([www.Minee.cm](http://www.Minee.cm)) is equally available and users may obtain or request information from the central services. Similarly, ARSEL has reduced the cost of electricity<sup>198</sup> by the adjustment of social rate brackets and the reduction of demand charge.

## **1 – Adjustment of Social Rate Brackets**

**505**-The Electricity Sector Regulatory Board (ARSEL) extended the rate of CFA 50 to all social rate brackets between 0 and 110 kWh. Initially, this bracket only concerned users consuming up to 50 kWh. More specifically, those households that consume more than 50KWh and who were paying CFA 75 per unit saw their bills reduced by CFA 25 per unit. A numerical simulation showed that, under new conditions, a household whose consumption amounted to 110 kWh and which paid CFA 75 per unit, for a bill of CFA 8,250, now had its overall bill reduced by CFA 2,750 down to CFA 5,500. This measure, which affected approximately 62 per cent of AES/SONEL users, concerned more than 320,000 subscribers out of the existing 520,000.

## **2 - Reduction of Demand Charge**

**506**-The demand charge is a charge that was set at CFA 3,500 per kW of power for medium voltage consumers, instead of a rate fluctuating between CFA 2,500 previously and CFA 4,200. This provision penalized heavy power-consuming enterprises in favour of small units. The new provision has some advantages. Under the old system, industries that consumed between 0 and 200 hours per month, but which represented only 12 per cent of consumption in this category, paid a demand charge of CFA 2 500 per KW, while those consuming over 200 hours, representing 88 per cent of average power consumption, paid a demand charge of CFA 4,200 per KW. For this category, the demand charge fell by CFA 700 per KW, representing an average increase of 16.66 per cent. To all these advantages were added other measures, including increase in the number of consumption units for all users, both low voltage and medium voltage alike.

**507**- Efforts by Government to provide drinking water and electricity cannot be properly appreciated in the absence of decent housing.

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<sup>198</sup>CT No. of 19 March 2008.

## SECTION 3: RIGHT TO DECENT HOUSING

**508** - In 2008, the State continued the various actions undertaken towards improving housing. The right to decent housing was also marked during the reference period by the problem of demolitions, evictions and expulsions carried out both within the context of the fight against illegal occupation of State property and State land and within the framework of urban restructuring and renovation.

### § 1 - IMPROVEMENT OF HOUSING

**509** - Actions by the State in this field were geared towards raising awareness for self-help housing and support for property development.

#### A-Awareness towards Self-help Housing

**510** - With regard to self-help housing, MINDUH and the French Cooperation mission held on 27 and 28 November 2008 in Yaounde a "National Workshop on Housing Cooperatives" that brought together 90 representatives of civil society organizations from the 10 regions of the country. The seminar aimed to raise awareness and encourage civil society to organize themselves into cooperatives and mutual assistance organizations for self-help housing.

#### B- Housing Development

**511** - Housing development is either public or private. It is the case of an organization that builds houses to sell to customers.

#### 1 – Construction of Public Housing

**512** - The State initiated a project to build 1,000 public houses and the layout of 5,000 plots in Yaounde and Douala, with the assistance of the Cameroon Housing Corporation (SIC) and MAETUR.

**513** - In addition, in a bid to house civil servants, it increased its housing stock through the construction of ministerial villas in Yaounde and the rehabilitation of administrative properties in regional headquarters. This operation made it possible to allocate 200 accommodations to public servants.

**514** - In continuation of this action, development work for residential plots with a total surface area of about 400 ha were undertaken in the Okola, Mbalmayo, Mengang, Ngambi-Tikar, Kom Yambetta, Deuk, Kiki and Bafang councils.

## 2 - Support for Private Property Development

**515-** Support for private real estate development focused on the following projects:

- The Nkongoa Project near Yaounde<sup>199</sup> ; this project concerns 1,200 homes to be built by a private organization called Authentic Developers Corporation (ADC) in partnership with the Association of Young Businessmen of Cameroon (ASOJHAC);
- The Nkombassi Project near Yaounde. This is a project for 1,700 homes. Studies are in progress;
- The proposed construction of 1,500 homes financed by the People's Republic of China in Yaounde (650 homes), Douala (650 homes) Bamenda (50 homes), Bafoussam (50 homes), Limbe (50 homes) and Sangmelima (50 homes);  
China has forwarded the architectural studies to Cameroon for remarks; and
- The proposed construction of 900 social housing units in Leboudi in the Centre Region and the proposed construction of 1800 homes in Yaounde.

**516-** All these actions will ultimately increase the provision of housing and spare the population from the risk of being evicted or expelled for haphazard settlements.

### § 2 - ILLEGAL OCCUPATION OF STATE HOUSES AND STATE LAND

**517** -The right to housing was marked by the fight against the illegal occupation of state houses, and the illegal occupation of the public or private property of the state and public bodies.

#### A- Illegal Occupation of State Houses

**518** - Access to administrative housing is reserved for a class of officials defined by Decree No. 91/325 of 9 July 1991 to lay down the conditions for the allocation of administrative housing. Other public officials are paid a compensation for not being housed.

**519** - Deviations observed in the management of administrative housing

<sup>199</sup> The Minister of Urban Development and Housing laid the foundation stone of this project on 4 February 2009.

led in 2008 to the expulsion of hundreds of illegal occupants after ascertainment of illegal occupation followed by formal eviction notices to no effect.

**520** - This operation targeted:

- retired public servants or those who had lost the position that entitled them to housing;
- individuals or corporations that had entered into sub-lease contracts with beneficiaries of administrative housing; and
- individuals or corporations occupying administrative houses without any deed of allocation issued by the Minister of State Property and Land Tenure which has jurisdiction over the matter.

**521** -The accommodations were vacated and assigned to those entitled thereto and whose files were pending.

**522**-Apart from the fight against the illegal occupation of administrative housing, emphasis was also laid on the illegal occupation of the public or private property of the state and public bodies.

## **B-Illegal Occupation of State Lands**

**523** -Within the framework of the fight against the illegal occupation of the public or private property of the State and public bodies, eviction operations undertaken in 2008 particularly focused on the eviction of illegal occupants of State land in Mballa II and Etoudi neighbourhoods in Yaounde and eviction from the illegally occupied land belonging to Industrial Zones Development and Management Authority (MAGZI).

**524** - During the operations, the problem of managing the legal security of tenure was raised by some victims who brandished land titles issued by state employees. This made it possible to sometimes consider solutions at variance with the law.

**525** - In order to manage the insecurity of tenure caused by some of its employees, the State carried out both preventive and awareness actions alongside sanctions against employees at fault and corrective measures in favour of victims.

## 1) Preventive and Awareness Actions

**526** - The Ministry of State Property and Land Tenure undertook to educate users and the general public through various publications including the "100 Questions for Users" and the monthly journal "Domaines info" with a circulation of 30,000 and 12,000 copies respectively.

**527** - Popularization of the Ordinance governing land tenure and State lands was also carried out through the Website [www.mindaf.gov.com](http://www.mindaf.gov.com) and a weekly radio slot broadcast on CRTV.

**528** - In addition, conferences of officials of central and decentralized services of this ministry were organized to discuss various issues and remind them of their obligations under pain of sanctions.

## 2) Sanctions against Employees at Fault

**529**- Following missions by the Inspectorate General and Anti-Corruption Unit of the Ministry of State Property and Land Tenure, three officials were relieved of their duties and charged to court while ten officers were suspended for acts of complicity in the transactions favouring infringement on State land and property.

**530** - The magnitude of the social consequences of such acts caused the State to, in some cases, take corrective action in favour of victims.

## 3) Corrective Measures in Favour of Victims

**531** -The most significant measure was the allocation in regularization of about 2,000 state plots to low-income persons who illegally occupied some outbuildings in the private property of the State in the New Bell, Nguangue, Nkomondo, Nkololoun and Camp Yabassi neighbourhoods in Douala and in Soa, a locality near Yaounde.

**532** -Consideration for the social dimension also characterized legislation on urban restructuring and renovation operations in 2008.

## § 3 - URBAN RESTRUCTURING AND RENOVATION AND THE RIGHT TO HOUSING

**533** - According to the national profile of Cameroon produced in 2007 by UN Habitat, land tenure security of space occupation and compliance with town planning regulations are not well established in Cameroon. Thus, 67 per cent of the populations live in slums and 80 per cent of land transactions occur on an informal basis.

**534** - It is therefore clear that any urban renovation or restructuring is likely to affect a significant proportion of the population. This theory was confirmed during the year 2008 which was marked by continuation of urban land development operations in cities like Yaounde. The City Council, Yaounde conducted demolitions at the Tsinga Camp Sic, Briqueterie and Ntaba neighbourhoods.

**535** - There were several bitter demonstrations regarding the conduct of the operations from some victims and civil society organizations. Those concerning the Ntaba neighbourhood were taken up by the United Nations Special Rapporteur on Adequate Housing who made an Urgent Appeal to Cameroon on this issue. These complaints were related to the human rights of the victims, particularly as regards attendant measures.

**536** - Given the seriousness of the social consequences of the actions and the situation discussed above, the normative framework, through Decree No. 2008/0738/PM of 23 April 2008 on the organization of land management procedures and conditions was reviewed in order to guarantee a slight relaxation of the rigours of previous legislation.

**537** - Its provisions aim at taking better account of human rights and thus incorporate some aspects of the IPESCR, general comments No. 4 and 7 of the Committee on Economic, Social and Cultural Rights as well as the Basic Principles and Guidelines on Development-based Evictions and Displacement defined by the Special Rapporteur on adequate housing.

**538** - The objective is to ensure that no one is rendered homeless as a result of land development operations. It is in this light that the preparation and implementation of those operations are oriented.

## A- Individual Rights

**539-** The above-mentioned decree regulates the preparation of urban renovation and restructuring operations by providing a framework for the latter that can be initiated by the State, a council or group of councils or an urban land tenure initiative group. In any case, an order by the Minister of Urban Development and Housing shall formalize the project whose purpose should be specified.

**540-** The purpose of the operation must have a common interest goal, pursuant to the provisions of Section 54 of Law No. 2004/3 of 21 April 2004 governing urban planning in Cameroon which specifies the objectives of urban renovation and restructuring.

**541-** The focus, on the one hand, is to improve the living conditions and security of the population relating to the land situation, the state of buildings, access to housing, parks, environment, roads and utilities and, on the other hand, to enhance the functionality of the space considered with regard to economic life, collective social and cultural facilities.

**542-** The impact of the operations must first be evaluated on the basis of a plan preceded by a feasibility study and a public interest statement.

**543-** The plan must include among others the analysis of existing needs emphasizing on the land plots and socio-economic survey. The data relating thereto should make it possible to accurately envisage the impact on the population and the relevant attendant measures.

**544-** Finally, the decree referred to above establishes the obligation to consult and inform the population of the different scenarios even though the practical implementation of the requirement is still to be defined.

## B- Human Rights Consideration

**545-** The new regulations require that urban renewal and restructuring operations should be followed by attendant measures.

**546-** This relates essentially to resettlement and compensation. The Decree of 2008 extends the scope of these measures to benefit even non bearers of land titles. Indeed, Article 6 states that the project should specify the procedures for recognition and compensation for owners with or without land titles.

**547** -This is an innovative approach in that security of tenure was previously guaranteed only to persons bearing land titles. The persons that did not have any land title, in case of expulsion or eviction, even had to bear the costs of the operation.

**548** -It follows from the foregoing that price hikes and access to housing were major concerns of the population for which Government tried to provide solutions in 2008.



# Chapter 5

## RIGHT TO WORK AND SOCIAL SECURITY



**549** -In 2008, despite the difficult international context characterized by the financial crisis whose effects started to be felt by the country's economy, the State and its social partners continued with actions on the promotion of the right to work and social security started in the previous years.

## **SECTION 1: PROMOTION OF THE RIGHT TO WORK**

**550** -Promotion actions of the right to work focused on employment promotion and the improvement of working conditions.

### **§1: EMPLOYMENT PROMOTION**

**551** - Apart from continuing with the implementation of strategic instruments for the control of employment policies, employment promotion was permanently guaranteed by structures under the supervision of the Ministry of Employment and Vocational Training. Recruitment into the public service equally resumed.

#### **A- Control Instruments**

**552** - The situation of employment in Cameroon is marked by high unemployment rate and under employment. Employment insecurity has been compounded during the last two decades. This is because most of the unemployed are unqualified and lack professional experience. In this context, most active persons, that is, about 90 per cent of the working population, are involved in the informal sector where productivity of unskilled labour and remuneration are low thereby rendering households poorer.

**553** - To considerably reduce unemployment and employment insecurity, MINEFOP continued its crusade in 2008 that was launched in 2007 against youth unemployment.

**554** -Thus, within the framework of the promotion of decent employment, MINEFOP completed the second phase of the drawing up of the National Employment Policy as well as the draft declaration promotion strategy of the "high intensity unskilled labour approaches" (HIMO) in projects and investment programmes in Cameroon.

**555** - In order to better understand the unemployment market and with a view to adapting vocational training to real employment needs, several activities were realized by the National Employment and Vocational Training Observatory (ONEFOP). These include the commencement of the drawing up of the employment-competence and training directories.

**556** - Similarly, during the 2008 financial year, ONEFOP drew up and forwarded to the Technical Follow-up /HIPC Unit, the progress report of its operation phase and the collection of employment and vocational training data from its partners and focal points.

**557** - As regards the enhancement of unskilled labour placement, the national vocational insertion strategy that will serve in this domain as reference document was being drawn up in 2008.

**558**- In the implementation of the recommendations of the seminar of October 2007 on the evaluation and control of private placement firms and temporary employment enterprises in April 2008, the Centre, Littoral, South and South West Provinces were visited for an evaluation of the implementation of the instruments in force by these enterprises and to collect data on unskilled labour provided and the placement of job seekers. These visits allowed for the identification of a number of bad practices and dysfunctions that plague the different domains. Most of these operators received warnings. Based on these findings, MINEFOP requested and obtained from hierarchy authorization to review the legal and institutional framework governing temporary employment enterprises for its adaptation to changes in the labour market. The objective aimed at is to avoid the exploitation of workers.

**559** - In the same vein, data collection from private placement enterprises and institutions in order to update and computerize the card-index of foreign workers and job seekers revealed that 1,091 expatriates regularly work in 104 big companies in Douala, 12,814 workers were placed or put at the disposal of user enterprises and more than 5,000 jobseekers registered in their card-index are yet to receive offers.

**560** - MINEFOP equally participated in different operational project structuring units to give priority to the insertion of nationals in major job sites such as: the extension of ALUCAM, construction of the Memvele dam, exploitation of the Mbalam iron deposit, uranium exploitation at Kitongo near Poli and iron exploitation at Lolodorf near Kribi. The officials of these projects have been contacted.

**561** - Besides, MINEFOP employment services carried out a series of internal activities relating to labour placement especially the approval of 27 short-term employment enterprises and 7 private placement firms thereby

raising the number of enterprises and firms pending approval to 96 and 7 respectively. The latter placed about 2,500 job seekers in 2008. Mention can also be made of the intermediation with enterprises which resulted in the signing of 617 letters of recommendation on behalf of job seekers that led to the recruitment of about thirty persons and the endorsement of 808 expatriate labour contracts out of 908 thereby making 100 positions available for nationals. The external services equally placed about 837 job seekers throughout the national territory which is below the required needs.

## **B- Contribution of Supervisory Structures and Projects to Employment Development**

**562-** The network Jobs in Africa (JIA) continued with its objectives to place employment at the centre of the Nation's economic and social development process. Besides advocating for employment promotion by decision-makers and business persons, it launched brainstorming relating on the one hand to the institution of a National Employment Day and on the other hand on its transformation into an institutionalized and decentralized regional structure.

**563** -Similarly, although its pilot phase ended in 2007, the Integrated Support Project for Actors of the Informal Sector (PIASSI) in 2008 carried out its traditional activities on the promotion of self and decent employment in the informal sector. During the same year, PIASSI launched its transitory transformation phase into a Support Fund for Actors of the Informal Sector and received HIPC funding worth CFA 1.5 billion<sup>200</sup>. The holding on 29 May 2008 of a session of its steering committee allowed for the validation of its activities and its 2007 financial report. At the technical level, it continued its information and awareness campaign of informal sector actors. It collected more than 8,000 loan applications files in the 10 provinces.

**564** -Furthermore, beneficiaries of micro-credits that had matured started reimbursing them. In November 2008, CFA 127,692,831 was recovered, that is a rate of 11.5 percent. PIASSI equally enabled 2,490 micro-project promoters to receive training in management techniques within the framework of seminars organized in each province. In 2008, these income generating promoters received financial support worth CFA 1,312,000,00 with each province entitled to CFA 131,200,000. The support generated 9,960 direct and indirect jobs.

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<sup>200</sup> About 2,286,759 euros

**564** - Besides MINEFOP started the implementation of the National Employment Fund's extension programme by searching for premises to house this institution in the regions especially in Ngaoundere, Garoua, Bamenda, Buea and subdivisions in Yaounde and Douala. This marked the beginning of a process to bring the NEF closer to job seekers.

**566** -NEF carried out several actions within the framework of intermediation, socio-professional insertion and the implementation of its employment and support training programmes. These include among others the:

- holding on 4 January 2008 in Yaounde of the 8th Extraordinary Session of its Board of Administrators devoted to the adoption of its new organization chart and to the redeployment of staff;
- organization during the 2008 National Youth Day, by all its branches, of the Youth Employment Week allowed for about 22,000 youths to be welcomed, counselled and sensitized; and
- sensitization on rewarding domains and intense international co-operation with public employment services within the framework of international associations.

**567** -Pertaining to its traditional activities, NEF received 17,950 job seekers, prospected 19,700 enterprises, placed 16,981 persons in paid employment and 6,563 others in self-employment. It also permitted 7,630 youths to be trained. More so, within the framework of its projects, NEF funded 4,192 microprojects. In all, 23,544 persons were employed in 2008.

## **C- Boosting Public Employment**

**568** -Generally, as regards public employment, MINEFOB participated in the signing of the contracts of 5,525 part-time Grade I Teachers and 9,259 temporary staff. In addition, 908 labour contracts were signed for contract workers.

**569** -Moreover, with regard to MINEFOP in particular, Government, in order to meet the high demand for trainers, instructed the public service to initially sign the contracts of 219 Part-time Teachers of Technical Education (IVETS) in service at SAR/SM and Public Centres for Intensive Vocational Training.

## **§2: IMPROVEMENT OF WORKING CONDITIONS: HEALTH AND SECURITY AT WORK**

**570** -Apart from measures to review the salaries of public sector workers and of the minimum guaranteed interoccupational wage (SMIG) stated above<sup>201</sup>, improvement of working conditions also focused on health and safety at work through health and safety committees and occupational medicine.

**571** -To effectively start the functioning of health and safety committees, about fifty committees were installed and revamped throughout the national territory.

**572**-As regards occupational medicine, workers' health can be catered for by a medical service opened within the enterprise. An occupational medicine specialist from without the enterprise may equally provide services based on a visit and care agreement. However, the State controls practice of occupational medicine by issuing authorizations and ensuring follow-up of professionals in this domain. Thus, in 2008, four (4) and two (2) industrial medical officers and nurses respectively as well as two (2) industrial medical services were approved and twenty six (26) visits and care agreements signed. In addition, studies have been launched for the putting in place of an industrial accidents and occupational diseases observatory. More so, the HIV/AIDS programme in companies was instituted in a dozen companies. To this end, employers undertook to take full care of employees living with HIV/AIDS. They also promised to respect the principle of non discrimination as regards both the serology status of workers at employment and at dismissal.

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<sup>201</sup> See chapter on social unrest of February 2008.

## SECTION 2: GUARANTEE OF FREEDOM OF TRADE-UNIONISM AND SOCIAL SECURITY

### §1 GUARANTEE OF EFFECTIVE TRADE-UNIONISM

**573** - Freedom of trade-unionism was expressed in 2008 by the setting up of new trade unions and intensive activity by these organizations.

#### A New Trade Unions

**574** - The trade union registry registered twenty three (23) professional workers trade unions in 2008 as shown in the Table below:

No	PROVINCE	NAME	TYPE OF ACTIVITY	PRESIDENT	REGISTRATION No.	REGISTRATION DATE	ADDRESS AND DOMICILE
1		Syndicat national des Entreprises du Travail Temporaire et Office de placement au Cameroun (SYNETTOPCAM)	Service	EYAB Jean-Marie	E4/161	28/04/08	BP : 11508 Douala Tel 33 02 89 01

No	PROVINCE	NAME	TYPE OF ACTIVITY	PRESIDENT	REGISTRATION No.	REGISTRATION DATE	ADDRESS AND DOMICILE
2	<b>LITTORAL</b>	Syndicat Autonome des Travailleurs des industries Alimentaires du Wouri (SATIAW)	Industrie de Transformation	KUOH KUOH Christian	SID/67	28/05/08	BP : 6822 Douala
3		Syndicat National des Travailleurs de Commerce et Services du Cameroun (SYNATCOS)	Commerce	Abraham BABOULE	SN/I/67	28/05/08	BP : 890 Douala
4		Syndicat National de Traitement, d'Hygiène, d'Assainissement et de revendeurs du matériel phytosanitaire (SYNSTHAR PHYTO)	Travaux publics	Simon Jules MOMASO	E4/163	28/05/08	BP : 7084 Douala
5		Syndicat National des Contrôleurs Aériens du Cameroun (SYNCAC)	Transport Aérien	TCHANDA DJOUONANG Serge	SN/68	02/07/08	BP : 4063 Douala
6		Syndicat professionnel des Conducteurs de Trains du Cameroun (SPCTC)	Transport ferroviaire	PIPER MBA Alain Klaus	SN/I/70	04/08/08	BP : 10003 Douala
7		Syndicat Général des Transporteurs Camerounais (SGTC)	Transport Routier	Hamadou DJIKA	E4/166	04/08/08	BP : 17143 Douala
8		Union des Syndicats Autonomes du Wouri (USAW)	Transformation	NDI Jean Marie	UD/02	04/08/08	BP : 5745 Douala

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No	PROVINCE	NAME	TYPE OF ACTIVITY	PRESIDENT	REGISTRATION No.	REGISTRATION DATE	ADDRESS AND DOMICILE
9		Fédération Nationale des Syndicats des Travailleurs de la Filière Banane du Cameroun (FENASYTR AVBACAM)	Agriculture	NGOME EBOULE Oscar	FED/10	05/08/08	BP 05 Njombé
10		Syndicat National du Groupement de Transporteur par Car du Cameroun (SYNGROTRACAM)	Transport	MOUSSA	SN/I/74	28/10/08	BP : 11150 Douala
11		Syndicat National des Personnels d'Appui des Universités du Cameroun (SYNNAAPAU)	Enseignement	BILONG Michel	SN/I/76	21/11/08	BP : 337 Yaoundé
12		Syndicat National des Agriculteurs du Cameroun (SNAC)	Agriculture	MVONDO Thomas Bertin	SN/I/75	21/11/08	BP : 6713 Yaoundé
13		Syndicat Autonome des travailleurs des Industries Alimentaires du Mfoundi (SATIAM)	Industrie de transformation	NGOME ESSAMBA	SID/76	17/12/08	BP : 12587 Yaoundé

14	<b>NORTH</b>	Syndicat Départemental des Travailleurs de l'Agriculture de la B_nou_ (SYNDTACB)	Agricultur e	HIPPEAU BAYAM Fadimatou	SID/70	04/08/08	BP : 302 Garoua
15		Syndicat Départemental des Conducteurs des Mototaxis de la B_nou_ (SDCMTACB)	Transport Urbain	HAMET	SID/71	04/08/08	BP : 802 Garoua
16		Syndicat Départemental des Conducteurs des travailleurs de l'Agro Alimentaire	Industrie de transforma - tion	TSAFACK C. Georges	SID/73	04/08/08	BP : 302 Garoua
17		Syndicat Départemental des Travailleurs de l'agriculture du Mayo Rey (SDTAMR)	Agricultur e	ABDOULA YE Yaya	SID/72	04/08/08	BP : 30 Garoua
18	<b>NORTH WEST</b>	Tadkon Inter Urbain Transporters Syndicate (TADKUITSY N)	Transport	Achu Richard Tembock	E4/160	25/03/08	BP : Batibo

19		Syndicat Départemental des employés des Travaux publics et Bâtiments du NOUN (SYNDESTPNOU)	Travaux publics	NGOUWO UO	SID/68	28/05/08	BP : Koutaba
20	<b>WEST</b>	Syndicat Départemental des Employés Solidaires des Industries de Transformation du NOUN (SYDESITNOUN)	Transformation	NJIKAM Aliyou	SID/69	04/08/08	BP 2 Foubot
21	<b>SOUTH</b>	Syndicat Départemental des travailleurs de producteurs d'Huile de palme de l'Océan (SYNTRAPROHPALM.K)	Agriculture	POINTEU Jean	SD/76	28/10/08	BP 179 Kribi
22	<b>SOUTH WEST</b>	Fako Union Highway Transporters syndicate (FUHTSYN)	Transport	Joseph Ndille Ngwese	E4/159	25/03/08	BP : 172 Muyuka
23		Ndian Urban and Inter Urban Professional Transporters Syndicate (NUIPTRASYD)	Transport	BUNGWA Petus Yabasen	SID/75	28/10/08	BP : 34 Ndian

Source: MINTSS

## B Trade Union Activity

**575** -Trade unions were active in social life in 2008.

**576** -Apart from the right to strike, the activities of some unions indicate that they were also involved in the promotion of social dialogue.

### 1. CSTC Activities

**577** -In 2008, CSTC carried out several actions to defend the interests of workers. These comprised claims and dialogue with both employers and public partners.

#### a. Claims

**578**-Apart from actions to denounce high cost of living, CSTC claims took into consideration both workers of the public and private sectors.

**579** -The most significant actions concerning workers of the public sector consisted in requesting for the regularization of part-time workers of the public sector who have been working for many years and the reabsorption and reinstatement of the salaries by State corporations (SIC, CFC, FEI-COM) of workers acquitted of charges levied against them for the embezzlement of public funds.

**580** -Similarly, in November 2008, the CSTC contributed in the adoption of the bill relating to the management of temporary workers of the Public Service to ascertain that international labour norms and national law were respected. As a result of this contribution, the text granted former temporary workers without a contract the right to seise national courts with jurisdiction in labour matters.

**581** - Actions concerning workers of the private sector involved many aspects.

**582**- Thus, on 7 January 2008, the CSTC forwarded a memorandum to Government and AES-SONEL for failing to respect the terms of the concession contract between the company and the State of Cameroon. On 21 April 2008, the National Union of Electric Energy (SNEE), a branch of CSTCM addressed a warning letter to AES-SONEL Management with a copy to MINTSS relating to the delay on:

- the contractual concession of 5 per cent of the capital to workers of the said company that had to take place between July 2001 and June 2003; and

- respecting the schedule of activities adopted after the deliberations of the ad hoc committee put in place since October 2007 to handle the crisis that rocked the sector.

**583** - On 17 July 2008, HEVECAM workers at Nyete went on strike because of the failure to respect the retrocession contractual clause of 5 per cent of the capital to workers of the said company.

**584** - On 8 August 2008, a CSTC team was sent to Dizangue to defuse the strike at the SAFACAM Company which started on 4 August 2008 because of the refusal of Management to pay workers output allowances and to compensate workers whose land had been expropriated following an annual profit in 2007 of CFA 2 billion and the company's quotation in the Douala Stock Exchange.

**585** - CSTC condemned the insignificant impact of economic programmes concluded with donors aimed at improving living and working conditions and requested a review of the privatization of public corporations in order to pay greater attention to the rights of local workers.

**586** - On 27 November 2008, the CSTC set up an internal ad hoc committee that seized the National Assembly in order that the text to be adopted (bill No. 827/PJL/AN) should conform to international labour norms, labour legislation, regulations and collective agreements, by guaranteeing reconciliation before a labour inspector or arbitration before an arbitration judge of a court of appeal.

## **b- Dialogue with Employers and Public Partners**

**587** - Dialogue with employers emphasized on finding solutions to the crisis in some enterprises such as the "Société sucrière du Cameroun" (SO-SUCAM) at the verge of implosion because of unfair competition stemming from fraudulent importation of sugar and SAFCAM in Dizangue where a strike started on 4 August 2008.

**588** - CSTC collaborated with Government in brainstorming, initiated by MINCOM, on the stakes and challenges of the World Trade Organization (WTO), ACP and their food and cash crops. This reflection underscored the disastrous consequences of unbridled liberalization on Cameroon's fragile industries.

**589** - CTSC equally participated in the PRSP reform as well as all meetings organized by MINEFOP. It was associated in some trips of the Minister of Labour and Social Security.

## 2. Social Dialogue

**590** -Trade unions were closely associated in the promotion of social dialogue both with regard to regularization as well as follow-up.

### a. Regularization

**591** -Professional employers and employees trade unions are members of joint tripartite revision or negotiation commissions for either collective agreements or salary scales.

**592** -The commissions negotiated the National Collective Agreement for Journalists and National Collective Agreement for Polygraphic Industries.

**593** -The negotiation equally involved the review of the salary scale of the Collective Agreement for Banks and Other Financial institutions.

### b. Follow-up

**594** - Professional trade unions were highly involved in the meeting held by two committees relating to the existence of trade unions as well as the holding of two meetings by two consultative commissions, one relating to the examination of draft instruments to amend some provisions of the Labour Code and the recovery of social contributions and the other relating to SMIG.

## §2: RIGHT TO SOCIAL SECURITY

**595** - Brainstorming continued on social security reforms and allowances were paid regularly.

### A. Social Security Reforms

**596**-Social security reform was initiated in Cameroon in 1998<sup>202</sup>. It continued in 2008 with the setting up of a Reflexion Committee on Social Security Modernization by Prime Ministerial Order No. 2008/159/PM of 4 November 2008.

**597**-The committee's mission consisted in exploring the possibility of extending the scope as well as the number of workers covered by social security.

**598** -Pertaining to scope, it was envisaged that perils that have never been covered, especially ill health and unemployment will be considered in accordance with the prescription of ILO Convention 120 on the minimum social security norms.

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<sup>202</sup> See p. 180 of 2006 Report.

**599** -With regard to personnel, it was observed that 80 per cent of workers have no social security cover that was meant only for workers of the formal sector<sup>203</sup>. The committee therefore had the task of conceiving conditions for including uncovered groups like workers of the informal sector and members of liberal professions. The Committee was given three months to complete its task<sup>204</sup>.

## **B-Regular Payment of Social Benefits**

**600** -As compared to the 2007 financial year, social contributions recovered in 2008 increased from CFA 69,468,322,121 to CFA 75, 644, 515, 470<sup>205</sup>. This increase allowed for the regular payment of social benefits as shown by the technical expenditure in the Table below:

### **Consolidated Technical Expenditure by Branches**

No.	Branches Covered	Amount in Billions of CFA	Rate %
1	Old age, disability and Death Pension	39,920	77.6 %
2	Family Allowances	8,764	17.05 %
3	Professional Risks – Industrial Accidents and Occupational Diseases	2,713	5.2 %
4	Health and Social Actions		
	<b>Total</b>	51,397	100 % <sup>206</sup>

**Source:** 2008 Statistics of the Ministry of Labour and Social Security.

<sup>203</sup> These include civil servants and workers governed by the Labour Code.

<sup>204</sup> It completed its work in February 2008 and proposed the following draft instruments:

- Draft bill on social security;
- Draft bill on the general framework for the setting up, organization and functioning of social security mutuals;
- Draft bill to lay down the general framework of sickness risk;
- Draft decree on the organization and functioning of the National Health Insurance Fund;
- Draft decree on the organization and functioning of the National Social Security Fund;
- Draft decree on the organization and functioning of the National Health Insurance Fund; and
- Draft decree on the organization and functioning of the State Personnel National Fund.

<sup>205</sup> About 115,320,551 Euro.

<sup>206</sup> Within the framework of Recommendation No. 25/CM/CIPRES relating to the provisions applicable to the technical management of branches, prudent ratios were drawn up that prescribe a minimum of 65 per cent of resources allocated to benefits.

# Chapter 6

## RIGHT TO HEALTHY ENVIRONMENT



**601** -MINEP and MINFOF, the main stakeholders of the promotion and protection of the right to a healthy environment, carried out activities in 2008<sup>207</sup> in several domains. The most decisive actions involved improving the urban living environment, controlling industrial impact on the environment and the population's health, preserving of natural resources for the population and major ecological balance and controlling the harmful effects of disasters on the population.

## **SECTION 1: IMPROVEMENT OF URBAN LIVING ENVIRONMENT**

**602** -Actions carried out to improve on the population's living environment centred especially on reforestation, waste management and hygiene and sanitation campaigns.

### **§1- REFORESTATION CAMPAIGN**

**603** -Urban reforestation was carried out within the framework of the continuation of the implementation of the National Action Plan for the Fight against Desertification (PAN/LCD), with the collaboration of parliamentarians and councils.

#### **A. Implementation of PAN/LCD**

**604** -The implementation of this plan continued with the 2008 reforestation campaign launched by MINFOF on 2 August 2008 at Massuki in the Logone and Chari Division. About 80,000 trees were planted in this Division considered to be most threatened by desertification. The Minister of Forestry continued his visit to Maroua where 2,000 out of the 80,000 trees were planted. MINFOF's actions were relayed in the field by urban reforestation programmes realized by MINEP's decentralized services in several localities especially in the East Region where 300 trees were planted in Bertoua and Mandjou, an open space with 15,000 trees was created in Abong Mbang and 80 ebony trees were planted in the Boumba and Ngoko Division. Other actions were carried out in the South Region by the setting up of nurseries in several localities including 100 pride of Barbados trees in Kribi, 175 forest trees in Ambam, 200 ornamental plant species in the Dja and Lobo, 25 trees in Ambam, 50 trees (*Cherry*) in Sangmelima, 40 trees in Grammar School, Mvomeka'a, 100 trees (*Filao, Sesbanie, Calliandra and Royal Palms*) in Ebolowa.

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<sup>207</sup> Cameroon Tribune No. 9155/5354 of 5 August 2008.

**605** -In the West Region, the operation green town led to the reforestation of several sites especially in schools and the Regional Hospital, Bafoussam. To this end, 535 trees were planted in the Regional Hospital, 820 trees at the Grammar School, Gouache, 20 trees at the *Sainte Cecile School*, 535 trees at the Government School, Centre III B and 500 trees at the Grammar School, Ndiengdam. In the divisions of this region, 1,000 *Callisternum* trees were planted in the Koung Khi and 4,000 in the Menoua by the DDFOF and DDEP.

**606** -In the Centre Region, the International Biodiversity, Environmental and Desertification Days led to the planting of 140 trees in Yaounde, 100 in Eseka, 55 in Akonolinga and 400 in Mbalmayo.

**607** -In the North Region, 27,000 hectares of land were reforested with agroforestry plants (*Faidherbia albida*, *Accacia polycantha*, *Cajanus cajan*) within the framework of PGDT/PNDP in Tchollire, Mbillare Bouri and Gamba.

## **B. Support by Parliamentarians**

**608** -Within the framework of the citizen-friendly fight against desertification and climate change launched by the National Assembly, Parliamentarians planted 5,000 trees in the Far-North Region in August 2008<sup>208</sup>. The operation was started on 25 August 2008 at the University of Maroua by the Speaker of the National Assembly. Two thousand trees were planted. It continued in the Mayo Sava Division where 3,000 trees were planted at Mokio, Bala and Tokombere.

**609** -Government action was intensified by local authorities.

## **C. Councils**

**610** -In 2008, 240,000 trees were planted in collaboration with mayors, NGOs and volunteer associations<sup>209</sup> in the Far-North and North Regions. The Koumba Council planted 8,000 trees in the Community Forest, Taa-yav, distributed 17,000 buds to Water Management Committees to be planted around water points and 2,000 eucalyptus plants to the Koumba Water Authority to be planted at Kitivum. The Fokoue Council planted 300 trees.

**611** -To protect urban environment, MINEP contacted the City Council of Yaounde to renew urban hygiene collaboration. The Regional Delegate

<sup>208</sup> CT No. 9171/5370 of 28 August 2008.

<sup>209</sup> CT No. 9155/5354 of 3 August 2008.

of Environment and Nature Protection for Mefou Afamba set up a consultation and implementation framework to implement a joint strategy on operation clean and green town with the Mayor of the Mfou Council. The Obala Municipality equally provided support through the Tourism and Environment Commission with a view to creating green spaces in town, a botanical and zoological garden, the construction of eight (8) ecological sanitization toilets, a controlled refuse dump, environmental audit and the cleaning of the public market. Many other councils in the country contributed in planting trees in their localities.

## **§2: WASTE MANAGEMENT**

**612**-Waste management is a very sensitive activity in biodiversity protection. Waste must be treated, recycled and burnt where necessary. In 2008, efforts were made by Government to manage plastic, petroleum and maritime wastes, to fight against atmospheric pollution and to guarantee garbage collection.

### **A- Plastic Waste Management**

**613**-The operation war against plastic waste "*leida*"<sup>210</sup> launched at the end of March continued in May 2008. The process consisted in "*breaking the wings of leida*" by turning it into a ball that could not fly from one neighbourhood to the other. Thus, 635kg of plastic wastes were collected and bought between 31 March and 30 May 2008 in the towns of the Far-North Region. The populations whose attention was drawn to the effect of plastic waste pollution were initiated in the selection and stocking of domestic waste. Collection operations also took place in several periodic markets of this region.

**614** -Three consultation meetings were organized in Garoua, North Region to support initiatives relating to the putting in place of a waste management strategy.

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<sup>210</sup> Leida means rubber in lingo and Pidgin English.

## **B- Petroleum and Maritime Waste Management**

**615** -The management of petroleum and maritime wastes was the subject of an exposé on the problem of industrial and petroleum wastes and the presentation of industrial waste norms to firms during the summit of Heads of Security Services of Central Africa. Thus, on 10 May 2008, MINEP followed up control over extensive pollution of the coastline by hydrocarbon producers notably:

- control of 532 ships by 21 shipping agents at the Ports Authority, Douala; and
- documentary verification with a view to controlling import quotas of the Ozone Depleting Substances (ODS) and chemical products. Thus, out of 240 files verified at the Container Port, Douala, only 172 had reliable technical receipts, that is, 71.66 per cent compared to the number of files verified.

**616** -Supervision to check waste movement produced the following results:

- 6349.94 m3 of used oil were collected for recycling by the six bodies in charge of hydrocarbons waste treatment in Douala;
- 285.91 m3 of kitchen waste were cleared from ships;
- 1,450 kg of used batteries were recovered;
- an inventory of 90 tons of vehicle junk and carcasses was made;
- 15 tons of broken glasses considered as raw material for the production of glasses were collected;
- follow-up of waste management at the Industrial Unit, Idenau was ensured; and
- 900 vehicles were controlled at the Nestle car pool to ascertain that they were not transporting ODS or other dangerous chemical products.

## **C-Atmospheric Pollution Management**

**617** -Control missions were carried out in several regions of the country especially in the South Region where 9 woodworking plants were controlled. It was observed that these plants pumped saw dust into the air resulting in atmospheric pollution. The same observation was made in the Adamawa and East Regions.

**618** -It was recommended that these structures should put an Environmental Management Plan (EMP) in place. It was stated that there is need to organize a seminar for the business world.

## **D- Garbage Collection**

**619** -In 2008, the Health and Hygiene Company of Cameroon (HYSACAM) extended its services to the Northern Regions especially Ngaoundere and Garoua. These services were especially redeployed in Douala.

**620** -On 27 June 2008, the City Council, Garoua and HYSACAM signed a contract in Garoua for garbage collection in town where 126 dumps were identified. This insalubrity provoked the proliferation of flies and mosquitoes. Garbage sometimes divided the road if it were not simply dropped between houses. Elsewhere, they were adjacent to restaurants and licensed beverage rooms or were dropped in gutters.

**621** -This transaction cost about CFA 5 billion<sup>210(bis)</sup> over five years with the State contributing up to 94 per cent, that is CFA 4.6 billion, and the City Council, Garoua 6 per cent, that is CFA 270 million<sup>214</sup>.

**622** -The arrival of this enterprise in Garoua created 250 direct and indirect jobs and met Government's concern to provide the population with a desirable living environment.

**623** -At the end of 2007, a new contract was signed between the City Council, Douala and HYSACAM. Launched in January 2008, the new contract concerns the collection and treatment of household waste, cleaning and sweeping streets, public squares and markets in Douala. The objective was clearly defined, namely to improve on the quality and hygiene of the country's economic capital.

**624** -Collection, the first activity consisted in picking up and transporting household waste from 56 sectors, corresponding to the administrative splitting by subdivision, throughout Douala. This waste was transported to the council dump at PK 10 or Ngombe.

**625** -In spite of all these efforts by Government, waste management was a major problem in 2008 especially at the Cameroon Housing Corporation (SIC), where waste water purification stations were abandoned.

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<sup>210(bis)</sup> About 7,695,000Euros

<sup>214</sup> CT No.9157/5356 of 7 August 2008

**626** -Seven purification stations abandoned because of lack of maintenance were identified in the SIC Camps including three in Douala and four in Yaounde. In 2008, only the Grand Messa Station in Yaounde was cleaned by the Ministry of Urban Development and Housing.

## **§3 HYGIENE AND SANITATION CAMPAIGNS**

**627** -The institution of a Day of the Environment enhanced sanitation campaigns in almost all towns in Cameroon.

**628** -In the North Region, officials of Divisional Delegations commenced the search and selection of sites for HYSACAM dumps in the City Council Garoua, Mayo-Oulo and the slaughter house of the Garoua II Council. They equally contributed to the putting in place of a hygiene and sanitation plan in the Garoua II Subdivision. Three consultation meetings were organized, with the Service Heads for Sanitation for the councils of Guider, Mayo-Oulo and Figuil, on urban sanitation.

**629** -In other regions, divisional visits were organized in order to institute the cleaning up of public places and market squares every Thursday of the month.

**630** -Divisional Delegates of MINEP, each within their different jurisdictions, ensured the smooth functioning of public hygiene and sanitation campaigns.

**631** -The youth were equally involved especially in the Littoral Region where clean up campaigns were constantly organized by youth associations in the neighbourhoods of New-Bell, Congo, Logbessou and the St. Anne Chemist, New-Bell.

## **SECTION 2: CONTROL OF INDUSTRIAL ACTIVITY**

**632** -To size up the harmful effects of industrial and commercial firms on the environment and the populations' health, several inspections were conducted throughout the country which sometimes led to disputes.

### **§1: ENVIRONMENTAL INSPECTIONS**

**633** -Several environmental inspections were carried out in all the ten regions of the country in 2008. The aim of these inspections was to carry out systematic controls of all the sites to ascertain that they were used in accordance with environmental norms.

**634** -In 2008, about six hundred inspections were conducted on classified establishments of the 10 regions.

**635** -At the end of these inspections, several problems relating either to the ignorance of environmental laws or their violation were identified. For example, it was observed that many sites inspected lacked EMPs and that in several structures solid and liquid wastes were dumped in the wild, water courses or in the sea.

**636** -Solutions to these problems included the sensitization of stakeholders and businesses in this sector for greater awareness and warnings followed sometimes by proceedings and sanctions.

**637** -Several recommendations were made relating to strategies to be implemented in the different sites controlled in order to collect, recycle and ensure better canalisation of waste water; gifts of incinerators to hospitals for the elimination of biomedical waste; installation of decanters in hydrocarbons distribution units and covering of sites with concrete; the search for appropriate sites for the setting up of dumps which respect the minimum norms in several towns of Cameroon.

## **§2: MANAGEMENT OF ENVIRONMENTAL DISPUTES**

**638** -Several disputes were examined by the competent services of MINEP including:

- matter involving FERMECAM relating to environmental pollution by dumping its untreated liquid waste in the environment. A report was notified to the offender who requested for negotiation;
- matter involving the Cameroon Chemical Complex (CCC) relating to environmental pollution by dumping untreated liquid waste. A report and a direct summons were served on the offender. This matter is pending before the Court of First Instance, Ndokoti, Douala;
- matter involving the Cameroon Petroleum Depot Company (SCDP) relating to the violation of environmental rules. A report was notified to the offender who requested for negotiation;
- matter involving PARQUET CAM, KETCH BIENKOK and NEO TP relating to the violation of environmental rules. Reports prepared thereof were notified to them;
- matter involving ALPICAM relating to the pollution of River Moungo and mangrove degradation by the dumping of untreated waste into

waterways close to the company. MINEF forwarded a report to the State Counsel of the Court of First Instance Douala, Bonanjo requesting the institution of judicial proceedings;

- matter involving the NOUVELLE PARFUMERIE GANDOUR relating to the dumping of liquid waste resulting in soil pollution and degradation of plant biodiversity and failure to carry out an environmental audit by the deadline. A report taking note of the offence was notified to the head of the company;

- matter involving RAZEL CAMEROUN relating to obstruction of control and non respect of the procedure for realizing EIE of the quarry exploited. Reports were drawn up and notified to the offender;

- matter between Mr Nguimjeu and MAJESTIC PRESSING relating to the cleaning up of their premises and stagnant water with regard to the activities of this body. This file was examined by the Regional Delegation for the Littoral. In spite of the recommendations of the Delegate and their implementation by MAJESTIC PRESSING as regards the drainage of water from its activities, the problem concerning the drainage of rain water has not been solved given that houses were constructed disorderedly and that settling this dispute requires the clearing off and comprehensive management of rain water as well as the involvement of persons other than the aforementioned;

- Simo Rene and SIAC ISENBECK relating to dumping of industrial waste (beer waste) by ISENBECK in the premises of SIMO Rene at Souza, Dibombari Subdivision resulting in material destruction. ISENBECK was summoned for hearing; and

- Ezera Kalu Raymond and Others relating to the theft of equipment belonging to the Cameroon Ozone PROGRAMME. The Judicial Police has completed its investigation and the matter is pending before the Examining Magistrate.

**639** -MINEP's Divisional Delegates carried out environmental controls that led to payment of fines by the following companies:

- COCAM Mbalmayo: CFA 2 million<sup>216</sup>;
- BUNS Mbalmayo: CFA 5 million<sup>217</sup>;
- GUARANTEE Garage, Yaounde: CFA 4 million<sup>218</sup>;

<sup>216</sup> About 3,000 Euros.

<sup>217</sup> About 7,500 Euros.

<sup>218</sup> About 6,000 Euros.

- SOFAMAC Soa: CFA 5 million; and
- Council Slaughter House, Bafia: CFA 2 million.

## SECTION 3: PRESERVATION OF NATURAL RESOURCES

**640** - Concerning the preservation of natural resources in the interest of populations and major ecological balances, MINEP focused on the identification of hazard-proned areas and the sensitization of the population on the harmful effects of brush fires.

### 1: IDENTIFICATION OF HAZARD-PRONED AREAS

**641** -In 2008, several potential erosion and caving sites were identified in certain localities of the country. For example, the following 31 degraded sites and waterways that require reforestation can be named<sup>219</sup>:

- Djerem Division: six sites: Marma, Laide goudda, Mbirim, Barode, Maissaba, Ngatt and Kandje;
- Mbere Division : eleven sites in the Meiganga Sub-Division : Ngam, Yafoumou, Mikila-Dowoi, Batoua, Godole, Lokoti, Koumbo Loka, Fada, Dakomgue, Garaga, Liboma;
- Dir Division ; Four sites at Kaladdi, Koumde, Badjer and Dobiri ;
- Mayo-Banyo Division: four sites in the Banyo Sub-Division: Ndi-Wawa, Allat, Mbaanti Katarko and Sambolabo;
- Mayo-Darle District: three sites at Mayo-Darle, Pangari and Mayo-Djinga;
- Djohong Sub-Division: one site at Nyarbang; and
- Djerem Division: two lakes at Panyere and Mbella'assoum threatened by cavings.

### §2: SENSITIZATION OF THE MASSES

**642** -In 2008, Government intensified the campaign against brush fires in several regions.

**643** -In the North Region, 32 traditional chiefdoms in the Benoue, Faro, Mayo-Louti, Mayo-Rey were sensitized on the use of brush fires and the illegal exploitation of natural resources.

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<sup>219</sup>See MINEP Progress Report 2008.

**644** - In the Adamawa Region, the administrative, council and traditional authorities as well as environmental protection associations, the population and businesses in the wood exploitation and commercialization sectors were sensitized on this issue. Copies of Circular No.1/MINEP/CAB of 19 April 2006 on the implementation of the strategy to curb brush fires and the illegal exploitation of natural resources were distributed. Five orders by senior divisional officers to regulate the lighting of brush fires were signed by the Senior Divisional Officers of the Vina, Faro, and Deo, Djerem, Mayo-Banyo and Mbere and were broadcast several times over CRTV, Adamawa.

**645** -In the West Region, Senior Divisional Officers of the Noun, Menoua, and Bamoutos signed orders to regulate brush fires.

**646** -In the other regions of the country, the populations were sensitized through community radio programmes and local CRTV Stations.

## **SECTION 4: CONTROL OF THE HARMFUL EFFECTS OF DISASTERS ON THE POPULATIONS**

**647** -Government action consisted mainly in conceiving and putting in place ecological safety control and alert systems, the drawing up and submission of the Environmental Forest Sector Programme (EFSP), Terms of Reference (TR) for the putting in place of an environmental monitoring system, constitution of environmental databases, identification of environmental hazard-proned areas and the management of some disasters.

### **§1: RISKY SITES**

**648** -In the North West Region, 30 documents containing environmental information were forwarded to consultants of WEC Consultancy with a view to putting in place an environment information system on the biodiversity of this region as well as the natural and man-made risks. The Lake Nyos risk management strategy was enhanced such that in the event of another disaster, trees will transmit gas into the atmosphere.

**649** -In the Centre Region, it was observed that waste water was dumped disorderedly in certain points in Yaounde especially in the Nlongkak neighbourhood and at the Wada Crossroads.

**650** -Hazard-proned areas were equally identified in the Akwaya, Kalumu, Matene and Mindi Subdivisions in the South West Region.

**651** -A biodiversity update, identification of fragile ecological sites and humid areas was carried out in the West Region where five humid areas including a lake in Badenkop, a fragile ecological site at the Batie hill and a forest reserve with several animal species were documented.

**652** -Fragile ecological and hazard-proned areas were identified in the Menoua Division namely: two in Dschang, two in Fongo-Tongo, two in Fokoue, one in Penka Michel and a landslide in Fondonera in the Santchou Subdivision.

## **§2: PREVENTION AND MANAGEMENT OF NATURAL AND MAN-MADE DISASTERS**

**653** -Within the framework of the management of toxic wastes, the Governor of the Littoral Region put in place a team in charge of careful and ecologically rational management of a carbon containing chlorine in the Ndobbo neighbourhood not far from the Bojongo Hotel at Douala IV Subdivision. This was caused by gas emanating from a submerged tank that was partially filled with chlorine on the site of the former Société NECAM ENTRETIEN at Ndobbo, Bonaberi, between 17 and 30 August 2008 rendering the atmosphere dangerous.

**654** - At the end of the Committee's findings, the following administrative measures were taken:

- caving out a security zone around this site; and
- prohibiting entry into the site.

**655** -Technical measures consisted in:

- destroying residual chlorine by on site dilution; and
- pH correction with a base solution.

**656** - The management of toxic waste at the Ports Authority, Douala was also disturbing. Thus, a technical team from the National Radioprotection Agency (ANRP) led by its Managing Director was in Douala from 19 to 22 August 2008 to verify information relating to the waste and especially to propose appropriate solutions.

**657** - After on site investigations, ANRP recommended the following treatment:

- construction of a concrete sarcophagus that is at least 40 cm thick wherein the block containing the waste should be placed; and
- submersion to a depth of at least 2 metres of the treated sarcophagus into a bunker.

**658** -In the Centre Region, Government action relating to the follow-up of disasters was implemented by the commission in charge of identifying disaster victims and evaluating property destroyed in the NKOMASSI, AKO-REZOCK neighbourhoods and their vicinities in the Yaounde VII Subdivision, Mfoundi Division in the wake of flooding on 4 April 2008. Administrative authorities were equally concerned over the landslide at Mendong. Two orders by the Senior Divisional Officer to set up the Commission and Follow-up Committee respectively were signed by the Senior Divisional Officer of Mfoundi. He paid a joint visit with the MINEP to the Mbankomo neighbourhood to halt illegal logging in this ecological fragile area by inhabitants. Suggestions relating to global, participatory and sustainable solutions were made because apart from the cutting down of trees in this area other remarks were made on the spot relating to illegal boundary marking, food and cash crop farming and the presence of unsupported stone blocks likely to crumble.

**659** -As a result of petroleum leakage at NGAMBA Village in the Nanga-Eboko Subdivision, an environmental inspection mission was carried out on the remote control valve No. 32 on the Chad-Cameroon pipeline.

**700** -Based on the sensitization of the public and different stakeholders, the boosting of partnership and collaboration with services of the sector, local authorities and NGOs, it could be stated that Government made remarkable effort on environmental protection in 2008.

**701** -However, several urban and rural communities failed to appropriate sanitation measures.

## CONCLUSION OF PART TWO

**702** - It is not superfluous to recall that the State is responsible for the promotion of economic, social and cultural rights that must participate in:

- drawing up plans of action to meet the needs of the poorest citizens;
- adopting appropriate regulation; and
- putting in place required institutions.

**703** -To this end, and as in 2007, it can be observed that in spite of administrative measures taken, attendant measures are necessary to better express Government policy in realizing the right to housing in our big towns. Moreover, the fight against high costs of living and the improvement of transparency and economic governance are prevailing concerns.

**704** - The improvement of the school and university map, an essential basis for the creation of human resources adapted to our problems, remains a major State concern to enable Cameroon efficiently face the world economic and financial crisis.

**705** -The world food crisis that preceded the crisis referred to above did not spare Cameroon. It provoked crucial events that will be examined in the chapter on cross-cutting issues.



## Part three

# CROSS-CUTTING ISSUES



## INTRODUCTION

**706** -Some events and achievements affect civil and political rights as well as economic, social and cultural rights. This is the case with detention conditions that were a topical human rights issue especially with regard to the turbulence in prisons.

**707** - Difficult detention conditions equally call to mind those related to high costs of living that sparked off the sad events in Cameroon in February 2008. This crisis that caught Government attention did not deter the latter from its duties towards the vulnerable, women and the marginalized that received continued support from state institutions.

**708** - The cross-cutting issues mentioned above are discussed in the following chapters:

- Chapter One: Detention Conditions;
- Chapter Two: The Social Unrest of February 2008;
- Chapter Three: Promotion and Protection of the Vulnerable;
- Chapter Four: Promotion and Protection of Women's Rights; and
- Chapter Five: Promotion and Protection of the Marginal populations.



# Chapter 1

## DETENTION CONDITIONS



**709** -Of course, detention conditions<sup>220</sup> are a major concern for Government that has diagnosed this issue. They are being improved upon gradually. This chapter will focus on human rights events in this domain in 2008, a year that was characterized by uprisings in prisons in Yaounde and Douala. It will equally dwell on prison population.

## **SECTION 1: PRISON POPULATION STATISTICS**

**710** -The five Tables below respectively show:

1. Statistics on persons in custody per month according to criminal categories;
2. State of female detainees;
3. State of minors in custody;
4. Occupation rate in prisons where detainees governed by the Military Tribunal are remanded in custody; and
5. Prison occupation rate per region.

## **PRISON POPULATION STATISTICS: JANUARY TO DECEMBER 2008**

**711** -Table 1 provides monthly statistics of persons in custody according to criminal categories in 2008.

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<sup>220</sup> See 2005, 2006 and 2007 Reports.

<b>Categories</b>  <b>Month</b>	<b>Accused</b>	<b>Convicts</b>	<b>Total</b>
<b>January</b>	14,272	9,358	23,630
<b>February</b>	15,014	8,324	23,338
<b>March</b>	15,165	8,916	24,081
<b>April</b>	14,049	10,485	24,534
<b>May</b>	15,119	9,285	24,404
<b>June</b>	16,196	8,686	24,882
<b>July</b>	14,881	9,633	24,514
<b>August</b>	15,023	8,016	23,039
<b>September</b>	14,745	9,124	23,869
<b>October</b>	14,832	8,829	23,661
<b>November</b>	15,864	8,126	23,392
<b>December</b>	14,952	8,935	23,804
<b>Average</b>	14,952	8,977	23,929

**712** -This Table reveals that prison population is made up mostly of cases of preventive detention: 62.48 per cent; while convicts constitute only 37.52 per cent.

### **Situation of women in custody in 2008**

**713** -Table 2 represents the situation of women in custody.

<b>Criminal Categories</b>  <b>Months</b>	<b>Accused</b>	<b>Convicts</b>	<b>Total</b>
<b>January</b>	324	179	503
<b>February</b>	332	184	513
<b>March</b>	327	188	515
<b>April</b>	356	161	517
<b>May</b>	357	147	504
<b>June</b>	345	168	513
<b>July</b>	352	178	530
<b>August</b>	341	193	534
<b>September</b>	339	181	520
<b>October</b>	339	161	500
<b>November</b>	451	161	612
<b>December</b>	462	199	661

**714** -Persons awaiting trial constitute 1.93 per cent of this category as against 0.83 per cent who are convicts.

## **Situation of minors in custody in 2008**

**715** -Table 3 contains the population of minors.

Criminal Categories Months	Accused		Convicts				General Total
	B	G	T1	B	G	T2	T1 + T2
January	274	09	283	91	03	94	377
February	608	11	619	107	02	109	728
March	580	07	587	92	04	96	683
April	668	10	678	107	07	114	792
May	696	11	707	129	06	135	842
June	708	15	723	120	05	125	848
July	657	14	671	144	04	148	819
August	623	11	634	135	02	137	771
September	648	11	659	146	03	149	808
October	618	14	632	146	01	147	779
November	614	15	629	150	03	153	782
December	577	26	603	74	02	76	679
Average	605	13	618	120	04	124	742

**B: Boy G: Girl**

**T1: Total 1**

**T2: Total 2**

**716** -Minor boys represent 2.53 per cent as against 0.05 per cent of girls. 0.5 per cent of convicts are boys and 0.02 per cent are girls.

## **Central and main prisons occupation rate where detainees governed by the Military Tribunal are remanded in custody**

**717** -Table 4 presents cells occupation rate in 11 (eleven) prisons where detainees governed by the Military Tribunal are remanded in custody: the rate stands at 292.37 per cent with regard to the accommodation capacity.

N°	Central Prisons	Accommodation Capacity	Accused		Convicts	Total	Overpopulation percentage
			T.I	T.M			
1	Ngaound r	300	474	30	238	742	247.33
2	Yaounde	1,000	2917	448	845	4,210	421
3	Bertoua	87	288	10	139	437	502.29
4	Maroua	350	383	69	452	904	258.28
5	Douala	800	2,028	290	550	2,868	358.5
6	Garoua	500	365	316	642	1,323	264.6
7	Bamenda	500	231	28	180	439	87.8
8	Bafoussam	600	719	238	184	1,141	190.16
9	Ebolowa	200	213	02	58	273	136.5
10	Buea	200	240	81	103	424	212
11	Nkongsamba	68	232	75	197	504	741.17
Total		4,537	7,783	1,587	3,391	13,265	292.37

**T.I:** Trial Court

**T.M:** Military Tribunal

## Cell occupation rate in prisons per region.

**718** -Table 5 represents overpopulation rate in prisons per region.

No.	Regions	Accommodation Capacity	Accused	Convicts	Total	Overpopulation percentage rate
1	Adamawa	620	719	600	1,319	212.74
2	Centre	3470	4,825	1945	6,776	195.27
3	East	1,157	651	433	1,084	93.69
4	Far-North	1,940	1791	1,264	3,055	157.47
5	Littoral	1,368	3,013	1,008	4,021	293.93
6	North	1,150	1,049	1,054	2,103	182.86
7	North-West	1,450	556	342	898	61.93
8	West	2,270	1,631	889	2,520	111.01
9	South	620	602	326	928	149.67
10	South-West	920	681	419	1,100	119.56
Total		14,965	15,518	8,280	23,804	159.6

**719** - While the Adamawa and the Littoral Regions have the highest occupation rate, the East and the North West Regions have the lowest rate, that is, less than 100 per cent.

## SECTION 2: PRISON INCIDENTS IN 2008

**720** -It is worthwhile to mention some incidents that occurred in prisons in 2008. These include especially the:

1. massive escape attempt at the Central Prison, Douala on 29 June 2008 resulting in 17 deaths; and
2. fire incident in the same prison during the night of 20 August 2008

leading to 15 deaths and 76 victims with burns, 30 of whom were hospitalized. Victims with slight burns were treated at the prison infirmary while more serious cases were admitted at the General and Laquintinie Hospitals, Douala. All persons admitted to these hospitals were treated at the expense of the State and regained their health.

**721** -There was material damage in addition to this human toll.

**722** -In fact, seven (7) cells that accommodated about 1,648 detainees were burnt while the offices of the Discipline and Leisure Service were wrecked and vandalized.

**723** -As soon as he was informed of the disaster, the Vice-Prime Minister, Minister of Justice, Keeper of the Seals, accompanied by the Secretary of State in the Ministry of Justice, in charge of Penitentiary Administration and the Inspector General in charge of Penitentiary Administration, went to the prison. At the end of the working session which he presided over in the Governor's Office and in which administrative and judicial authorities, the forces of law and order and the Superintendent in charge of the Central Prison, Douala took part, the following urgent and medium term measures were taken:

## **§1: URGENT MEASURES**

**724** -These measures comprise the:

- immediate reconstruction of the cells destroyed in order to provide shelter to disaster detainees;
- opening of inquiries to determine the causes of the fire<sup>221</sup> ; and
- caring for victims, who sustained burns, in hospitals through the advancement of the sum of CFA 3,500,000<sup>222</sup>.

## **§2: AVERAGE- TERM MEASURES**

**725** -Due to this incident, the President of the Republic instructed the competent services to construct without delay, two new prisons of international standards, in Douala and Yaounde.

**726** -In execution of these presidential instructions, a site was identified at PK 19 on the road to Yabassi for the construction of the Maximum Central Security Prison, Douala. The Land Commission put in place by the Senior Divisional Officer of the Wouri Division is at work to make an inventory of investments and land certificates owned by individuals on the said site.

<sup>221</sup> The results of this inquiry are unknown.

<sup>222</sup> About 533, 5.77 Euros.

## SECTION 3: PROGRESS AND ACHIEVEMENTS IN 2008

**727** -In order to draw up a new penitentiary policy and prison reform<sup>223</sup> system , Government carried out a diagnosis of the Penitentiary Administration. The following problems were identified:

- prison structures;
- prison overpopulation characterized by high detainee rate; and
- health and feeding conditions.

**728** -To solve these problems, some prisons have been constructed and modernized and detainees' health and feeding conditions markedly improved.

### SUMMARY OF STATISTICAL DATA ON PRISON POPULATION AS AT DECEMBER 2008

Table 6 presents the number of inmates per prison and per region. It is worth mentioning that the number of inmates in some prisons is abnormally high in comparison to their accommodation capacity.

Minors	Women	Accused MT	Total Accused	Convicts	General Total
750	612	1,587	14,864	8,935	23,804

<sup>223</sup> See 2007 Report, p. 326, §§826 et seq.

## §1: PRISON DEVELOPMENT AND MODERNIZATION

**729** -Currently, prison establishments accommodate twenty four thousand eight hundred two (24,802) detainees for fourteen thousand nine hundred sixty five (14,965) beds, representing a national occupation rate of 159.6 per cent.

**730** -Where the CPC be rigorously and effectively enforced, the number of prison detainees will be reduced considerably<sup>224</sup>.

**731** -Modernization involves the gradual capacity building of human resources through recruitment ordered by the Head of State, reinsertion of detainees, review of the syllabus of ENAP, Buea since August 2008.

**732** -Cameroon has seventy four (74) prisons, two of which are not functional. These prisons are distributed as follows:

- ten (10) central prisons;
- fifty (51) one main prisons; and
- eleven (11) secondary prisons.

**733** -Twelve (12) new prisons will be constructed as follows: two (2) central prisons in Douala and Yaounde, seven (7) main prisons and three (3) secondary prisons.

**734** -Funding of construction works of a new central prison with an accommodation capacity of five thousand (5,000) beds in Douala has been provided in the budget of the 2009 financial year (eight hundred eighty million francs (CFA 880,000,000 )<sup>225</sup>. The construction of six (6) prisons with a capacity of three hundred beds (300) each with funding from the MDRI/HIPC is equally envisaged. Construction works were launched in six sites (Bangem, Ntui, Ngoumou, and Bengbis) in 2008.

**735** -The completion since 30 January 2009 of extension works of the Central Prison, Douala (New Bell) launched in 2008, with the construction of two new sections for minors and women respectively, increased the accommodation capacity to 200 beds.

<sup>224</sup> See chapter devoted to fair trial.

<sup>225</sup> About 13,415.65 Euros.

**736** -Within the framework of MDRI, the Central Prisons, Ngaoundere, Garoua, and Maroua were rehabilitated in 2008 at a total cost of one hundred seven million francs CFA (107,000,000) <sup>226</sup> .

**737** -Similarly, thanks to the MDRI/HIPC Project, twelve prisons were rehabilitated in 2008 at a total cost of four hundred ten million, one hundred ninety nine thousand, nine hundred ninety and nine francs CFA (410,199,999)<sup>227</sup> . These include the prisons of TIBATI, NKAMBE, YAGOUA, NGAMBE, MOKOLO, MEIGANGA, AKONOLINGA, MBOUDA, KRIBI, BETARE-OYA, MBALMAYO and AMBAM.

**738** -The objectives of the modernization project of the judiciary and the improvement of detention conditions in Cameroon's prisons which entered its second phase called PACDET II in 2008 are to:

- develop penitentiary infrastructure;
- improve prison detention conditions; and
- build the capacity of penitentiary personnel.

**739** -This project jointly carried out by the European Union that contributed five billion two hundred million francs CFA (5,200,000,000<sup>228</sup>) and the State of Cameroon that contributed three hundred million CFA (300,000,000<sup>229</sup>) yearly produced the following results in 2008:

- Central Prison, Douala: construction of a bare enclosure wall, women and minor sections; rehabilitation and cleaning of the discipline section;
- Central Prison, Ngaoundere: development of lodging premises;
- Central Prison, Maroua; development of lodging premises and extension of infirmary;
- Central Prison, Garoua: rehabilitation of the entire prison and extension of infirmary;
- Central Prison, Bafoussam: construction of infirmary;
- Central Prison, Bamenda: construction of enclosure wall;
- Central Prison, Ebolowa: rehabilitation of the entire prison; and
- Central Prison, Bertoua: rehabilitation and extension of prison.

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<sup>226</sup> About 163,122.18 Euros.

<sup>227</sup> About 625,352.54 Euros.

<sup>228</sup> About 7,927,433.49 Euros.

<sup>229</sup> About 457,351.93 Euros.

**740** -As regards aid to detainees, eighty three (83) ex officio counsel were provided to defend some detainees in the Central Prisons, Douala and Yaounde at the cost of six hundred fifty five million CFA 655,000,000<sup>230</sup>. To this end, two parlours were constructed to facilitate and protect discussions between counsel and their clients.

## **§2 IMPROVEMENT OF HEALTH, FEEDING AND TRANSPORTATION CONDITIONS**

**741** -The improvement of hygienic conditions requires the construction of infirmaries and the increase of provisions for the purchase of drugs.

**742** -The infirmaries of the Central Prison, Yaounde have been constructed. Within the framework of PACDET II, the construction of nine other infirmaries in central prisons is envisaged.

**743** -The budget for the purchase of drugs for Cameroon's prisons rose from CFA 60,000,000<sup>231</sup> in 2007 to CFA 120,000,000<sup>232</sup> in 2008 representing an increase of 100 per cent. It is hoped that this provision will be raised to CFA 10,000<sup>233</sup> per year per detainee.

**744** -Given that health is equally guaranteed by food quality and quantity, the daily ration rate rose from CFA 107<sup>234</sup> before 2006 to CFA 215<sup>235</sup>. The objective is to raise the rate to CFA 500<sup>236</sup> per day per detainee.

**745** -The construction of water wells in fifty one (51) prisons will be enhanced for the supply of drinking water. Twelve human motricity water wells were constructed with HIPC-Initiative funds in 2008 and ten 10 others with PACDET II funds.

**746** -Medical health is gradually being guaranteed in prisons by providing infirmaries with equipment and drugs and by intensifying the fight against HIV/AIDS, sexually transmissible diseases (STD) and tuberculosis.

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<sup>230</sup> About 998,551.71 Euros.

<sup>231</sup> About 91,470.38 Euros.

<sup>232</sup> About 182,940.77 Euros.

<sup>233</sup> About 15.24 Euros.

<sup>234</sup> About 0.163122 Euros.

<sup>235</sup> About 0.327768 Euros.

<sup>236</sup> About 0.762253 Euros.

**747** -Besides, the escort and transportation of detainees have been considerably improved by the acquisition and the allocation of two (2) prison vans to the Central Prisons, Douala and Yaounde.

**748** -In conclusion, detention conditions are bound to improve due to Government effort that is receiving support from development partners especially the European Union. The harmonious application of the Criminal Procedure Code, the ongoing computerization of the judicial system and prison database will certainly deal with the dysfunctioning of the system which compounds prison overpopulation.

Chapter 2  
FEBRUARY 2008  
SOCIAL UNREST



**749** -In February 2008, Cameroon experienced social unrest that led to rioting resulting in loss of lives, property and liberty by some individuals. These sad events that should be analyzed were provoked by claims concerning both the enjoyment of civil and political rights and the satisfaction of economic, social and cultural rights. This analysis will be completed by the legal implications of the management of these events.

## **SECTION 1: CIRCUMSTANCES**

**750** -The circumstances relate to facts and Government reaction.

### **§1:-FACTS**

**751** - The National Trade Union of Urban and Interurban Transporters of Cameroon ordered a strike action on 25 February 2008.

**752** -The Union's claims concerned:

- city council malpractices;
- fuel price hike;
- issues relating to insurance;
- implementation of the Criminal Procedure Code with regard to fines on traffic offences;
- road security linked to the training of taxi drivers; and
- police harassment.

**753** -From 23 to 27 February 2008, following this strike action by transporters, vandals occupied and obstructed the highway thereby halting economic activities, preventing the free movement of persons and goods, destroying and burning buildings in some localities of the country.

**754** -This order was strictly respected in Douala where activities were paralyzed: businesses were short down, administrative services slowed down and circular vehicles prohibited. Acts of vandalism and looting were simultaneously perpetrated notably arson on station services and other businesses.

**755** -Yaounde, which on the first day of the strike, was less paralyzed than Douala because personal cars were circulating, experienced severe social unrest from 26 February.

**756** -Although Government decision on 25 February to reduce fuel prices

after negotiations with taxi drivers brought an end to their strike, new claims by “consumers unions” continued and compounded the strike started by taxi drivers.

**757** -Consumers who engaged in all-round protests and especially against expensive living conditions included political considerations like opposition to the draft Constitutional amendment and request for the suspension of the prohibition of public demonstration instituted on 5 January 2008 by order of the Governor of the Littoral Province.<sup>236 (bis)</sup>

**758** -Looting and acts of vandalism continued and intensified thereafter in Douala and Yaounde. Businesses and cars were shattered, public transport buses burnt and people molested. The police forces that were deployed to reinstate order were attacked by the strikers while public buildings and means of communication were destroyed and/or seriously damaged.

**759** -These manifestations were extended with varying intensity to other towns of the country especially Nkongsamba, Buea, Tiko, Bamenda, Kumbo, Kumba, Dschang, Bafang, Limbe, Mbanga and Tombel.

**760** -These acts had heavy material and human toll.

## **A-Human Toll**

**761** -The February 2008 unrest in Cameroon affected 31 towns and caused the death of 40 persons distributed as follows<sup>000(bis)</sup> :

- Centre Region: two dead including an Inspector of Police in the town of Yaounde;
- Littoral Region: thirty dead of which twenty six in Douala, one in Mbanga, one in Penja and two in Loum;
- North West Region: five dead of which four in Bamenda and one in Santa, Mezam Division;
- West Region: two dead of which one in Bafoussam and one other in Dschang; and
- South West Region: one dead in Muea in the periphery of Buea.

## **B-Material Damage**

**762** -Material damage is estimated at dozens of billions.

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<sup>236 (bis)</sup> Provincial Order No. 1/AP/C/SG of 15 January 2008, signed by the Governor of the Littoral Province, prohibited public protests in Douala. The measure was suspended in July 2008.

**763** -State symbols and structures contributing to the dynamism of the economy were particularly targeted: forty four (44) public edifices or buildings housing public services were burnt, looted and vandalized.

**764** -The following public service buildings were concerned:

Divisional Offices of Douala V, Kekem and Santa, City Councils of Douala V, Nkongsamba II and Bamenda II, Special Public Security Police Stations of Douala V and Kumba I, Special Police Station, Kumba, Meme, Gendarmerie Brigade, Santa, Divisional Tax Centre No. 13, Douala, as well as those of Mbanga, Bamenda, Kumbo and the Divisional Finance Centre, Kumba. The Divisional Treasury, Kumba suffered the same fate as well as the Divisional Delegations of Basic Education, Urban Development and Housing, Lands and Land Tenure, Kumba, Meme, Provincial Delegation of Women's Empowerment and the Family, North West, Divisional Delegations of Basic Education, Public Works, Commerce, Transport and Communication, Bui Division, Kumbo, and the Youth Reinsertion Centre, Nkomkana, Yaounde.

**765** -Other public buildings, including many temporary police posts in Douala and Bafoussam, were destroyed in these same localities.

**766** -The strikers destroyed desks in the Grammar School, Bafang Rural, Upper Nkam, as well as the Government Technical College (CETIC), where computers were equally carried away. They destroyed the Catholic School, Medjo, Menoua Division. Many public or private vehicles were burnt or seriously damaged.

**767** -City Councils and their accessories such as public lighting equipment were severely damaged.

**768** -Branches of water and electricity dealers were special targets for vandals who emptied or burnt them. In Douala, AES-SONEL and SNEC Branches were looted and their vehicles burnt. The Provincial Taxation Centre, Douala (13th Subdivision, Bonamoussadi) was emptied and its safe carried away. This was the same case at the Mayor's Office and the Divisional Office, Douala V, Brasseries du Cameroon's Distribution Centre (SABC), Ndokoti that was partially burnt.

**769** -In the transport sector, no bus left Douala for Yaounde. A new bus owned by the Cameroon Urban Transport Company (SOCATUR) was burnt to ashes and ten others shattered with stones.

**770** -In Mbanga, a town close to Douala, a banana company lost most of its plants. The banana packaging factory at Njombe was burnt.

**771** -The Ports Authority, Douala (PAD) generates daily income worth about CFA 2 to 3 billion. The strike that paralyzed its activities resulted in a loss profit of about CFA 8 to 12 billion.

**772** -Private economic operators were equally affected by these acts of vandalism. In fact, 80 per cent of station services in Douala, with a daily estimated income of CFA 0.5 billion were vandalized. Ten lorries owned by SIDEM, a dealer, situated around the Douala airport, were burnt.

**773** -Rioters, who sometimes carried away considerable sums of money, targeted kiosques of the horse racing company (Pari Mutuel Urbain Camerounais- PMUC), microfinance companies, banking establishments, shops, stores, bakeries, and restaurants.

**774** -Pertaining to custom income, four days of inactivity cost CFA 16 billion, that is one quarter of 12 per cent of the increment of State employees' salaries according to Government simulation.

**775** -The road infrastructure sector which is undergoing rehabilitation was hardest hit by the crisis. In almost all towns, youths burnt used tyres on the road. This immediately destroyed the bitumen.

**776** -In order to halt these manifestations and guarantee the security of persons and property, Government took a certain number of measures.

## **§2 – GOVERNMENT REACTION**

**777** -Government reacted during and after these sad event

### **A: Negotiations during the Unrest**

**778** -Government received the strike notice deposited in accordance with the law by the Urban and Interurban Transporters Union and on 26 February started negotiations with officials of the unions concerned. They held discussions with the Director of the Hydrocarbons Price Stabilization Fund (CSPH), the Minister of Employment and Vocational Training as well as the Minister of Labour and Social Security.

**779** -The parties agreed on four of the above-mentioned claims. There was deadlock over fuel prices. A compromise was arrived at on this point and fuel prices dropped from CFA 600 to CFA 594 francs for petrol, CFA 550 to CFA 545 for gas oil and from CFA 380 to CFA 375 for kerosene. These

prices were fixed by the Minister of Transport in accord with his colleagues of Trade, Finance, the Secretary General at the Prime Minister's Office and the General Manager of CSPH.

**780** -Notwithstanding the agreement with union representatives, the strike went on as well as the destructions mentioned above for no just cause. On 27 February 2008, the Head of State, His Excellency Paul Biya, through a radio-televised message said that disorder only leads to mishap and misery and added that all legal means at the disposal of Government shall be used for the law to prevail.

**781** -Security and judicial measures were then taken to reinstate order in the country.

## **B: Post-disturbanceAppeasement Measures**

**782** -In order to ensure a sustainable social climate and to satisfy the demands of protesters, Government took a series of economic and judicial measures.

### **1-Economic and Social Measures**

**783** -Government took the following measures to boost the purchasing power of Cameroonians:

- reduction of fuel prices: the price of a litre of petrol that was increased by CFA 16 francs on 1 February 2008 (to CFA 600 francs, that is an increase of more than 2.7 per cent), was reduced in February to CFA 594 francs (that is a final increase of 1.7 per cent) and the price of petroleum products consolidated; customs duty on imported cement was reduced for the period between 1 March to 31 August 2008 from 20 to 10 per cent;
- dialogue with economic operators with a view to better controlling the prices of basic commodities; the objective during this meeting was to identify leverages on which to act (taxes, value added tax, custom duty) to reduce the cost of living while maintaining major macro-economic balances in order to avoid budgetary excesses; and
- information campaign on Government initiative to curb youth unemployment.

**784** -At the end of the Ministerial Council of 7 March 2008, the President of the Republic prescribed some short and long term measures aimed at *"providing initial solutions to impatience"*.

**785** -These provisions relating to purchasing power, employment and the execution of major projects were laid down by two presidential ordinances and decrees.

**786** -The presidential decrees include decree:

- No. 2008/99 of 7 March 2008 to review the basic monthly salaries of civil and military personnel; and
- No. 2008/100 of 7 March 2008 to review the housing allowance rate for civil and military personnel that stood at CFA 8 billion monthly and CFA 100 billion annually; CFA 20 billion monthly to stabilize hydrocarbons prices at an accessible level for the most vulnerable. Government made considerable effort during difficult economic times.

**787** -The ordinances comprise Ordinance:

- No. 2008/1 of 7 March 2008 to review the common external tariff applied on the importation of cement ; and
- No. 2008/2 of 7 March 2008 to suspend customs duty on some basic commodities especially rice, fish and flour that constitute the main source of feeding of the average Cameroonian and the most marginalized groups. This measure led to a 10 to 15 per cent drop in market prices.

## **2-Presidential Clemency**

**788** - It is worth mentioning that on 20 May 2008, the national feast day to celebrate national unity, the President of the Republic signed two decrees to commute sentences. One was especially on the commutation of sentences of persons sentenced within the framework of these events and the other of a general nature. These include Decrees No. 2008/174 and No. 2008/175 respectively. Within the framework of the first text, full commutation of sentences was granted to persons sentenced to a prison term below or equal to one year and a commutation of two-thirds to persons sentenced to a prison term above one year.

**789** - 594 persons were covered by the provisions of this decree of which 131 were immediately released.

**790** - Four-fifth of persons involved in the February 2008 strike action thus returned to their homes.

**791** -The distribution by region and by prison stands as follows:

No.	Prisons	Number of Convicts	Number of Beneficiaries	Total but non definite Commutation	De Facto Release (May 2008)
1	Bafang	18	18	00	00
2	Dschang	2	2	2	00
3	Bafoussam	31	14	00	00
4	Yaounde	160	160	90	16
5	Bamenda	22	22	8	00
6	Kumbo	18	18	18	00
7	Nkambe	4	4	4	00
8	Douala	220	220	125	90
9	Buea	22	22	22	2
10	Nkongsamba	14	14	13	00
11	Mbanga	26	26	17	17
12	Kumba	22	22	17	4
<b>Total</b>		<b>559</b>	<b>542</b>	<b>316</b>	<b>129</b>

Source: MINJUSTICE

## SECTION 2: JUDICIAL AND LEGAL IMPLICATIONS

**792** -This matter led to many recriminations and interjections<sup>237</sup>. They concern essentially the excessive use of public force, respect of the rules of the right to fair trial, and consequently, the right to defence and the significance of presidential clemency.

### §1: EXCESSIVE USE OF PUBLIC FORCE

**793** -During the above-mentioned events, the strikers attacked the forces of law and order deployed in the towns involved to protect the population and secure peace.

**794** -This deployment was gradually carried out in accordance with a legal and statutory procedure.

**795** -First and second category forces (police and gendarmerie) initially sent to the field were reinforced, given the extent of the riots, by category three forces (the army).

**796** -They received specific directives from Government and their mission was to re-establish law and order, within 48 hours, wherever there was trouble, under the supervision of the administrative authority assisted by the Gendarmerie Legion Commander and the Provincial Delegate of National Security. Prevent and stifle any attempts to create disorder in each province by giving priority to the protection of key points and the populations whose

<sup>237</sup> The UN High Commissioner for Human Rights, the Special Rapporteur of the African Commission on Human and Peoples' Rights and Mr Jacques Ekindi, Member of Parliament expressed their concern to Government over the situation of human rights defenders.

contribution is a major element (Directive No. 361/DVE/220 by the Ministry of Defence).

The use of forces in the management of this unrest was in keeping with Decree No. 68/DF/33 of 9 January 1968 and Presidential Instruction No. 7/K/PRF of 9 April 1968 governing the maintenance of order in Cameroon.

**797** -More so, all the operational units were under the command of a gendarmerie officer while military men were simply part of joint patrols.

**798** -The Legal Departments of areas concerned by the events were not seized of any denunciation or petitions by the rightful claimants of the dead. Administrative inquiries revealed that the assailants carried locally made war arms seized from the forces of law and order.

**799** -According to the conclusions of the said inquiries, the forces of law and order were obliged to use arms in self defence.

## **§2: RESPECT OF RIGHT TO FAIR TRIAL**

**800** -Many petitions were received relating to the celerity of the trials and the non respect of the right to defence especially.

**801** -Although some incidents led to the loss of lives, all the forces deployed received orders to refer the vandals to court without delay and in accordance with the prescriptions of the Criminal Procedure Code in force (see Directives by the Ministry of Defence).

**802** -Procureurs General of the Courts of Appeal, for the Centre, North West, West and South West Regions requested the judicial police officers concerned to open preliminary investigations for felonies and misdemeanours committed flagrante delicto in accordance with Sections 103 et seq. of the CPC.

**803** -This instrument provides for two types of preliminary inquiry: simple preliminary inquiry and preliminary inquiry in the case of flagrante delicto offences.

**804** -The simple preliminary inquiry may be commenced by judicial police officers or on the instructions of the State Counsel and finally by submission of a petition or denunciation by any person who is the victim of an offence.

**805** -Preliminary inquiry in flagrante delicto offences applied in this case is commenced when the felony or misdemeanour is in the course of being committed or when it has just been committed or when after the commission of the offence, the suspect is pursued by public clamour or when soon after the commission of the offence, the suspect is caught in possession of an article or shows a sign or trace which tends to suggest that they took part in the commission of the offence.

**806** -It is within the framework of this last type of preliminary inquiry that on 28 February 2008, 25 individuals were referred to the Legal Department, Ekonou-Yaounde, for engaging in dangerous activities, assembly and destruction of public highway.

**807** -The accused were tried before the Court of First Instance (CFI), Yaounde-Ekonou and twelve of them pleaded guilty. They were tried in accordance with the flagrante delicto procedure, convicted and sentenced to two years imprisonment. The cases of thirteen others were adjourned at their request.

**808** -At the CFI, Yaounde, Centre Administratif, out of 281 suspects referred to the Legal Department, 18 who pleaded guilty were heard on 29 February 2008. They were convicted and sentenced to prison terms ranging from 15 months to 3 years.

**809** -The CFI Douala, Bonanjo, sentenced 11 persons to prison terms ranging from 7 months to 1 year and acquitted 22 others. The CFI Douala, Ndokoti, sentenced 48 persons to prison terms ranging from 6 months to 2 years and acquitted 17 others.

**810** -In Nkongsamba, out of 9 persons brought to court on 4 March 2008, 2 were acquitted, 6 sentenced to prison terms ranging from 4 to 16 months and 1 was pending judgment.

**811** -In Mbanga, 6 accused persons brought to court on 5 March 2008 were convicted and sentenced to 18 months imprisonment each.

**812** -In Limbe, out of 6 persons brought before the Court, 2 were acquitted and 4 convicted and sentenced to prison terms ranging from 6 to 8 months.

**813** -In Tombel, out of 3 accused persons brought to court on 5 March 2008, 1 was acquitted and 2 convicted and sentenced to a fine of CFA 50,000 or imprisonment of 6 months in default of payment.

**814** -In all the other localities like Buea, Tiko, Bamenda, Kumbo, Kumba, Dschang and Bafang, the proceedings respected the rules of the CPC and the trial courts heard matters in open court in the presence of advocates and journalists.

**815** -Out of 1,671 persons referred to the Legal Departments of CFIs and accused of dangerous activities, arson, disturbance on public highway, destruction, meeting, assembly and theft, 534 were released and 1,137 brought before the Courts as follows:

- Centre Region: 237;
- Littoral Region: 645;
- West Region: 52;
- North West Region; 107;and
- South West Region: 96

**816** -In all, 729 persons were sentenced to prison terms ranging from 3 months suspended sentence to 6 years imprisonment; 251 were acquitted and 157 are to be tried.

**817** -Minors, pupils and students were given favourable treatment both by administrative and judicial authorities. 199 persons, mostly pupils and students for example, were freed by the Governor of the West Province. Legal Departments of the jurisdictions concerned equally set such persons free.

**818** -The right of defence was ensured at all phases of the procedure both at the preliminary inquiry as well as at the judgment phases in accordance with the rules of flagrante delicto provided for by Sections 103 et seq of the CPC. Furthermore, persons convicted and sentenced were informed of the time-limit of 10 days to appeal against the their various sentences against them.

**819** -Two of these cases should be mentioned because of the personalities involved and the procedure adopted which is different from those presented above.

**820** -The procedures concern Lambo Pierre Roger alias Lapiro de Mbanga and Kingue Paul Eric, Mayor of Njombe Penja.<sup>237(bis)</sup>

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<sup>237(bis)</sup> - See Part One, chapter 4 above on Human Rights Defenders.

## §3: DETENTION CONDITIONS

**821** -Given that the riots were restricted to specific geographical areas, the following prisons accommodated these persons who were placed under similar prison conditions like other prisoners because no instructions were given to inflict cruel, inhuman and degrading treatment on them:

- Central Prison, Kondengui, Yaounde;
- Central Prison, Douala;
- Central Prison, Mbanga;
- Central Prison, Nkongsamba;
- Central Prison, Bafoussam;
- Main Prison, Bafang;
- Main Prison Dschang;
- Central Prison, Bamenda;
- Main Prison, Kumbo;
- Main Prison, Nkambe;
- Central Prison, Buea; and
- Main Prison, Kumba.

**822** - On the one hand, directives were given to officials of the prisons concerned to the effect that before detainees were imprisoned, they should be examined by the medical staff of the prison and a consultation card kept that could be consulted if need be by anyone who showed concern over the state of health of a detainee.

**823** -More so, the imprisonment of these persons caused Government, through the Ministry of Justice, to disburse additional funds to enable prisons to meet up with new costs related to the feeding and healthcare of detainees in the prisons concerned.

**824** -Finally, it is important to note that the ICRC was authorized to visit detention centres to enquire about detention conditions of persons arrested during these events.

**825** -During and after these sad events, the Cameroon Government, faced with the obligation to maintain order and security, prioritized dialogue and consultation.. Government's constant concern was to engage in dialogue, inform and sensitize, secure persons and property and finally to take appeasement measures.



Chapter

3

PROMOTION AND  
PROTECTION OF  
THE VULNERABLE



**826** -As in past years, the Government continued to focus attention on the promotion and protection of vulnerable persons. Vulnerable persons in this context are made up of children, the disabled and the elderly. This category of persons is considered vulnerable because of their weaknesses due to their physical and mental state. Government's measures carried out in 2008 to promote and protect the rights of vulnerable persons will be examined below.

## **SECTION I- PROMOTION AND PROTECTION OF THE RIGHTS OF THE CHILD**

**827** -Government carried out several measures aimed at promoting and protecting the rights of the child.

### **§1: MEASURES TO PROMOTE THE RIGHTS OF THE CHILD**

**828** - These measures include capacity building, caring for orphans, fighting against the street child phenomenon and other activities on behalf of children in distress.

#### **A- Capacity Building**

**829** -To enhance the capacity of those working in this domain, Government carried out the following activities:

- training of officials of identified Private Child Catering Structures (PCCS);
- organisation of the training workshop for Magistrates, Social Worker, Prison Staff, Judicial Police Officer and the Civil Society on juvenile justice;
- training of 35 service provider associations of Bi-Multi project in financial management, identification of the psychosocial needs, and the reference procedures of Orphans and Vulnerable Children (OVC);
- assistance in the organisation of the 2nd congress on autism in April 2008 in Yaounde and Douala;
- sensitisation of the public on the 2005 law relating to the fight against Child Slavery and Trafficking with the support of ILO;
- training of 70 stakeholders in the psychosocial support of children in emergency situation within the framework of Cameroon-UNICEF Co-operation;
- organisation in Yaounde and Meiganga of two training sessions for social workers and community relays on legal assistance to orphans and other vulnerable children, within the framework of the implemen-

tation of the Annual Work Plan of the OVC Integrated Psychosocial Support Project; and

- the participation at the 3rd World congress on the fight against the Sexual Exploitation of Children from 25-28 November 2008 in Rio de Janeiro, Brazil.

## **B- Care for HIV/AIDS Orphans**

**830** -Within the framework of the implementation of the mission of the social protection of the child and more specifically the child in distress, Government focused on the enhancement and improvement of care for orphans and children rendered vulnerable by HIV/AIDS.

**831** -In this regard, the following activities were carried out in 2008:

- continuation of the implementation of the Bi-multi Project in partnership with UNICEF and the French Cooperation in the Ngoundere Urban area, Douala 2 and Bamenda Central Sub-Division;
- continuation of the National programme for Support to OVC throughout the national territory in partnership with the National AIDS Control Committee;
- health, nutritional, educational, legal and psychological care of 52,000 OVC;
- implementation of the Integrated Psychosocial Support Project for OVC in partnership with UNICEF;
- organisation of high level pleading activities, community mobilisation and enhancement of inter sector cooperation in caring for OVCs; and
- assessment of MINAS Sector Plan and the drawing up of a draft 2009-2013 Plan of Action.

## **C- Fight against the Phenomenon of Street Children**

**832** - Due to the implementation of the draft law on the fight against the phenomenon of street children with MDRI funding, significant results were obtained:

**833** - 435 street children aged between 4 and 18 years were identified by social centres in Yaounde and Douala of which 23 were between 4 and 9, that is, 5.89 per cent, 100 aged between 10 and 13 years, that is, 43 per cent, and 279 aged between 14 and 18 years, that is, 71.33 per cent. Girls represent 7 per cent, that is, 33 street children whose ages vary between 4 and 18 years.

**834** -Of the 435 street children hereinabove mentioned, 119 were returned to their respective families including 87 in Douala and 32 in Yaounde. 63 street children who were returned to their families were admitted into primary and secondary schools. The search and mediation of the families for the remaining 316 street children is ongoing. Solutions for maintaining the 56 other street children of the 119 returned to their families are being analysed (training in responsible parenthood, psychological follow-up and enrolment in nearby schools).

**835** - Besides, the following actions are ongoing:

- a survey on street children is ongoing and will allow for the putting in place of a quantitative and qualitative data bank to be exploited within the framework of the social information system on the street children phenomenon;
- 48 civil society partners showed their interest to join the project in order to carry out joint actions; and
- Rehabilitation of 3 reeducation centres is going on including ICE Betamba, Borstal Institute, Buea and the Monitoring Centre, Yaounde.

## **D- Other Activities and Programmes**

**836** -Other activities carried out by Government to promote the rights of the child in 2008 include:

- provision of the social intervention map and identification of 568 private child catering structures throughout the national territory and the publication of a statistical inventory related thereto. These structures fall under three categories to wit: 41 in category A (functional); 241 in category B (average); and category C (less functional);
- celebration of the 18th edition of the International Day of the African Child and the organisation of the 10th session of the Children's Parliament with the effective involvement of vulnerable children at all levels under the theme "Children's Constructive Participation";
- drawing up of a register in English and French for the intake, security and placement of stranded children in public and private institutions;
- registration in the approved families column of 30 applications for adoption and foster homes placement of 22 abandoned children;
- continued implementation of OVC National Support Programme throughout the national territory through the health institutional, educational, legal and psychosocial management of 30,000 OVCs in 336 councils;

- implementation of the annual work plan of the first implementation phase of the Special Protection Programme of the Cameroon /UNICEF cooperation for the period 2008-2012 and the drawing up of the country Action Programme Paper for the period 2008-2012;
- proofreading the framework document on the National Youth Integration Development policy; and
- putting in place of a network of 8 child development associations in the Far North Region, three of which operate especially in youth integral development.

**837** - Some common actions were carried out on behalf of the vulnerable:

- granting of subventions worth CFA 40 million to voluntary welfare agencies, NGOs and associations that care for the the vulnerable; and
- organisation of the 3rd Social Action Day on 24 December 2008, under the distinguished patronage of the First Lady of Cameroon, Mrs Chantal Biya during which MINAS's targeted population received financial, material and technical aid with a view to enhancing their socio-economic, academic and professional rights

## **§2 – MEASURES TO PROTECT THE RIGHTS OF THE CHILD**

**838** -To better protect the rights of the child, Government has taken measures aimed at strengthening their legal protection. Adoption was reviewed and was discussed during the annual meeting of Heads of Court of Appeal in October 2008. Many proceedings and disciplinary sanctions equally ensure the protection of the right of the child.

### **A-Strengthening Legal Framework**

**839** - This domain consisted in the drawing up of a draft decree to transform the Reception and Observation Centre Bepanda, Douala, preparation of a draft decree to set up the Reception Centre for Stranded Children, examination of the draft decree to set up the Pilot Re-education Centre in Douala for children in conflict with the law currently detained in the Central Prison, Douala.

**840** - The defence for the adoption of the Child Protection Code also falls in line with the above-mentioned steps.

## **B- Adoption in Cameroon Law**

**841** - Adoption was included on the agenda of the Heads of Court of Appeal meeting as a result of the drifts and fraud observed in the adoption of minor children and queries by the national and international communities on the issue of the treatment of children.

**842** - It was observed that some courts for example, granted adoption by private agreement to persons on the pretext that they found abandoned children without involving the Ministry in charge of Social Affairs.

**843** - Besides, the Ministry of Justice received several petitions for the verification of the authenticity of adoption judgments.

**844** - Considering that the concerns relate to fair trial, it was necessary to review the adoption procedure so as to draw the attention of Judicial and Legal Officers on their responsibility to respect children's rights in this domain.

**845** - After reviewing substantive law in adoption that is specific to different regions of the country, problems related to its application were analyzed.

### **1- Romano-Germano Substantive Law: French-speaking part of Cameroon**

**846** - Adoption is a legal act between the adopter and the adoptee or their legal representative. It is a solemn act subjected to the confirmation of the Courts (Articles 350 to 357 Civil Code (CC) for simple adoption and 370CC for full adoption.)

**847** -Two types of adoption are provided for by the law notably the French CC of 1804 still applicable in Cameroon: simple adoption and adoption by legitimation also called full adoption (Articles 369 CC).

**848** - The effects of adoption differ based on the type of adoption and their procedure respect specific rules provided for in the CC (Articles 358 to 364).

### **2: Adoption in Common Law: English-speaking part of Cameroon**

**849** - There is no substantive law that governs adoption in the English-speaking Regions of Cameroon because all the laws before 1900, borrowed from England, do not include any provision on this issue.

**850** - The Courts seised of adoption applications refer to international

conventions ratified by Cameroon especially the UN Convention of 1989 on the Rights of the Child and the African Charter on the Rights and the Wellbeing of the Child of 1990, national laws such as the 1981 Ordinance governing the Civil Status, customary laws and sparse British acts on adoption including the English law of 2002.

**851** - Thus, adoption procedures relating to the status of persons are heard and determined by the HC, in application of the law governing judicial organization. The child must be at least 18 years old, while the adoptive parents must be above 21 years old, be of good health and must not have any blood relationship with the child to be adopted.

**852** - The Legal Department must intervene in the procedure to defend the interest of the society considering that the basic principle remains the quest for and the protection of the interest of the child.

### **§3: PROBLEMS RELATING TO THE LAW ON ADOPTION**

**853** - From what precedes, it is observed that on the one hand the Civil Code conditions are rigid and the interpretation thereof is sometimes difficult especially concerning the time limits given to adoption applicants. The cases of spouses for example, where one spouse is declared sterile before the fifth year of marriage but who must wait for the marriage to reach 10 years and for one of the spouses to be at least 35 years to apply for adoption. On the other hand, there is a legal void that allows for all sorts of jurisprudence based on the susceptibility of each judge.

**854** - This remark reveals that the law on adoption should be reviewed to better lay down the conditions of this type of filiation and protect the interest of the child by emphasizing on the psychological profile of adopters who, for the most part, leave the country with adopted children.

**855** - In fact, transnational adoption is more difficult to follow-up because abuses on children displaced mainly from poor countries to Europe are neither denounced by NGO's who serve as intermediaries or adopters who often prefer financial gains.

**856** - Judicial practice should also be properly mastered because the HC has absolute jurisdiction with regard to the status of persons in matters of adoption. But the CFI also has jurisdiction.

**857** -At the end of debates, the following recommendations were made pending

the harmonization and updating of the law:

- an inventory should be made of adoption decisions taken during these last five years indicating the conditions under which they were delivered;
- a circular should be drawn up referring to a certain number of points: the transmission of files to the Legal Department, public hearings referring thereto where the law so provides and the necessity of carrying out social inquiries before adoption judgments are delivered;
- the draft bill on the Code of the Person and the Family in the Ministry of Justice should be reviewed within one month and forwarded to hierarchy; and
- Judicial and Legal Officers who hear and determine adoption procedures should be vigilant.

**858** -The ratification of the Hague Convention on the Protection of Children and Cooperation in International Adoption, adopted on 29 May 1993 and which entered into force on 1 May 1995 was envisaged.

## **C- Proceedings and Judicial Sanctions**

**859** -The provisions of the Penal Code and the Criminal Procedure Code were rigorously implemented by the courts in the prosecution and trial of minors. The following court actions are an illustration of the efforts of the courts to protect minors whose rights were abused or violated.

**Table of sexual abuse cases on minors**

<b>Court of Appeal</b>	<b>Jurisdictions</b>	<b>Number of Cases Reported</b>
<b>Adamawa</b>	CFI Tibati	06
	CFI Banyo	07
	CFI Ngaoundere	03
<b>East</b>	CFI Batouri	03
	CFI Yokadouma	08
	CFI Bertoua	08
	CFI Yabassi	07
<b>Littoral</b>	CFI Douala Bonanjo	02
	CFI Nkongsamba	02
	CFI Douala Ndokoti	06
	CFI Mungo	20
	CFI Wouri	33
<b>North</b>	CFI Garoua	03
	CFI Guider	03
	CFI Tcholiré	03
	CFI Poli	01
<b>North-West</b>	CFI Kumbo	06
	CFI Ndop	01
	CFI Batibo	06
	CFI Bamenda	01
	CFI Menchum	01
	CFI Wum	01
	CFI Nkambe	06
	CFI Donga/Mantung	02
	CFI Mbengwi	06
<b>West</b>	CFI Mezam	13
	CFI Bafoussam	02
	HC Mifi	17
	CFI Dschang	05
	HC Menoua	05

The above mentioned cases relate to prosecution and convictions for the offences of rape, indecency against minor, kidnapping, assault on children, corruption of youth and child trafficking. With regard to the offence child trafficking, the following seven cases were reported in the North West Region.

- The People V. Adamu Sani, accused was charged with child trafficking. The matter is before the Examining Magistrate for preliminary inquiry;
- The People V. Nkoh Samuel, accused was charged with trafficking two children of 14 and 17 years respectively. The matter is before the Examining Magistrate for preliminary inquiry;
- The People V. Azeh Margaret, accused was charged with child trafficking. The matter is pending before the Examining Magistrate for preliminary inquiry;
- The People V. Fru Lambs, accused was charged with child trafficking. The matter is pending before the Examining Magistrate for preliminary inquiry;
- The People V. Nkiambi Doris Ekossonon, accused charged with child trafficking. The matter is pending before the Examining Magistrate for preliminary inquiry;
- The People V. Mankah Judith Chi, accused was charged with child trafficking. The matter is pending before the Examining Magistrate for preliminary inquiry; and
- The People V. Ngang Simon, accused was charged with child trafficking. The matter is pending before the Examining Magistrate for preliminary inquiry.

## SECTION 2 – PROMOTION AND PROTECTION OF THE RIGHTS OF THE DISABLED

**860** -2008 was a significant year in the international human rights movement given the entry into force on the 3rd of May 2008 of the U N Convention on the Rights of Persons with Disabilities and its Optional Protocol.

**861** - 53 countries have signed and ratified the Convention, while some 90 including Cameroon have only signed.

**862** -The first International Day of Persons with Disabilities was celebrated on 3 December 2008 under the theme “*Convention on the Rights of Persons with Disabilities: Dignity and Justice for all of Us*”.

**863** -The annual observance of the International Day of Persons with disabilities is aimed at promoting an understanding of disability issues and mobilizing support for the dignity, rights and well-being of persons with disabilities. It also seeks to increase awareness of the national and international communities on the necessity of taking into consideration the

handicap approach in all aspects of political life in accordance with the Millennium Development Goals (MDGs).

**864** -In its usual effort to enhance the promotion and protection of the rights of persons with disabilities, Government carried out some major actions spelt out herein below.

## **§: IMPROVEMENT OF THE TECHNICAL LEVEL OF INSTITUTIONS CATERING FOR PERSONS WITH DISABILITIES**

**865** -To enhance the quality of services offered, the Government sought to improve on the technical level of the institutions that cater for persons with disabilities through the following actions:

- the holding of two Board meetings of the National Rehabilitation Centre for the Handicapped (CNRH), Etoug-Ebe, Yaounde; and
- the validation of the draft decree to organise the National Rehabilitation Centre for the Handicapped, Etoug-Ebe. The aim of this decree is to transform the said Centre from a department in MINAS into a public administrative establishment with a view to making it a place of excellence in the sub-region.

## **§2: SOCIO-ECONOMIC INTEGRATION**

**866** -The socio-economic integration of handicapped persons was effected through:

- a continuation of the Pilot Recruitment Operation of deserving handicapped persons into the Public Services;
- participation in the organisation of the first Central African Games for the Handicapped;
- the follow-up and monitoring of trainees at the Vocational Training Centre for Handicapped Women "Bobine d'Or" Ekounou;
- the training of 52 persons with disabilities in office automation techniques and the internet (30 of them were trained at the *Institut Africain d'Informatique* (IAI)- Cameroun) and 22 at the National Rehabilitation Centre for the Handicapped, Etoug-Ebe, with the support of CIPRE; and
- the provision of equipment and fittings (tricycles, wheel chairs, white sticks and hearing aids) worth CFA 100,000,000 francs to persons with disabilities.

## §3: INSTITUTIONAL AND LEGAL CONSOLIDATION

**867** -To consolidate the legal and institutional framework on persons with disabilities, the Government carried out the following activities:

- national census of organisations that cater for persons with disabilities;
- ongoing drafting of a practical guide on the accessibility of children with disabilities;
- ongoing drafting of a leaflet on the white stick as a social reinsertion tool for visually handicapped persons;
- signing by the Minister of Social Affairs and the Minister of Higher Education of joint circular letter No.8/6/LCC/MINAS/MINESUP of 9 July 2008 relating to the improvement of reception and accommodation of handicapped or vulnerable students in State Universities in Cameroon as well as the granting of university lodgings and accessibility; and
- validation of the monograph on trades that are accessible to handicaps.

## SECTION 3: PROMOTION AND PROTECTION OF THE RIGHTS OF THE ELDERLY

**868**-Elderly persons are often subjected to discrimination and abuse. Thus, they are considered as vulnerable.

**869** -It is of paramount importance to point out here that the International Day of older Persons is celebrated annually on 1 October.

**870** -In 2008, the following measures were taken by the Government to protect the rights of the elderly:

- the organisation on 16 September 2008 of a workshop on the setting up of a National Committee on older Persons (CONAVI) that resulted in the validation of a draft decree to organise same. The role of this multisectoral organ shall be to strengthen the promotion and protection mechanism of older persons through coordination of the actions of the different social partners, setting up a synergy of multisectoral actions and their inclusion in development policies and programmes;
- Survey on the elderly was launched on 30 May 2008 with the aim of providing Cameroon with a national policy on the promotion and protection of the elderly comprising the following:

- a document on the current situation and competence of older persons aimed at facilitating their re-conversion and valorisation of their experiences; and
- an inventory of the organisations that cater for older persons with a view to rationalising partnership between the State and the said organisations;
- public education on the rights of older persons was emphasised in 2008 with the popularisation of guides on the promotion and protection of the rights of older persons contained in the following instruments: the Madrid International Plan of Action on Ageing, 2002, the African Union Strategic Orientation Framework, 2002- 2003, the United Nations Principles for Older Persons, Cameroon's report on the implementation of the Madrid International Plan of Action on Ageing; and
- the first operational phase of the concept of "*University for Senior Citizens*" as a virtual environment of inter generation exchange during the International Day of older Persons on 1 October 2008.

## CONCLUSION

**871** - Government has been leaving no stone unturned in seeing into it that good policies, as well as national and international instruments in this domain are effectively implemented to enhance the rights of children.

**872** -Within the framework of social inclusion and integration, persons with disabilities and the elderly have equally not been left out. The protection of their rights through the various mechanisms put in place is ample proof of Government's commitment to uphold the human rights of these persons.



Chapter 4  
PROMOTION AND  
PROTECTION OF  
WOMEN'S RIGHTS





**873** - The Ministry of Women's Empowerment and the Family (MINPROFF) took actions in 2008 in favour of women, the girl child, widows, sex workers and families, within the framework of its missions namely, the drawing up, implementation and assessment of measures relating to the respect of women and the protection of the family.

**874** - These actions can be regrouped under four main thrusts:

- social promotion of women;
- continuation of gender institutionalization;
- promotion of family welfare; and
- economic empowerment of the woman and the family.

## SECTION 1: SOCIAL PROMOTION OF WOMEN

**875** - Activities carried out within this domain produced the following results:

- sensitization of women, families, communities and opinion leaders on the harmful effects of female genital mutilation, early or forced marriages and other forms of domestic and public violence that violate the rights of the person;
- solemn and symbolic handing over of knives used for excision by professional excisionists to the Minister of Women's Empowerment and the Family during the sensitization campaign in Kousseri, Far-North Province, to renounce this abominable practice and as sign of heeding to Government plea that is committed to guarantee their re-conversion by supporting their incoming generating activities;
- installation of 13 (thirteen) toll free lines in the central<sup>241</sup> and external services of MINPROFF, with a line for each regional delegation, in order to enable women and families denounce cases of violence and violation of women's rights. The following lines are found in the Central Services:
- material, financial and technical support to excisionists with a view to providing them an alternative to this inhuman, odious and abject practice;
- providing care for almost 2,000 women and some men who are victims of physical, psychological, sexual, economic and political vio-

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<sup>241</sup> 22.22.62.13;

- lence in telephone reassurance, counselling and guidance services;
- training of 83,426 women and young girls in tailoring, catering, ICT, preparation and management of income generating projects, access to 47 Centres for the Promotion of Women and the Family that are specialized technical units in charge especially of the intellectual, moral, civic and professional training of women, young girls and the family. This training falls within the framework of : *"The Putting in place of a Support Mechanism for Poor Women in the Promotion Centres for Women and the Family"* funded by HIPC resources;
- professional reconversion of sex workers to prestigious jobs through training in Income Generating Activities (IGA), organizing them in associations, especially in Ambam, Awae, Bafia, Bamenda, Douala, Edea, Kribi, Maroua, Ngaoundere and Yagoua;
- sensitization of young girls on the ills of immoral acts like infanticide, abortion, alcoholism, drug consumption, indecent dressing, prostitution and other deviant social behaviour; and
- organization of educative talks on varied themes as well as six HIV/AIDS screening campaigns and the fight against malaria during commemorative days especially:

**876** -During these commemorative days, huge stocks of female condoms were distributed through out the national territory; 2,462 men and women were screened for HIV/AIDS; and large numbers of persons were screened for breast and cervical cancer, diabetes, hypertension and obstetrical fistula. Thus, 15 cases of obstetrical fistula identified for operation or reoperation.

**877** - More so, the following social actions were carried out:

- follow-up of 150 reversionary pension files on behalf of widows in the Ministry of Public Service and Administrative Reforms, Ministry of Finance and the National Social Insurance Fund;
- legal counselling and guidance of women in legal matters (succession, death benefits, letters of administration);
- mentorship of widows in widows associations;
- presenting arguments for the inclusion of the gender component in the Poverty Reduction Strategy Paper (PRSP) undergoing revision;
- training, with the assistance of UNIFEM, UNDP and the Canadian Cooperation, of gender focal points of ministries and public and semi-public bodies during two training sessions;

- drawing up of a list on best practices on gender promotion in the central services of 34 ministries; and
- intensive participation in the examination of the AU's Gender Policy Document.

## **SECTION 2: INSTITUTIONALIZATION OF GENDER APPROACH**

**878** -The implementation of the gender approach in development strategies continued in 2008.

**879** -Gender focal points of public and semi-public services participated in ceremonies to celebrate Commemorative Days devoted to women and the family as well as collective marriage celebrations throughout the national territory.

**880** -The evaluation of consideration for gender in appointments in decision-making positions in the central administration up to the rank of Director that depends on discretion of political leaders was made by the Ministry of Public Service and Administrative Reform and is illustrated in the Table below.

# MINJUSTICE

Report by the Ministry of Justice on  
Human Rights in Cameroon in 2008

NO.	MINISTRIES	SECRETARIES GENERAL AND OTHERS RANKING AS SUCH				DIRECTORS AND OTHERS RANKING AS SUCH				CUMULATIVE TOTAL SECRETARIES GENERAL, DIRECTORS AND OTHERS RANKING AS SUCH			
		Total	M	F	% F	Total	M	F	% F	Total	M	F	% F
1	MINTOUR	2	1	1	50	9	6	3	33.33	11	7	4	36.36
2	MINAS	2	2	0	0	7	4	3	42.85	9	6	3	33.33
3	MINPROFF	2	2	0	0	7	4	3	42.85	9	6	3	33.33
4	MINEP	2	2	0	0	15	10	5	33.33	17	12	5	29.41
5	MINJUSTICE	3	2	1	33.33	16	12	4	25	19	14	5	26.31
6	MINFOPPA	3	3	0	0	13	9	4	30.76	16	12	4	25
7	MINPMEESA	2	1	1	50	7	5	2	28.57	9	7	2	25
8	MINESUP	4	4	0	0	14	10	4	28.57	18	14	4	22.22
9	MINSANTE	4	3	1	25	28	22	6	21.42	32	25	7	21.87
10	MINIMITD	2	2	0	0	8	8	0	0	10	8	2	20
11	MINTSS	2	1	1	50	8	7	1	12.5	10	8	2	20
12	MINESEC	10	9	1	10	11	8	3	27.27	21	17	4	19.04
13	MINEPIA	2	1	1	50	9	8	1	11.11	11	9	2	18.18
14	MINJEUN	2	2	0	0	9	7	2	22.22	11	9	2	18.18
15	MINDUH	3	3	0	0	9	7	2	22.22	12	10	2	16.66
16	CIONSUPE	1	0	1	100	5	5	0	0	6	5	1	16.66
17	MINSEP	2	2	0	0	10	8	2	20	12	10	2	16.66
18	MINEFOP	2	1	1	50	10	9	1	10	12	10	2	16.66
19	MINCOM	2	2	0	0	11	9	2	18.18	13	11	2	15.38
20	MINCULT	2	2	0	0	5	4	1	20	7	6	1	14.28
21	MINREX	2	2	0	0	12	10	2	16.66	14	12	2	14.28
22	MINT	2	1	1	50	6	6	0	0	8	7	1	12.5
23	MINCOMMERCE	2	1	1	50	7	7	0	0	9	8	1	11.11
24	MINATD	2	2	0	0	19	17	2	10.52	21	19	2	9.52
25	MINEE	2	1	1	50	9	8	1	11.11	11	10	1	9.09
26	MINRESI	2	1	1	50	9	9	0	0	11	10	1	9.09
27	MINDAF	2	2	0	0	9	8	1	11.11	11	10	1	9.09
28	MINADER	4	4	0	0	19	17	2	10.52	23	21	2	8.69
29	MINPOSTEL	2	2	0	0	14	13	1	7.14	16	15	1	6.25
30	MINEDUB	3	2	1	33.33	14	14	0	0	17	16	1	5.88
31	MINEPAT	2	2	0	0	12	12	0	0	14	14	0	00
32	MINFOF	2	2	0	0	9	9	0	0	11	11	0	00
33	MINTP	3	3	0	0	13	13	0	0	16	16	0	00
34	SCRA	0	0	0	0	3	3	0	0	3	3	0	00
TOTAL		84	70	14	16.66	366	308	58	15.84	450	378	72	16.00

Source : MINFOPRA 2008.

Regions	Localities	Number of Couples
<b>Centre</b>	Yaounde	52 (1 <sup>st</sup> phase)
	Yaounde	235 (2 <sup>nd</sup> phase)
	Mbalmayo	60
	Ntui	11 (1 <sup>st</sup> phase)
	Ntui	35 (2 <sup>nd</sup> phase)
	Mbangassina	57
	Bafia	110
	Okola	54
	Ngoumou	78
<b>East</b>	Abong-Mbang	15
	Mindourou	100
	Bertoua	26
	Doumé	22
	Dimako	66
	Messamena/Ngoulmakong	70
<b>Far-North</b>	Maroua	75
<b>Littoral</b>	Douala	150
	Edea	176
	Dizangué	83
	Mouanko	54
<b>North</b>	Garoua	67
<b>North-West</b>	Bamenda	70
	Bui	67
<b>West</b>	Bafoussam	31
	Foumban	40
	Bafang	17
	Magba	71
<b>South</b>	Bipindi	107
	Ambam	117
	Meyomessala	50
	Nye'été	114 (1 <sup>st</sup> phase)

**881** -This Table reveals that the percentage of posts occupied by women remains low (16 per cent) and more so most of them do not hold real decision-making posts.

## **SECTION 3: PROMOTION OF FAMILY WELFARE**

**882** -Under this score, the following results were obtained:

- production of 5,000 pamphlets on the popularization of moral support;
- MINPROFF's competent services received 3,200 cases involving families, couples, parents or children for mediation, family and marital counselling;
- support to more than 400 persons and families of flood victims in Nkolbisson, Yaounde as well as many widows;
- 500 school assistance granted to families in distress throughout the national territory;
- continuation of "Solidarity" marked by the registration of some thirty new donors of assistance to persons facing health, academic and nutrition difficulties;
- drawing up of a Country Report on the evaluation of the implementation of the Family Action Plan in Africa;
- Cameroon's contribution, especially to the implementation of the Convention on the Elimination of Racial Discrimination, at the 3rd World Congress of the Fight against the Sexual Exploitation of Children and in the Economic, Social and Cultural Rights Commission;
- support to the collective celebration of 2,480 marriages throughout the national territory and legitimization of about 1,000 children born by these couples; and
- accompanying families in order to draw up the birth certificates of children born in free union or customary marriage. More than 1,000 children without birth certificates were identified and some are being recognized by their biological parents.

**883** -The collective marriage celebration was appealing to persons concerned throughout the national territory as illustrated in the Table below:

## SECTION 4: ECONOMIC EMPOWERMENT OF THE WOMAN AND THE FAMILY

**884** -The following results were obtained in this domain:

- 1,156 women associations were identified in Yaounde and regrouped in branches. The activity is ongoing throughout the national territory in order to systematically draw up card-indexes of associations and association networks;
- several exhibition fares were organized throughout the national territory during the commemorative days;
- MINPROFF participated in the Handicraft International Forum, Yaounde for the promotion of the Cameroon and African cuisine and daily encounters in a traditional setting;
- first phase of distribution of farming equipment to women's groups in the Centre, South, Littoral, Adamawa, North and Far-North Regions. These considerable stocks of farming equipment comprised: 40 machetes, 75 hoes, 40 wheel-barrows, 4 shellers, 40 watering cans, 2 generators, 10 sprayers, 5 edge trimmers, 3 chain saws and 5 grinding mills;
- teaching aids were distributed to women and young girls in Women and Family and Women Empowerment Centres. It comprised: 38 sewing machines, 10 knitting machines, 77 embroidery machines, 15 oversewing machines, 2 computers, 2 freezers, 2 hair dressing kits, 3 ranges, 2 refrigerators and 7 embroidery machines;
- 6,150 women were sensitized throughout the national territory on association management, drawing up of an association's plan of action, hygiene and the management of water points, online multimedia production, ICT, hotel industry, soap production, drying techniques, onion cultivation technique, chicken and pig rearing, embroidery, screen printing and painting;
- 251 projects for women and associations were presented to the Islamic Organization for Education, Science and Culture (ISESCO), for research and funding;
- support was granted for the mentorship of women in the cultivation, conservation and commercialization of tubers, in collaboration with the Ministry of Agriculture and Rural Development, through the National Roots and Tubers Development Programme (PNDRT); and
- a maiden drop-in day care centre, which is a structure in the immediate vicinity charged with ensuring the daily care of children, while their mothers undertake their political and economic activities was inaugurated in Garoua.

**885** -Several other projects ensure the implementation of, and are liable to sustain the above-mentioned activities. These include:

- Capacity Building Project for Women's Network for the Fight against Poverty in the Republic of Cameroon (CAREF), an initiative by the First Lady of Cameroon and funded by the Foundation for Capacity Building in Africa (ACBF), Zimbabwe;
- Project for the *"Implementation of a Support Mechanism for Poor Women in the Centres for the Empowerment of Women and Families"* funded by HIPC. Support is granted to trainees for social reinsertion at the end of their training;
- support project for rural women especially for the supply of miscellaneous equipment to women and women's networks as well as training in food processing and conservation techniques;
- programme for the fight against HIV/AIDS in the *"Woman and Family"* Sector with emphasis on the psychosocial care and the non stigmatization of infected persons and families with a view to giving the illness a human face;
- assistance project to families through the intensification of marital and family moral support, legal aid, psychosocial and material counselling sessions;
- prenuptial and matrimonial education project englobing all activities related to preparation for marriage and advice to parents and parents-to-be on their role in the family, in marriage preparation and family life centres or Centres for the Empowerment of the Woman and the Family;
- education project on human rights and the family through:
  - popularization of national and international instruments especially CEDAW;
  - popularization of the family plan of action and
  - implementation of the human rights approach.

**886** -All in all, the promotion and protection of the rights of the woman and the family is evolving. In spite of the existence of some sociocultural factors that are detrimental to the woman, education on the rights of the woman and the family as well as wide scale popularization of national and international instruments are major challenges to face during the next reference period.

Chapter

5

PROMOTION AND  
PROTECTION OF THE  
RIGHTS OF THE  
MARGINAL POPULATIONS



**887** -In Cameroon, some categories of the population such as the pygmies (Baka, Bakola/Bagyelis and Bedzang)<sup>242</sup>, Mbororros<sup>243</sup> and other ethnic entities are considered marginal populations.

**888** -In its relentless effort to improve upon the standard of living for all Cameroonians, the Government through the Ministry of Social Affair (MINAS), has embarked upon ameliorating the conditions of indigenous people both at the institutional and social levels. In this regard, the main duties of the Ministry of Social Affairs are to fight against social exclusion, draw up, implement, follow-up and assess programmes and policies relating to the social rights and the socio-economic integration of the marginal population.

## SECTION 1: SOCIO-ECONOMIC INTEGRATION OF THE MARGINAL POPULATIONS

**889** -Various national solidarity activities are carried out in collaboration with other services and partners with a view to eliminating discrimination that could lead to the social exclusion of the marginal populations. This falls in line with the policy of integrating them in the development process thanks to the harnessing of all required potentials for collective development.

## SECTION 2: FIGHT AGAINST SOCIAL EXCLUSION

**890** -Government carried out the following actions in 2008 to guarantee national solidarity and to fight against social exclusion:

- continuation of the request for the promotion of citizenship and participation of the marginal populations in major civic political events such as drawing up of their birth certificates, official documents and voters card in collaboration with the services concerned;
- furtherance of the institutional call for education on solidarity and the sensitisation of government officials on the importance of talking into

<sup>242</sup> - The Bakas are the biggest group with an estimated population of 70.000 people. They live in South East Cameroon;

The Bagyelis comprises about 30.000 to 40.000 people spread out between the Bipindi, Lolodorf, Akon II, Kribi and Campo Sub-Division; and

<sup>243</sup> - The Bedzangs who are less than 1.000 and based in the transition zone between the savannah and the forest, in the Centre of Cameroon (Ngambe-Tikar) it is worth mentioning that some literary works do not consider the Bedzangs as an indigenous population.

The Mbororos communities (normal breeders), are spread through out the national territory, with major concentration in the northern and middle belt regions of Cameroon.

consideration on the specific needs of the target populations in major sector projects;

- identification during the Third Social Action Day of sustainable support for the said target;
- celebration on 9 August 2008 of the 1st official Edition of the National Day for Indigenous People;
- animation of international Committees for the implementation of the recommendations of the 1st National Solidarity Forum;
- finalisation of the draft National Solidarity Fund;
- realisation of studies relating to the draft bill on the promotion of the Rights of the marginal populations and the National Solidarity Policy Document;
- development of partnership platforms with national solidarity bodies with a view to raise funds for the indigenous people;
- continuation of a card-index on the granting of point-to-point or sustainable aid and help to the marginal populations;
- Environmental and Social Capacity Building Project of the Energy Sector (PRECESSE) to investigate the environmental and social effects of major hydro-electric projects on Government effort to protect the marginalised;
- the pygmy development plan of Forest and Environment Sector Programme (PSFE);
- drawing up of TDRS on Cameroon's action plan on the second international decade on indigenous people;
- finalisation of the PNDP/MINAS partnership on the taking into account of the social needs of the marginal populations;
- execution of the Support Project for the Socio-Economic Development of the Baka (PADES-BAKA) in partnership with the Belgian Technical Cooperation (CTB) in the Djoum, Mintom and Oveng Sub-Divisions in the South Region which ended in April 2008 and produced the following results:

## **§1: CITIZENSHIP:**

### **891 - The following achievements can be mentioned:**

- 32 Baka Communities were sensitised on the importance and the procedure for acquisition of official documents;
- 24 Baka resource persons were trained in the use of birth declaration registers in Camps; and
- 467 Baka children received birth certificates.

## **§2: ACCESS TO BASIC SOCIAL SERVICES**

**892** -The following activities were carried out by MINAS:

- improvement of the personal, food and environmental hygiene of the Baka;
- sensitisation of camps on the vaccination of children and pregnant women; to this end:
  - 176 women were given prenatal consultation;
  - 645 pregnant women were vaccinated;
  - 2000 children were vaccinated;
  - 51 traditional birth attendants were trained and equipped with basic health kits;
  - 3 health centres (Alati, Mveng, Melku) were equipped with practical tools;
  - health centres provided with basic drugs; and
  - 30 needy persons received urgent medical aid.

## **3: Land Protection and Baka – Bantu Inter-Communal Dialogue**

**893** -In this domain, the following steps were taken:

- the Baka-Bantu consultation platform was set up and it is functional in Djoum, Mintom and Oveng;
- involvement of local administrative authorities in the consultation platform; and
- a forestry resources mobilisation plan was drawn up.

**894** -The above-mentioned results were attained by using the sum of CFA 497,765,000<sup>244</sup> in accordance with the Special Arrangement Clauses of 10 December 1998 signed between the Republic of Cameroon and the Kingdom of Belgium for the implementation of PADES-BAKA within 36 months.

**895** -In the social domain, the Government engaged the following measures:

- social management of the Longji shipwreck victims through the care and psychosocial aid of survivors. The 21 children involved were lodged at the friendship and observation centre, Douala between 22 August to 18 November 2008 when they were returned to Benin;
- continuation of the finalisation phase for the implementation of the Draft National Solidarity Fund (NSF);
- preparation of Cameroon's general Social Development Report; and
- ongoing review of the Social Development Sector Strategy (SDSS) with a view to better promote the rights of the underprivileged.

## SECTION 3: OTHER ACTIONS FOR THE PROMOTION AND PROTECTION OF THE UNDERPRIVILEGED

**896** -Government took the following other actions in 2008:

- Granting of Subventions worth CFA 40 000 000<sup>245</sup> to Voluntary Welfare Agencies, NGO's and Associations caring for the underprivileged.
- implementation of government communication by the permanent production of the radio programme "Social Vision" over the CRTV
- participation in international meetings relating to the promotion and protection of the underprivileged including the:
  - 46th Session of the United Nations Social Development Commission of February 2008 at New York;
  - West and Central African Workshop on Social Protection, June 2008, Dakar;
  - Training seminar on the Management of Disasters and Catastrophes, 10-24 September 2008, Beijing, China;
- Participation at the first official edition of the International Day of Indigenous People celebrated on 9 August 2008 on the theme "Mar-

<sup>244</sup> About 759,193 euros.

<sup>245</sup> About 60,980 euros.

ginalised populations: Information and Training”; and  
- organisation of the 3rd Social Action Day on 24 December 2008 under the distinguished patronage of the First Lady, Mrs Chant Biya, during which MINAS’ targeted population received financial, material and technical aid with a view to enhancing their socio-economic, academic and professional rights.

**897** -Notwithstanding the enormous efforts by Government geared towards the promotion and promotion of the rights of the marginal populations, it is worth indicating that a lot still has to be done as abuses violating their patrimonial traditional rights and their rights to health are still recurrent.

**898** - However, Government intends to set up a legal framework to govern land tenure and forestry rights and envisages the ratification of ILO Convention No. 169 on indigenous peoples.

## CONCLUSION OF PART THREE

**899** -By promoting and protecting the vulnerable, women and the marginalized, the State, through positive discrimination ensures that these citizens make up for lost time because of cultural and social bottlenecks. The massive mobilization of these persons with a view to educating them on equity and social justice is in line with Government action in this domain. These different approaches, based on dialogue and citizens’ claims, contrast with violence provoked by the social untrest of February 2008 to which the State found appropriate solutions.

**900** -As regards detention conditions, corrective measures by Government, private partners and sponsors give hope for better supervision of detainees, the construction of new prisons and the recruitment of supervisory personnel.

## GENERAL CONCLUSION

**901** -At the end of this Report, it can be noted that the fight against impunity was consolidated in 2008. This initiative that was launched a few years ago must be supported and reinforced for a more visible implementation of the rights guaranteed by this fight for which the role of human rights defenders and the Press ought to be better understood by actors.

**902** -Innovations brought to the political landscape by the constitutional revision and the appointment of members of ELECAM have paved the way for future elections during which the people shall determine their merit and effectiveness.

**903** -The fulfilment of economic, social and cultural rights, which appears to be the foundation for the fulfilment of civil and political rights, was given special attention in 2008 by public authorities. However, Government should remain vigilant so as to ensure that the implementation of the policies and programmes undertaken in particular, within the framework of ensuring the fulfilment of the right to accommodation in our larger cities, fighting against high cost of living and improving economic transparency and good governance is effective and can yield the expected results.

**904** -Measures of positive discrimination in favour of the social entities in need of categorical rights should be improved so as to reduce the inequalities to the lowest. In this regard, the implementation of the recommendations of the United Nations Committee on the Elimination of Forms of Discrimination Against Women, following the presentation on 28 January 2009 of Cameroon's Periodic Report on the implementation of the International Convention on the Elimination of all Forms of Discriminations Against Women, must be Government's priority.

**905** -With regard to detention conditions, they need to be improved upon in the medium and long-term, taking into account widespread actions carried out in this sector.



# ANNEX

This report was validated during a workshop, organized on 22 and 23 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 Agriculture and Rural Development  
Ministry of Basic Education  
Ministry of Commerce  
Ministry of Communication  
Ministry of Culture  
Ministry of Defence  
Ministry of Economy, Planning and Regional Development  
Ministry of Energy and Water Resources  
Ministry of Employment and Vocational Training  
Ministry of Environment and Nature Protection  
Ministry of External Relations  
Ministry of Forestry and Wildlife  
Ministry of Higher Education  
Ministry of Justice  
Ministry of Livestock, Fisheries and Animal Husbandry  
Ministry of Labour and Social Security  
Ministry of Public Health  
Ministry of Scientific Research and Innovation  
Ministry of Secondary Education  
Ministry of Social Affairs  
Ministry of Territorial Administration and Decentralisation  
Ministry of Transport  
Ministry of Women's Empowerment and the Family  
Ministry of Urban Development and Housing  
State Secretariat of Defence in charge of Gendarmerie  
City Council, Yaounde  
General Department of External Research  
General Delegation of National Security  
National Employment Fund  
National Social Insurance Fund (NSIF)

## **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

National Human Rights Observatory

New Human Rights –Cameroon (NDH – Cameroun)

Transparency International, Cameroon

