



**MINISTÈRE DE LA COMMUNICATION**  
**MINISTRY OF COMMUNICATION**

## **GOVERNMENT COMMUNICATION**

**SOCIAL PEACE, NATIONAL SECURITY AND COHESION AND THE  
RAISING OF PUBLIC AWARENESS ON THE GENERAL CODE OF  
REGIONAL AND LOCAL AUTHORITIES**

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### **JOINT PRESS CONFERENCE**

### **MINCOM - MINDDEVEL**

### **STATEMENT**

OF

**H.E. RENE EMMANUEL SADI**  
***MINISTER OF COMMUNICATION***

**Yaoundé, Tuesday 14, January 2020.**

- **The Minister of Decentralization and Local Development;**
- **Distinguished Media Professionals**
- **Distinguished Guests;**
- **Ladies and Gentlemen;**

**The PRESIDENT OF THE REPUBLIC, His Excellency Paul BIYA, enacted on December 24, 2019, laws of major historical significance, whose impact and added value will be a contributing factor in the building of a new Cameroon, which he so fervently desires, grounded on the fundamental values of unity and social peace, security, national cohesion and respect for the values of the Nation.**

**Adopted by the Senate and the National Assembly, within the context of the 3<sup>rd</sup> ordinary session of the 2019 legislative year, which ended on 11 December, and, at the end of the extraordinary session of the Cameroonian Parliament, which took place from 13 to 20 December 2019, at the request of the HEAD OF STATE, the laws which have therefore been enacted in strict compliance with the constitutional provisions, appropriately provide adequate responses to the concerns of the national community.**

➤ **Distinguished Ladies and Gentlemen;**

**I therefore thank you for responding so massively to this joint press conference, whose central theme will focus on the General Code of Regional and Local Authorities, its comprehensive and detailed presentation, the major innovations and the various facilitations induced by its entry into force, for all the players of the public sphere to have a better understanding and ownership of the legal instruments, whose opportunity and importance are clearly evident.**

**I am particularly delighted to welcome in this Auditorium of the Ministry of Communication, His Excellency Georges ELANGA OBAM, the Minister of Decentralization and Local Development, who, on behalf of the Government, is primarily in charge to not only ensure the development of decentralized local authorities, but also, and above all, to speed-up and intensify the decentralization process.**

**As you would expect, the Minister of Decentralization and Local Development, and, possibly, Experts from his Ministry, will, throughout our discussions, provide appropriate insights, to allow national and international opinion to usefully appreciate in its fullness the scope of the reforms contained in the General Code of Regional and Local Authorities.**

**I would also like to avail myself of this opportunity offered to me within the framework of this encounter with the national and international media, to present the best 2020 New Year wishes to all the media players, and to all of you who have been invited by the Government.**

**➤ Distinguished Ladies and Gentlemen;**

**Faced with the various concerns of the moment, and the need to consider the pressing issues recorded since the outbreak of the crisis situation in the North-West and South-West Regions, the PRESIDENT OF THE REPUBLIC, has committed himself to provide suitable solutions likely to guarantee good order throughout the country, and above all, to allow a return to normalcy in the two Regions in crisis.**

**As you know, the question related to the equality of official languages in our country, as well as the need to endow the North-West and South-West Regions with a Special Status, with regard to their linguistic and even historical specificities, are among the top recommendations of the Major National Dialogue, convened by the HEAD OF STATE, and placed under the chairmanship of the Prime Minister, Head of Government, from September 30 to October 04, 2019 in Yaoundé, to seek for avenues to address the major problems arising from the ten Regions of the country, and mainly, for the**

**return to social peace, harmony and cohesion, in the North-West and South-West Regions.**

**The solemn commitment made by the Head of State, at the aftermath of the said Dialogue, to ensure that all the recommendations of the Major National Dialogue, *"will be considered attentively and diligently with a view to implementing, taking into account their relevance and feasibility, as well as the capacities of our country"*, was thus followed up with immediate effect, not only, with the adoption and enactment of the law on the General Code of Regional and Local Authorities, but also, of the law on the promotion of official languages.**

**Regarding in particular the regulatory framework dealing with the promotion of official languages, it should be emphasized that in the face of tribal excesses, exacerbated by certain compatriots, for many months, by the apology of ethnic hatred, in the media and through social media, the law to amend the Criminal Code in force since July 12, 2016, now makes it possible to punish the authors of the said offences, and hold them responsible for their acts in all the rigor of the new law.**

**In addition, the law devoted to the promotion of official languages, confirms the strengthening of the bilingual character of our country, our multiculturalism as well as the living together of all Cameroonians, at the same time as it ensures the equal usage of French and English,**

**whose ultimate mission is to see them being implemented in all national institutions, as indistinct working languages, while encouraging Cameroonians to a more regular use of one or the other language.**

**The law on the General Code of Regional and Local Authorities, top on the agenda of this government communication, endorses the firm resolve of the PRESIDENT OF THE REPUBLIC, to match words with actions, by stimulating the acceleration and intensification of the decentralization process, beneficial to the development of the ten Regions of Cameroon, and even more, beneficial to the development of the North-West and South-West Regions, which, from now on, are endowed with very specific structures, to ensure their administrative management.**

**After an attentive and diligent consideration of the recommendations resulting from the Major National Dialogue, the HEAD OF STATE commended for the institution of a General Code of Regional and Local Authorities, called to correct the various rightful flaws identified by the participants in the Major National Dialogue, notably, the Commission which was called upon to reflect on Decentralization, namely:**

**- A weak functional autonomy of the local authorities and a weighty supervision;**

- **Insufficient and incompatible skills and human and financial resources;**
- **The non-elective method of appointing the executive bodies of city councils;**
- **The almost non-existent citizen participation in the management of local authorities;**
- **An insufficient definition of the statutory guarantees of local elected representatives;**
- **Poor combination of skills and resources between local authorities;**
- **A financial regime sometimes unsuitable for decentralized management;**
- **The need for a definition of the Special Status for the North-West and South-West Regions.**

➤ **Distinguished Ladies and Gentlemen;**

**In this action to raise public awareness on the General Code of Regional and Local Authorities, the Government intends to present a fragmented and summarized READING of this legal document to the public.**

**In all, it should be noted that this General Code contains five hundred and three (503) Sections, broken-down into seven (07) Books.**

**With regard to the spatial arrangement of this instrument, it should be noted that BOOK one presents the General Decentralization Framework, preceded by an OPENING BOOK, which deals, of course, with the**

**preliminary provisions, while BOOK six is devoted to Miscellaneous, Transitional and Final Provisions.**

**The set of the intermediate Books is respectively devoted to the status of the local elected representative, the specific rules applicable to the councils, then to the regions, and to the financial regime of the Regional and Local Authorities.**

**In substance, and with regard to the magnitude of the great innovations contained in this General Code of Regional and Local Authorities, through its seven (07) Books, it seemed appropriate to me, to indicate, for all useful purposes, the data which today matches with the yesterday's concerns of several social actors.**

**In this regard, and in an increasing order, it should be noted that in the Opening Book, the General Code deals with subjects relating to the administration of justice, the education system, and the use of official languages, while specifying that all these fields of activity are governed by specific laws.**

**It also begins with the imperative of national unity, the integrity of the territory and the primacy of the State, as well as the equal dignity of local authorities.**

**It is well underlined that no local authority can exercise supervision over another.**



**To end with, the General Code specifies that certain local authorities may benefit, in their organization and operation, from a specific regime, based on their historical, social and cultural values, or on their economic importance.**

**With regard to Book one, it reinforces the principles relating to the guarantee of free administration and the functional autonomy of local authorities. In this regard, it endorses election as a method of appointing the bodies of local authorities, which is one of the exceptions to this rule relating to the appointment of members of special delegations created in the event of institutional break-down of municipal or regional councils.**

**The principle of competition, by which the powers transferred to local authorities are at the same time exercised by the State, has been adapted.**

**It had been certified that the Ministries only timidly transfer their competences and continue to exercise them, while the corresponding financial resources remained below the needs to be covered.**

**In order to address this flaw, the law to institute the General Code has made it in such a way that the powers that have been transferred really become the exclusive powers of local authorities.**

**Better still, these powers can only be exercised by State services under certain conditions.**

**In addition, the related financial resources are no longer allocated in the budget of Ministries, but directly allocated to councils.**

**This law also prescribes the involvement of the populations at all stages of the preparation and execution of budgets, programmes and other projects, through the establishment of neighborhood or village committees in the councils.**

**This innovation highlights the role of these consultation frameworks in the vibrancy of council life, which will consequently be enriched by the opinions and proposals of local populations on the progress of their councils.**

**It is therefore a question of enhanced citizen participation within the spirit and the letter of the law.**

**The supervisory role of the State has also undergone reorganizations, with the substantial relaxation of the powers of the administrative authorities, which authorities, are now limited to legality control and advisory support, in budgetary matters, or even on issues related to decentralized cooperation, land matters and the harmonization of municipal, regional and national development plans.**

**With regard to human resources, the General Code squarely responds to the recommendations of the Major**

**National Dialogue, with the establishment of a local public service.**

**In the same vein, in order to strengthen the financial capacities of local authorities, the fraction of State revenue allocated to the latter, as part of the general allocation for decentralization, could no longer be less than fifteen percent (15%).**

**All in all, the General Code grants a specific title to the bodies in charge to monitor the decentralization, bodies within which Senators will formally take part, within the framework of the full exercise of the function of representation of local authorities, vested in the Senate by the Constitution of Cameroon.**

**With regard to Book two, it should be underscored that it has a unique orientation, that of strengthening the guarantees necessary for the effective exercise of the mandate of local elected representatives.**

**As such, it is in this section of the law on the General Code of Regional and Local Authorities that the quality and attributes of local elected representatives, the rights relating thereto and, in return, their obligations are defined, with the most significant being the obligation to devote oneself to his functions and the obligation of residence. It is also in this sequence of this law that the**

**advantages related to the local elected representatives are indicated.**

➤ **Distinguished Ladies and Gentlemen;**

**With regard to Book three, the General Code deals with the rules applicable to municipalities.**

**In order to guarantee the effectiveness of the said local authorities, the outlines of certain powers hitherto transferred are explained there, as well as the listing of the new powers contained in this law.**

**This has to do notably with;**

- The exploitation of mineral substances that cannot be given out as concession;**
- Preparation and implementation of specific council plans for risk prevention and emergency response in the event of disasters;**
- Recruiting and managing the nursing staff and paramedics of integrated health centres and sub-divisional health centres;**
- Recruiting and managing the teaching and support staff of the said schools;**
- Creating and operating leisure parks as well as organizing socio-cultural events for leisure purposes.**

**In addition, the General Code specifies that the deliberations of the Municipal Council are valid even if**

**the representative of the State, invited, but prevented, cannot attend the sessions.**

**Moreover, and this is another innovation which meets the requests of several municipal magistrates, Mayors and Deputy Mayors can now, if they wish, wear their scarf over the shoulder when celebrating weddings.**

**One of the fundamental provisions of this General Code is undoubtedly the rearrangement of the special regime applicable to city councils.**

**The concept of community interest, the understanding of which has long been at the origin of conflicts between city councils and sub-divisional councils, is in all respects well clarified in the General Code.**

**The City Council Board, as a deliberative body, remains unchanged, but the previous designation of its members as "Grand Councilor" now becomes "City Council Councilor", the number of which increases from six (06) to eleven (11) per Sub-divisional Councils.**

**The executive body is made up of the "Mayor of the city" and the "Deputy mayors" whose mode of accession to office is by election by all of the City Councilors of the urban centres.**

**This change of name better reflects the idea of representation.**

**This senior official will be assisted by Deputies who cannot emanate from the same Sub-divisional Council, these functions being, moreover, incompatible with those of the Mayor or the Deputy Mayor of the Sub-divisional Council.**

**The fourth Book on its part deals with the rules applicable to regions.**

**Despite the fact that this level of local authorities is not yet functional, the related regulatory instrument has also been cleaned up, in the light of the experience provided by the management of councils and the challenges of the general governance of the Nation.**

**The skills transferred to the regions have been enriched through the recruitment and management of nursing and paramedical staff from regional and district hospitals, the recruitment and support of teaching staff in high schools and colleges, the creation and operation of parks of regional interest, as well as the organization of socio-cultural events for the purposes of regional interest.**

**At this level, it is important to broadly outline the major innovation relating to the organization and functioning of the North-West and South-West Regions, for which, as you know, a derogatory status has been developed, in application of the provisions of Section 62, sub-section 2,**

**of the Constitution and in accordance with the recommendations of the Major National Dialogue.**

**The law thus sets up a specific legal regime which, in addition to the competences recognized in other regions, confers on the North-West and South-West Regions, powers deriving from their specificities. It has to do with:**

**- the participation in the development of national public policies relating to the English-speaking educational subsystem and the administration of justice, in accordance with the Common Law subsystem:**

**- The creation and management of regional development missions;**

**- The status of the traditional chieftdom.**

**The other element of specificity relates to the regional bodies which, in the North-West and South-West Regions will be:**

**The Regional Assembly and the Regional Executive Council.**

**The Regional Assembly, a deliberative body, is composed, as in other regions, of ninety (90) Regional Councilors, divided into two Houses:**

**- The House of Divisional Representatives and the House of Chiefs.**

**The two Houses could meet on the same dates, separately, or together depending on the items on the agenda.**

**The House of Divisional Representatives, also chaired by the President of the Regional Executive, is made up of seventy (70) members.**

**As for the House of Chiefs, it is chaired by the Vice-President of the Regional Executive, and includes twenty (20) members elected in accordance with the legislation in force.**

**This House of Chiefs gives its opinion to issues relating to the status of the traditional chieftdom, the management and conservation of historical sites, monuments and vestiges, the organization of cultural and traditional events in the region, the collection and translation of elements of oral tradition and the regional linguistic map.**

**The Regional Executive is composed of a President, a Vice-President, two Secretaries, a Questor, and three Commissioners respectively in charge of economic development, health and social development and educational, sports and cultural development.**

**The President and the Vice-President of the Regional Executive are native personalities of the region, and the other members of the Regional Executive Council, are elected within the Regional Assembly, for the duration of the mandate.**



**The President of the Regional Executive Council comes from the category of divisional representatives.**

**In all, another important innovation of the law instituting the General Code provides for the establishment of a Public Independent Conciliator (PIC) in the North-West and South-West Regions.**

**The Public Independent Conciliator is an independent authority responsible for examining and amicably settling disputes between users and regional and council administrations, the functioning of regional administrations, communities, businesses and public establishments, and ensuring respect for regional specificity in the fields of use of the English language, the practice of Common Law and the implementation of the English-speaking educational subsystem.**

**The Public Independent Conciliator is appointed by the President of the Republic on the joint proposal of the Regional Assembly and the Representative of the State in the region concerned.**

**A Decree of the President of the Republic determines the procedures for exercising these functions.**

**Book 5 of the General Code fixes the financial regime of local authorities, and strengthen the system of financial**

**autonomy of local authorities as well as the responsibility which emanates from it.**

**It at the same time proposes a better definition of the rules for drawing up, voting, execution, control of budget execution, as well as the involvement of populations in the process and reaffirms the principle of the separation of functions of authorizing officer and accountant.**

**The financial regime of local authorities is based on the Constitution which, in its Section 55, Sub-section 5, provides that: "The organization, operation and financial regime of regional and local authorities shall be laid down by law. "**

**In this part of the law, the most significant innovations particularly relate to:**

- Taking the management reform into account, through performance inspired by the principles of results-based management which prescribe the linkage of regional and local authorities to the programme-based budgeting;**
- The establishment of a budget calendar for local authorities consistent with the State budget calendar;**
- The prescription of a budget ratio of 60% for investment expenditure and 40% for operating expenditure for the regions;**

**-The management of external resources from decentralized cooperation, foreign States or international institutions and organizations.**

**Book 6 of the General Code on Regional and Local Authorities is in all devoted to various, transitional and final provisions.**

**In this regard, and in summary, it highlights:**

- The details of the entry into force of certain provisions in the area of municipal police, job budgeting, analytical and asset accounting;**
- The conditions of the forfeiture of any local or regional elected representative, member of an executive body or not, following a conviction for a crime or offence;**
- Transitional measures relating to the establishment of the local public service, as well as the transfer by the State, of personnel, goods, furniture and buildings belonging to local authorities, in the event of full devolution of powers to the said authorities.**

**➤ Distinguished Ladies and Gentlemen;**

**As you can see, the General Code on Regional and Local Authorities is a dead-on comment to all those, who here and there, demonstrated a malicious and unbearable bad faith, by refusing to recognize the resounding success of the Major National Dialogue. Above all, this General Code is a real slap in the face of all those, who, because of hidden agenda, went as far as to assert that the**

**PRESIDENT OF THE REPUBLIC will in no way take into account the recommendations of the Major National Dialogue.**

**It is now crystal clear to everyone that the HEAD OF STATE, His Excellency Paul BIYA, has, in his clearly determined and committed exceptional foresight, taken into account whole segments of the suggestions transmitted to him by the representatives of the Nation.**

**The enactment of this law, and therefore the beginning of its implementation constitutes in itself a veritable velvet revolution for the forward march of our society.**

**It is therefore important to remind the entire national community that the acceleration and intensification of the decentralization process in Cameroon is called upon to consolidate and solidify local governance, of course, but it cannot be equated with the death of the State.**

**In all, the great liberal democracies in the world, in all the countries where this system has been set up, historical benchmarks clearly indicate that it is a gradual and evolutionary deployment, step after step, phase after phase, marked through periods of evaluation and recurrent reforms.**

**By way of illustration, it is vital to cite for example, the French experience of decentralization, which has continued to witness several major changes, notably:**

- The law of March 2, 1982, relating to “the rights and freedoms of councils, divisions and the regions”;
- The laws of January 7 and July 22, 1983, relating to the “transfer of competences of the State to Local Authorities”;
- The law of March 28, 2003, relating to “the decentralized organization of the French Republic, to allow legal and statutory developments”;
- Or again, the law on “the reform of local authorities” and the law on “the modernization of territorial public action and the assertion of metropolitan areas”, respectively, on December 16, 2010 and January 27, 2014.

I would like to point out, moreover, with regard to France, that the implementation of decentralization is a continuous process with the regular initiation of structural reforms.

This could also be valid for countries such as Germany, where the process started since 1949, with the birth of the Federal Republic of Germany, and the promulgation of basic law guaranteeing the administrative autonomy of the councils, has witnessed several changes.

This is also the case with the United Kingdom, whose practice of decentralization initiated in 1972, by the law on “local government and in Wales”, registers to date, no less than a dozen of real reforms, mainly, the laws on

**"local development" and "regional assemblies", adopted by the United Kingdom, between 2000 and 2003.**

**Both in Spain, in Italy and in several other countries, the practice of decentralization is a long-term process which matures as the years go by.**

**This means that the Cameroonian experience of decentralization, which far from being confused with a sudden and immediate remedy for the resolution of all our development problems, must be understood by all, as a great step forward that takes place over time and which will know its phase of maturity and rooting, by a better ownership of its various mechanisms by all the actors.**

**In the same vein, another certainty should be underscored, and not the least, that even if we have relevant and efficient institutions that reflect the aspirations of the people and meet their expectations, this would happen only through those who are in charge to directly manage and stimulate these institutions.**

**In other words, the Head of State has fulfilled his mission, to those who, tomorrow, will be invested with the confidence of our fellow citizens, to fully assume their responsibilities, at the service of Cameroon and Cameroonians.**

**Distinguished Ladies and Gentlemen,**

**While waiting for the holding of the twin legislative and municipal elections on February 09, 2020, which will be followed by the establishment of a new National Assembly and new Municipal Councils, before the deployment of regional authorities, it is but appropriate to acknowledge that a new era is in the making before our very eyes, and as announced by President Paul BIYA on December 31, 2019, it is worthy of note that a new Cameroon is taking shape.**

**It is on this note that I would like to now give the floor to the Minister of Decentralization and Local Development to allow everyone to be better enlighten on the aspects related to this important law.**

**Thank you for your kind attention./.**